

Report of the Human Rights Council

Thirtieth session
(14 September-2 October 2015)



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Note

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I. Introduction

1. The Human Rights Council held its thirtieth session from 14 September to 2 October 2015.
2. The report of the Human Rights Council on its thirtieth session will be issued in document [A/HRC/30/2](#).

II. Resolutions brought to the attention of the General Assembly for its consideration and possible action

30/8. Contribution of the Human Rights Council to the high-level meeting on HIV/AIDS in 2016

The Human Rights Council,

Recalling Human Rights Council resolutions 12/27 of 2 October 2009, 15/22 of 30 September 2010 and 16/28 of 25 March 2011, and relevant Commission on Human Rights resolutions,

Reaffirming the Political Declarations on HIV/AIDS adopted by the General Assembly on 2 June 2006 and 8 July 2011, and the Declaration of Commitment on HIV/AIDS, adopted by the Assembly on 27 June 2001,

Recalling the International Guidelines on HIV/AIDS and Human Rights referred to in the above-mentioned resolutions and annexed to Commission on Human Rights resolution 1997/33 of 11 April 1997, which provides guidance to ensuring the respect, protection and fulfilment of human rights in the context of HIV,

Recalling also the panel discussion held on 20 March 2012 at the nineteenth session of the Human Rights Council on giving a voice to people living with or affected by HIV/AIDS,

Welcoming the consensus reached on the 2030 Agenda for Sustainable Development, which contains a goal to ensure healthy lives and promote well-being for all at all ages, and which includes the target of ending the epidemic of AIDS by 2030,

Welcoming also the decision of the General Assembly of 30 June 2014 to convene a high-level meeting on HIV/AIDS in 2016,¹ preferably in the second half of the year, and to undertake the necessary consultations to determine the modalities and organizational arrangements for such a meeting during the seventieth session of the Assembly,

Reaffirming that the full realization of human rights and fundamental freedoms for all is an essential element in the global response to the HIV/AIDS pandemic, including in the areas of prevention, care, support and treatment, and that such a response reduces people's vulnerability to HIV/AIDS and prevents stigma and related discrimination against people living with or at risk of HIV/AIDS,

1. *Decides* to convene a panel discussion at its thirty-first session on the progress in and challenges of addressing human rights issues in the context of efforts to end the HIV/AIDS epidemic by 2030, on the occasion of the twentieth anniversary of the International Guidelines on HIV/AIDS and Human Rights;

2. *Invites* the United Nations High Commissioner for Human Rights to liaise with States and all stakeholders, including relevant United Nations bodies, agencies, funds and programmes, treaty bodies, special procedure mandate holders, national human rights institutions and civil society, with a view to ensuring their participation in the panel discussion;

3. *Requests* the High Commissioner to prepare a report on the panel discussion in the form of a summary and to submit it to the Human Rights Council at

¹ General Assembly decision 68/555.

its thirty-second session, and decides to bring the report to the attention of the General Assembly ahead of the high-level meeting on HIV/AIDS in 2016;

4. *Invites* the General Assembly to take the summary report into consideration ahead of and during the high-level meeting, in accordance with the modalities and organizational arrangements, to be agreed pursuant to Assembly decision 68/555.

*41st meeting
1 October 2015*

[Adopted without a vote.]

30/10. The grave and deteriorating 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,

Demanding that the Syrian authorities meet their responsibility to protect the Syrian population,

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, and acts of violence that foment sectarian tensions,

Expressing its deepest concern about the findings of the Independent International Commission of Inquiry on the Syrian Arab Republic, and the allegations of torture and executions based on the evidence presented by the “Caesar” report in January 2014,

Noting the observation of the Commission of Inquiry that, since March 2011, the Syrian authorities have conducted widespread attacks against the civilian population as a matter of policy,

Deploring the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

Expressing its deep regret that, despite international efforts, a political solution to the Syrian crisis has not yet been found,

Expressing full support for the diplomatic efforts of the Special Envoy of the Secretary-General for Syria,

Stressing that rapid progress on a political solution should include full participation by all segments of Syrian society, including women, and represents the only sustainable way to resolve the situation in the Syrian Arab Republic peacefully,

Acknowledging the ongoing efforts by human rights defenders active in the Syrian Arab Republic to document abuses and violations of human rights and violations of international humanitarian law, despite grave risks,

1. *Welcomes* the work of the Independent International Commission of Inquiry on the Syrian Arab Republic, and notes the importance of the work of the Commission of Inquiry and the information it has collected in support of future

accountability efforts, in particular, the information on those who have allegedly violated international law;

2. *Demands* that the Syrian authorities cooperate fully with the Human Rights Council and the Commission of Inquiry by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

3. *Strongly condemns* the continued systematic, widespread and gross violations and abuses of human rights and all violations of international humanitarian law by the Syrian authorities and affiliated militias, including foreign terrorist fighters and those foreign organizations fighting on behalf of the Syrian authorities, in particular Hezbollah, and expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

4. *Also strongly condemns* the terrorist acts and violence committed against civilians by the so-called Islamic State in Iraq and the Levant (Daesh), al-Nusra Front and other extremist groups, and their continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law, and reaffirms that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant (Daesh), cannot and should not be associated with any religion, nationality or civilization;

5. *Condemns in the strongest terms* the gross and systematic abuse of women's and children's rights by the so-called Islamic State in Iraq and the Levant (Daesh), in particular the enslavement and sexual abuse of women and girls, and the forced recruitment and abduction of children;

6. *Condemns* all violations and abuses of international human rights law and all violations of international humanitarian law, including against women and children, as well as persons with disabilities, and urges all parties to the conflict not to commit indiscriminate attacks, including those that affect civilian populations and objects, to demilitarize medical facilities and schools, to comply with their obligations under international humanitarian law and to respect human rights;

7. *Strongly condemns* the widespread use of sexual violence and torture in detention centres, including those referenced in the reports of the Commission of Inquiry, noting that such acts constitute violations of international human rights law or violations of international humanitarian law, recognizes the permanent damage from torture to victims and their families, and calls for the appropriate international monitoring bodies to be granted immediate access to all detainees and for the Syrian authorities to publish a list of all detention facilities;

8. *Also strongly condemns* all arbitrary detention of individuals by the Syrian authorities and other parties to the conflict, and demands the immediate release of all persons arbitrarily detained, including women, children, human rights defenders, humanitarian aid providers, medical personnel and journalists;

9. *Reiterates its condemnation in the strongest terms* of any use of any toxic chemical, such as chlorine, as a weapon in the Syrian Arab Republic, and recalls the decision of the Security Council that the Syrian Arab Republic shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to other States or non-State actors;²

10. *Welcomes* the unanimous adoption of Security Council resolution 2235 (2015) of 7 August 2015, in which the Council established a joint investigative

² See Security Council resolution 2235 (2015).

mechanism of the Organization for the Prohibition of Chemical Weapons and the United Nations to identify those involved in uses of toxic chemicals as weapons in the Syrian Arab Republic, and emphasizes the need to hold those responsible to account;

11. *Condemns* the Syrian authorities' use of heavy weapons, cluster munitions and aerial bombardments, including any indiscriminate use of ballistic missiles and barrel bombs, and attacks on medical facilities, and also condemns the starvation of civilians as a method of combat against the Syrian population;

12. *Condemns in the strongest terms* the increasing number of massacres and other mass casualty incidents, including any which may constitute a war crime, taking place in the Syrian Arab Republic, in particular the outrageous attack in Douma by the Syrian regime, which struck a busy market place on 16 August 2015, when at least 111 civilians were killed, including women and children, and requests the Commission of Inquiry to continue to investigate all such acts;

13. *Stresses* the need to promote accountability for those responsible for the unlawful killings of civilians, including any during the attack in Douma, and also stresses the importance of holding to account those responsible for all violations of international humanitarian law and international human rights law;

14. *Strongly condemns* violence against all persons based on their religious or ethnic affiliation, and calls upon all parties to fully respect international law;

15. *Demands* that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect the Syrian population lies with the Syrian authorities;

16. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, as well as the organized looting and trafficking of its cultural property, as outlined by the Security Council in its resolution 2199 (2015) of 12 February 2015;

17. *Condemns* the reported forced displacements of the population in the Syrian Arab Republic and the alarming impact on the demography of the country, and calls upon all parties concerned to cease immediately all activities related to these actions, including any activities that may amount to crimes against humanity;

18. *Calls upon* the international community to support the leadership and full participation of women in all efforts aimed at finding a political solution to the Syrian Arab Republic, as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000 and 2122 (2013) of 18 October 2013;

19. *Recalls* that the International Criminal Court was established to help to end impunity for such crimes where the State is unwilling or unable to genuinely carry out investigations or prosecutions;

20. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of international human rights law are held to account through appropriate, fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

21. *Reaffirms* that, in the context of an inclusive and credible dialogue, the Syrian people should determine the appropriate process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations and abuses of international law, as well as reparations and effective remedies for victims;

22. *Also reaffirms* its commitment to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, where all citizens are equal, regardless of gender, religion and ethnicity;

23. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence in the Syrian Arab Republic, welcomes the efforts by neighbouring countries to host Syrian refugees, and acknowledges the socioeconomic consequences of the presence of large-scale refugee populations in those countries;

24. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic, 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;

25. *Welcomes* the outcome of the Third International Humanitarian Pledging Conference for Syria, held in Kuwait City, expresses its appreciation to donor States, and calls upon all members of the international community to respond expeditiously to the Syrian humanitarian appeals and to fulfil all previous pledges;

26. *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, including to besieged areas, in accordance with Security Council resolutions 2139 (2014) of 22 February 2014, 2165 (2014) of 14 July 2014 and 2191 (2014) of 17 December 2014, and calls upon Member States to fully fund the United Nations appeals;

27. *Takes note* of those countries outside the region which have put in place measures and policies to assist and to host Syrian refugees, and encourages them to do more, and encourages other States outside the region to consider implementing similar measures and policies, also with a view to providing Syrian refugees with protection and humanitarian assistance;

28. *Reaffirms* that there can only be a political solution to the conflict in the Syrian Arab Republic, and urges the parties to the conflict to abstain from actions that may contribute to the continuing deterioration of the security and humanitarian situation in order to reach a genuine political transition, based on the Geneva communiqué;

29. *Demands* that all parties work urgently towards the comprehensive implementation of the Geneva communiqué, aimed at bringing an end to all violence, violations and abuses of human rights and violations of international humanitarian law, and the launching of a Syrian-led political process leading to a political transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their future, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions;

30. *Decides* to transmit all reports and oral updates of the Commission of Inquiry to all relevant bodies of the United Nations, recommends that the Commission brief the General Assembly during its seventieth session, also recommends that the Assembly submit the reports to the Security Council for appropriate action, expresses its appreciation to the Commission for its briefings to members of the Security Council, and recommends the continuation of future briefings;

31. *Also decides* to remain seized of the matter.

*41st meeting
1 October 2015*

[Adopted by a recorded vote of 29 to 6, with 12 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Botswana, Brazil, Côte d'Ivoire, El Salvador, Estonia, France, Gabon, Germany, Ghana, Ireland, Japan, Latvia, Maldives, Mexico, Montenegro, Morocco, Netherlands, Paraguay, Portugal, Qatar, Republic of Korea, Saudi Arabia, Sierra Leone, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Algeria, Bolivia (Plurinational State of), China, Cuba, Russian Federation, Venezuela (Bolivarian Republic of)

Abstaining:

Bangladesh, Congo, Ethiopia, India, Indonesia, Kazakhstan, Kenya, Namibia, Nigeria, Pakistan, South Africa, Viet Nam]

30/16. From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

The Human Rights Council,

Recalling all its previous resolutions on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action,

Recalling also the General Assembly resolutions in this regard, and emphasizing the imperative need for their full and effective implementation,

Concerned that many years have lapsed since the adoption of the Durban Declaration and Programme of Action, and regretting in this regard that its objectives have not been met,

Concerned also, in the above context, at the increasing incidents of racially motivated hatred in all its forms and manifestations, some of which have taken violent forms with concomitant racial profiling,

Underlining the importance of removing legal obstacles and eliminating discriminatory practices that hamper individuals and groups of individuals from participating fully in the public and political life of the countries in which they live, including the lack of the exercise of their full citizenship rights,

1. *Welcomes* the adoption of the programme of activities for the implementation of the International Decade for People of African Descent;³

2. *Invites* the United Nations High Commissioner for Human Rights, in his capacity as coordinator of the Decade, to submit an update on his activities in the follow-up to the implementation of the programme of activities within the framework of the Decade to the Human Rights Council at its thirty-first session;

³ See General Assembly resolution 69/16.

3. *Calls upon* all States that have not yet done so, and consistent with paragraph 75 of the Durban Declaration and Programme of Action, to consider withdrawing their reservations on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination and articles 18, 19 and 20 of the International Covenant on Civil and Political Rights, as these reservations are contrary to the objects and purposes of these core instruments;

4. *Calls upon* all States to end posturing and denialism about the existence of racism, racial discrimination, xenophobia and related intolerance;

5. *Underscores* the importance of political will and commitment to eliminate all forms of racism, racial discrimination, xenophobia and related intolerance;

6. *Underlines* in the above context the primacy of maintaining a racial equality index under the custodianship of the High Commissioner;

7. *Requests* the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action to commence preparations for the commemoration of the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action, and to present a report thereon to the Council at its thirty-first session;

8. *Requests* the General Assembly, in view of the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action, to dedicate a theme on its full and effective implementation, including the universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, the withdrawal of reservations to article 4 of the Convention, the submission of declarations to article 14 of the Convention and the development of national action plans exclusively dedicated to the total eradication of all scourges of racism at the high-level segment of the seventy-first session of the General Assembly;

9. *Invites* Member States, the United Nations system and all relevant stakeholders, including non-governmental organizations, to intensify their efforts for building support for the full and effective implementation of the Durban Declaration and Programme of Action in the follow-up to the commemoration of the fifteenth anniversary of its adoption;

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

*42nd meeting
2 October 2015*

[Adopted by a recorded vote of 32 to 12, with 3 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Mexico, Morocco, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Latvia, Montenegro, Namibia,* Netherlands, the former Yugoslav Republic of Macedonia,

* The delegation of Namibia subsequently stated that there had been an error in its voting and that it had intended to vote in favour of the draft text.

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

Abstaining:

Japan, Portugal, Republic of Korea]

30/17. Forum on people of African descent in the diaspora

The Human Rights Council,

Recalling all its previous resolutions and those of the erstwhile Commission on Human Rights on the subject of the elimination of racism, racial discrimination, xenophobia and related intolerance, and stressing in this regard the primacy of the full and effective implementation of the Durban Declaration and Programme of Action,

Reaffirming all previous resolutions of the General Assembly on the imperative need to eliminate racism, racial discrimination, xenophobia and related intolerance,

Reaffirming also in the above context all previous resolutions of the General Assembly on the International Decade for People of African Descent,

Recalling paragraph 7 of the Durban Programme of Action,

Underlining in particular General Assembly resolutions 68/237 of 23 December 2013 and 69/16 of 18 November 2014, by which the Assembly proclaimed the International Decade for People of African Descent and adopted its programme of activities,

Recalling General Assembly resolutions 56/266 of 27 March 2002 and 59/177 of 20 December 2004 on the appointment and the mandate of the independent eminent experts in mobilizing the necessary political will required for the successful implementation of the Durban Declaration and Programme of Action,

1. *Commends* the important work undertaken by the independent eminent experts in the execution of their mandate, and welcomes their report;⁴

2. *Requests* the Secretary-General, through the General Assembly, to review and rescind the mandate of the independent eminent experts for the successful implementation of the Durban Declaration and Programme of Action and to allocate its resources to the establishment of a forum on people of African descent, consistent with paragraph 29 (i) of the annex to Assembly resolution 69/16;

3. *Recommends* in the above context that the mandate of the forum on people of African descent serve as a consultative mechanism for people of African descent in the diaspora as well as an advisory body to the Human Rights Council on the plight and needs of the people of African Descent with a view to achieving the following objectives:

(a) Full political, economic and social inclusion of people of African descent in the societies in which they live as equal citizens enjoying substantive equality in terms of their rights;

(b) To provide expert advice and recommendations aimed at addressing challenges of all the scourges of racism confronted by people of African descent in the diaspora and that impede the full and effective realization of all their human rights and fundamental freedoms;

⁴ A/HRC/26/56.

(c) To identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the provisions of the Durban Declaration and Programme of Action relevant to people of African descent in the diaspora;

(d) To monitor and review progress on the implementation of the programme of activities of the International Decade for People of African Descent, and to this end to gather relevant information from Governments, United Nations bodies and organs, intergovernmental organizations, non-governmental organizations and other relevant sources;

(e) To prepare and disseminate information on issues relating to people of African descent;

(f) To raise awareness and promote integration and coordination of activities relating to people of African descent within the United Nations system;

(g) To coordinate programmes aimed at human development indices among the communities of people of African descent in the diaspora with indicators directly relevant to their development needs;

4. *Recommends* that the General Assembly precede the launch of the forum with regional consultations in regions where people of African descent in the diaspora live and are citizens, for the purpose of transparency, participation and inclusivity with regard to the structure of the proposed forum;

5. *Decides* that the mandate, modalities and the structure of the forum will be finalized following the above-mentioned regional consultations in areas where people of African descent live, and bearing in mind their views and priorities;

6. *Also decides* to remain seized of this priority matter.

*42nd meeting
2 October 2015*

[Adopted by a recorded vote of 32 to 12, with 3 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Mexico, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Latvia, Montenegro, Netherlands, Portugal, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Japan, Maldives, Republic of Korea]

30/28. 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 27/2 of 25 September 2014,

Recognizing the renewed commitments to achieve the remaining Millennium Development Goals, 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,⁵

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

Emphasizing also that all human rights and fundamental freedoms, including the right to development, can only be enjoyed in an inclusive and collaborative framework, at the international, regional and national levels, and in this regard underlining the importance of engaging the United Nations system, including United Nations funds, programmes and specialized agencies, within their respective mandates, relevant international organization including financial and trade organizations, and relevant stakeholders, including civil society organizations, development practitioners, human rights experts and the public at all levels, in discussions on the right to development,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,⁶

Recognizing that achieving the internationally agreed development goals, including the Millennium Development Goals and the sustainable 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, and therefore calling upon the international community to contribute towards achieving that goal in accordance with the Sustainable Development Goals,

Underlining the imperative need for raising awareness of the progress made, still existing difficulties and accelerating action towards the achievement of the unmet Millennium Development Goals and the transition to the Sustainable Development Goals,

Emphasizing that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, interdependent and interrelated,

Underlining that the successful implementation of the sustainable development goals will require the strengthening of a new, more equitable and sustainable national and international order, as well as the promotion and protection of all human rights and fundamental freedoms,

Emphasizing that the right to development should be central to the implementation of the 2030 Agenda for Sustainable Development,

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 urging all relevant bodies of the United Nations system and other international organizations to mainstream the right to development into their objectives, policies, programmes and

⁵ General Assembly resolution 65/1.

⁶ General Assembly resolution 70/1.

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 lasting obstacles to development, that the international community should promote effective international cooperation, in particular a 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,

Encouraging all Member States to constructively engage in the discussions for the full implementation of the Declaration on the Right to Development with a view to overcoming the existing political impasse within the Working Group on the Right to Development,

Recalling that the thirtieth anniversary of the Declaration on the Right to Development presents a unique opportunity for the international community to demonstrate and reiterate its unequivocal commitment to the right to development, recognizing the high profile it deserves, and redoubling its efforts to implement this right,

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;⁷

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, that have direct relevance to the promotion and the realization of the right to development;

3. *Urges* the High Commissioner to pursue his efforts, in fulfilment of his mandated responsibility, to enhance support for the promotion and the 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;

4. *Requests* the Office of the High Commissioner, in the implementation of the Declaration on the Right to Development, to take sufficient measures to ensure balanced and visible allocation of resources and due attention to ensure visibility of the right to development by identifying and implementing tangible projects dedicated to the right to development, and to provide regular updates to the Council in this regard;

5. *Recognizes* the need for renewed efforts towards intensifying deliberations in the Working Group to fulfil, at the earliest, its mandate as established by the

⁷ A/HRC/30/22.

Commission on Human Rights in its resolution 1998/72 of 22 April 1998 and the Human Rights Council in its resolution 4/4;

6. *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;

7. *Takes note with appreciation* of the oral update given by the Chair-Rapporteur of the Working Group on its sixteenth session;

8. *Welcomes* the newly elected Chair-Rapporteur of the Working Group and commends him for his able stewardship in guiding the deliberations of its sixteenth session, and appreciates all the work accomplished by the outgoing Chair-Rapporteur, including the draft framework presented at the sixteenth session of the Working Group;⁸

9. *Also welcomes* the commencement of the second reading of the draft criteria and corresponding operational subcriteria;

10. *Recalls* that the Working Group continues its mandate and requests the Chair-Rapporteur to prepare a document containing a set of standards for consideration by the Working Group at its seventeenth session to implement the right to development based on relevant United Nations resolutions and documents, including the Declaration on the Right to Development, relevant international conventions and decisions as well as internationally agreed development goals and United Nations resolutions, in consultation with Member States, relevant international organizations and other stakeholders;

11. *Also recalls* that the above-mentioned document would be prepared without prejudice to the ongoing discussions on the criteria and operational subcriteria, in the context of which the Working Group shall complete its second reading at its seventeenth session and decide on further action thereafter, with the objective of elaborating a comprehensive and coherent set of standards for the implementation of the right to development;

12. *Acknowledges* the need to have the contributions of experts, regrets the low attendance of invited experts from international organizations at the sixteenth session of the Working Group, and in this context urges their broader engagement;

13. *Also acknowledges* the recommendation of the Working Group at its sixteenth session to discuss the post-2015 development agenda in the context of the right to development, and urges all relevant United Nations agencies, international organizations, civil society and other stakeholders to contribute actively to these deliberations and the further recommendation of the Working Group to the Office of the High Commissioner;

14. *Decides*:

(a) To continue to act to ensure that its agenda promotes and advances sustainable development and the achievement of the remaining Millennium Development Goals and the Sustainable 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;

⁸ See [A/HRC/WG.2/16/2](#), annex.

(b) To endorse the recommendations of the Working Group adopted at its sixteenth session;

(c) That the Working Group will continue, at its seventeenth session, to accomplish its mandate, including to complete its second reading of the draft right to development criteria and corresponding operational subcriteria and to consider the document containing the draft set of standards requested in paragraph 10 above for the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

(d) That the Working Group shall take appropriate steps to ensure respect for and practical application of the comprehensive and coherent set of 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;

(e) To convene a two-day formal meeting of the Working Group, after the seventeenth session, to consider further and discuss the document containing the draft set of standards requested in paragraph 10 above;

15. *Requests*, as part of the activities to commemorate the thirtieth anniversary of the Declaration on the Right to Development:

(a) The High Commissioner to seek the views of Member States in preparing a paper on the realization and implementation of the right to development, as elaborated in the Declaration on the Right to Development, in particular its article 4, and submit it to the Working Group for consideration at its seventeenth session;

(b) The General Assembly to consider holding a high-level segment on the right to development during the general debate at its seventy-first session;

16. *Encourages* Member States to convene, individually and collectively, events with their own resources for the commemoration of the thirtieth anniversary of the Declaration on the Right to Development;

17. *Also encourages* Member States to pay particular consideration to the right to development in the implementation of the 2030 Agenda for Sustainable Development;

18. *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 give due consideration to the right to development in the implementation of 2030 Agenda for Sustainable Development, to contribute further to the work of the Working Group, and to cooperate with the High Commissioner in the fulfilment of his mandate with regard to the implementation of the right to development;

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

*43rd meeting
2 October 2015*

[Adopted by a recorded vote of 33 to 10, with 4 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Mexico, Morocco,

Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Estonia, France, Germany, Ireland, Latvia, Montenegro, Netherlands, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Japan, Portugal, Republic of Korea]

III. Resolutions

30/1. Promoting reconciliation, accountability and human rights in Sri Lanka

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations,

Guided by the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant instruments,

Recalling Human Rights Council resolutions 19/2 of 22 March 2012, 22/1 of 21 March 2013 and 25/1 of 27 March 2014 on promoting reconciliation and accountability in Sri Lanka,

Reaffirming its commitment to the sovereignty, independence, unity and territorial integrity of Sri Lanka,

Reaffirming also that it is the responsibility of each State to ensure the full enjoyment of all human rights and fundamental freedoms of its entire population,

Welcoming the historic free and fair democratic elections in January and August 2015 and the peaceful political transition in Sri Lanka,

Noting with interest the passage and operationalization of the nineteenth amendment to the Constitution of Sri Lanka and its contribution to the promotion of democratic governance and independent oversight of key institutions, including the provision on the promotion of national reconciliation and integration as among the constitutional duties of the President of Sri Lanka,

Welcoming the steps taken by the Government of Sri Lanka since January 2015 to advance respect for human rights and to strengthen good governance and democratic institutions,

Welcoming also the efforts of the Government of Sri Lanka to investigate allegations of bribery, corruption, fraud and abuse of power, and stressing the importance of such investigations and the prosecution of those responsible in ending impunity and promoting good governance,

Welcoming further the steps taken to strengthen civilian administration in the former conflict-affected provinces of the North and the East, acknowledging the progress made by the Government of Sri Lanka in rebuilding infrastructure, demining and resettling internally displaced persons, and calling upon the international community, including the United Nations, to assist the Government of Sri Lanka in furthering these efforts, especially in expediting the process of delivering durable solutions for all internally displaced persons,

Recognizing the improved environment for members of civil society and human rights defenders in Sri Lanka while expressing concern at reports of ongoing violations and abuses of human rights, and recognizing the expressed commitment of the Government of Sri Lanka to address issues, including those involving sexual and gender-based violence and torture, abductions, as well as intimidation of and threats against human rights defenders and members of civil society,

Reaffirming that all Sri Lankans are entitled to the full enjoyment of their human rights regardless of religion, belief or ethnicity, in a peaceful and unified land,

Reaffirming also that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights law, international refugee law and international humanitarian law, as applicable,

Welcoming the Declaration of Peace of the Government of 4 February 2015 and its acknowledgement of the loss of life and victims of violence of all ethnicities and religions,

Emphasizing the importance of a comprehensive approach to dealing with the past, incorporating the full range of judicial and non-judicial measures, including, inter alia, individual prosecutions, reparations, truth-seeking, institutional reform, the vetting of public employees and officials, or an appropriately conceived combination thereof, in order to, inter alia, ensure accountability, serve justice, provide victims with remedies, promote healing and reconciliation, establish independent oversight of the security system, restore confidence in the institutions of the State and promote the rule of law in accordance with international human rights law with a view to preventing the recurrence of violations and abuses, and welcoming in this regard the expressed commitment of the Government to ensure dialogue and wide consultations with all stakeholders,

Recognizing that mechanisms to redress past abuses and violations work best when they are independent, impartial and transparent; are led by individuals known for displaying the highest degree of professionalism, integrity and impartiality; utilize consultative and participatory methods that include the views of all relevant stakeholders, including, but not limited to, victims, women, youth, representatives of various religions, ethnicities and geographic locations, as well as marginalized groups; and are designed and implemented on the basis of expert advice from those with relevant international and domestic experience,

Recognizing also that a credible accountability process for those most responsible for violations and abuses will safeguard the reputation of those, including within the military, who conducted themselves in an appropriate manner with honour and professionalism,

Recalling the responsibility of States to comply with their relevant obligations to prosecute those responsible for gross violations of human rights and serious violations of international humanitarian law constituting crimes under international law, with a view to ending impunity,

Taking note of the review of the high-security zones undertaken by the Government, and welcoming the initial steps taken to return land to its rightful civilian owners and to help local populations to resume livelihoods and to restore normality to civilian life,

Welcoming the commitments of the Government of Sri Lanka to the devolution of political authority,

Requesting the Government of Sri Lanka to implement effectively the constructive recommendations made in the report of the Lessons Learnt and Reconciliation Commission,

Welcoming the visit from 30 March to 3 April 2015 by and the observations of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, and the planned visit of the Working Group on Enforced or Involuntary Disappearances in November 2015,

Recognizing that the investigation into alleged serious violations and abuses of human rights and related crimes in Sri Lanka requested by the Human Rights Council

in its resolution 25/1 was necessitated by the absence of a credible national process of accountability,

1. *Takes note with appreciation* of the oral update presented by the United Nations High Commissioner to the Human Rights Council at its twenty-seventh session, the report of the Office of the High Commissioner on promoting reconciliation and accountability in Sri Lanka⁹ and its investigation on Sri Lanka requested by the Human Rights Council in its resolution 25/1,¹⁰ including its findings and conclusions, and encourages the Government of Sri Lanka to implement the recommendations contained therein when implementing measures for truth-seeking, justice, reparations and guarantees of non-recurrence;

2. *Welcomes* the positive engagement between the Government of Sri Lanka and the High Commissioner and the Office of the High Commissioner since January 2015, and encourages the continuation of that engagement in the promotion and protection of human rights and in exploring appropriate forms of international support for and participation in Sri Lankan processes for seeking truth and justice;

3. *Supports* the commitment of the Government of Sri Lanka to strengthen and safeguard the credibility of the processes of truth-seeking, justice, reparations and guarantees of non-recurrence by engaging in broad national consultations with the inclusion of victims and civil society, including non-governmental organizations, from all affected communities, which will inform the design and implementation of these processes, drawing on international expertise, assistance and best practices;

4. *Welcomes* the commitment of the Government of Sri Lanka to undertake a comprehensive approach to dealing with the past, incorporating the full range of judicial and non-judicial measures; also welcomes in this regard the proposal by the Government to establish a commission for truth, justice, reconciliation and non-recurrence, an office of missing persons and an office for reparations; further welcomes the willingness of the Government to give each mechanism the freedom to obtain financial, material and technical assistance from international partners, including the Office of the High Commissioner; and affirms that these commitments, if implemented fully and credibly, will help to advance accountability for serious crimes by all sides and to achieve reconciliation;

5. *Recognizes* the need for a process of accountability and reconciliation for the violations and abuses committed by the Liberation Tigers of Tamil Eelam, as highlighted in the report of the Office of the High Commissioner on its investigation on Sri Lanka;

6. *Welcomes* the recognition by the Government of Sri Lanka that accountability is essential to uphold the rule of law and to build confidence in the people of all communities of Sri Lanka in the justice system, notes with appreciation the proposal of the Government of Sri Lanka to establish a judicial mechanism with a special counsel to investigate allegations of violations and abuses of human rights and violations of international humanitarian law, as applicable; affirms that a credible justice process should include independent judicial and prosecutorial institutions led by individuals known for their integrity and impartiality; and also affirms in this regard the importance of participation in a Sri Lankan judicial mechanism, including the special counsel's office, of Commonwealth and other foreign judges, defence lawyers and authorized prosecutors and investigators;

7. *Encourages* the Government of Sri Lanka to reform its domestic law to ensure that it can implement effectively its own commitments, the recommendations

⁹ A/HRC/30/61.

¹⁰ See A/HRC/30/CRP.2.

made in the report of the Lessons Learnt and Reconciliation Commission, as well as the recommendations of the report of the Office of the High Commissioner,⁹ including by allowing for, in a manner consistent with its international obligations, the trial and punishment of those most responsible for the full range of crimes under the general principles of law recognized by the community of nations relevant to violations and abuses of human rights and violations of international humanitarian law, including during the period covered by the Lessons Learnt and Reconciliation Commission;

8. *Also encourages* the Government of Sri Lanka to introduce effective security sector reforms as part of its transitional justice process, which will help to enhance the reputation and professionalism of the military and include ensuring that no scope exists for retention in or recruitment into the security forces of anyone credibly implicated through a fair administrative process in serious crimes involving human rights violations or abuses or violations of international humanitarian law, including members of the security and intelligence units; and also to increase training and incentives focused on the promotion and protection of human rights of all Sri Lankans;

9. *Welcomes* the recent passage by the Government of Sri Lanka of an updated witness and victim protection law and its commitment to review the law, and encourages the Government to strengthen these essential protections by making specific accommodations to protect effectively witnesses and victims, investigators, prosecutors and judges;

10. *Also welcomes* the initial steps taken to return land, and encourages the Government of Sri Lanka to accelerate the return of land to its rightful civilian owners, and to undertake further efforts to tackle the considerable work that lies ahead in the areas of land use and ownership, in particular the ending of military involvement in civilian activities, the resumption of livelihoods and the restoration of normality to civilian life, and stresses the importance of the full participation of local populations, including representatives of civil society and minorities, in these efforts;

11. *Encourages* the Government of Sri Lanka to investigate all alleged attacks by individuals and groups on journalists, human rights defenders, members of religious minority groups and other members of civil society, as well as places of worship, and to hold perpetrators of such attacks to account and to take steps to prevent such attacks in the future;

12. *Welcomes* the commitment of the Government of Sri Lanka to review the Public Security Ordinance Act and to review and repeal the Prevention of Terrorism Act, and to replace it with anti-terrorism legislation in accordance with contemporary international best practices;

13. *Also welcomes* the commitment of the Government of Sri Lanka to sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance without delay, to criminalize enforced disappearances and to begin to issue certificates of absence to the families of missing persons as a temporary measure of relief;

14. *Further welcomes* the commitment of the Government of Sri Lanka to release publicly previous presidential commission reports;

15. *Encourages* the Government of Sri Lanka to develop a comprehensive plan and mechanism for preserving all existing records and documentation relating to human rights violations and abuses and violations of international humanitarian law, whether held by public or private institutions;

16. *Welcomes* the commitment of the Government of Sri Lanka to a political settlement by taking the necessary constitutional measures, encourages the

Government's efforts to fulfil its commitments on the devolution of political authority, which is integral to reconciliation and the full enjoyment of human rights by all members of its population; and also encourages the Government to ensure that all Provincial Councils are able to operate effectively, in accordance with the thirteenth amendment to the Constitution of Sri Lanka;

17. *Also welcomes* the commitment of the Government of Sri Lanka to issue instructions clearly to all branches of the security forces that violations of international human rights law and international humanitarian law, including those involving torture, rape and sexual violence, are prohibited and that those responsible will be investigated and punished, and encourages the Government to address all reports of sexual and gender-based violence and torture;

18. *Requests* the Office of the High Commissioner to continue to assess progress on the implementation of its recommendations and other relevant processes related to reconciliation, accountability and human rights, and to present an oral update to the Human Rights Council at its thirty-second session, and a comprehensive report followed by discussion on the implementation of the present resolution at its thirty-fourth session;

19. *Encourages* the Government of Sri Lanka to continue to cooperate with special procedure mandate holders, including by responding formally to outstanding requests;

20. *Encourages* the Office of the High Commissioner and relevant special procedure mandate holders to provide, in consultation with and with the concurrence of the Government of Sri Lanka, advice and technical assistance on implementing the above-mentioned steps.

40th meeting
1 October 2015

[Adopted without a vote.]

30/2. 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 27/21 of 26 September 2014 and General Assembly resolution 69/180 of 18 December 2014,

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

Reaffirming that no State may use or encourage the use of any type of measure, including but not limited to economic or political measures, 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,

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

Alarmed by the fact that most current unilateral coercive measures have been imposed, at great cost, in terms of the human rights of the poorest and most vulnerable groups, on developing countries by developed countries,

Underlining that under no circumstances should people be deprived of their basic means of survival,

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

Highlighting the deep-rooted problems and grievances within the international system and the importance for the United Nations to give a voice to all members of the international community in order to ensure multilateralism, mutual respect and the peaceful settlement of disputes,

Expressing its grave concern that the laws and regulations imposing unilateral coercive measures have, in some instances, an extraterritorial effect not only on targeted countries but also on third countries, in contravention of the basic principles of international law, in a manner that will coerce the latter also to apply the unilateral coercive measures,

Recalling the final document of the sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 2012,¹¹ and the final document of the seventeenth Ministerial Conference of the Non-Aligned Movement, held in Algiers on 28 and 29 May 2014, and those adopted at previous summits and conferences, in which 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

¹¹ See [A/67/506-S/2012/752](#), annex I.

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,

Deeply disturbed by the negative impact of unilateral coercive measures on the right to life, the rights to health and medical care, the right to freedom from hunger and the right to an adequate standard of living, food, education, work and housing,

Alarmed by the disproportionate and indiscriminate human costs of unilateral sanctions and their negative effects on the civilian population, in particular women and children, of targeted States,

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

Concerned that unilateral coercive measures have prevented humanitarian organizations from making financial transfers to States where they work,

Underlining the necessity of examining the wide range of impact of unilateral coercive measures on international humanitarian and human rights law, as well as on the economy, peace, security and social fabric of States,

Highlighting the need to monitor human rights violations associated with unilateral coercive measures and to promote accountability,

Recalling Human Rights Council resolutions 5/1, on the 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 duties in accordance with those resolutions and the annexes thereto,

Recalling also 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 its grave concern* that any unilateral coercive measure imposed necessarily runs counter to some provisions of the International Bill of Human Rights or peremptory norms and other provisions of customary law, and entails adverse consequences for the enjoyment of human rights by innocent people;

5. *Also expresses its grave concern* that, in some countries, the situation of children and women 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;

6. *Reiterates* its call upon Member States that have initiated such measures 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;

7. *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;

8. *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;

9. *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;

10. *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;

11. *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;

12. *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;

13. *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;

14. *Stresses* the need for an independent mechanism of the United Nations human rights machinery for the victims of unilateral coercive measure to address the issues of remedies and redress with a view to promote accountability and reparations;

15. *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 and to cooperate with the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights in fulfilling his mandate;

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

17. *Acknowledges* the need to ensure that all relevant United Nations human rights treaty bodies and subsidiary organs of the Human Rights Council mainstream the issue of the negative impact of unilateral coercive measures on the enjoyment of human rights and perform specific activities, such as during the review of periodic reports submitted by States to such bodies and under the universal periodic review;

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

19. *Recognizes* the importance of the role of the Office of the United Nations High Commissioner for Human Rights in addressing the challenges arising from unilateral coercive measures and their negative impact on the human rights of peoples and individuals who wish to realize their economic and social rights, including the right to development;

20. *Requests* the High Commissioner, in discharging his functions in relation to the promotion and protection of human rights, to pay due attention and to give urgent consideration to the present resolution;

21. *Welcomes* the convening of the first biennial panel discussion on the issue of unilateral coercive measures and human rights, and reaffirms its requests to the Office of High Commissioner to prepare and submit a report on the panel discussion, taking into account the practical ways and mechanisms proposed during it, including in particular with regard to the issues of remedies and redress with a view to promoting accountability and reparations;

22. *Notes with appreciation* the research-based progress report of the Human Rights Council Advisory Committee containing recommendations on mechanisms to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability;¹²

23. *Welcomes* the appointment of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights at its twenty-eighth session, pursuant to Human Rights Council resolution 27/21;

24. *Takes note with appreciation* of the report of the Special Rapporteur,¹³ and requests him to focus on the negative impact of unilateral coercive measures on the enjoyment of human rights of victims and to address the issues of remedies and redress with a view to promoting accountability and reparations in his next reports to the Human Rights Council and the General Assembly;

¹² [A/HRC/28/74](#).

¹³ [A/HRC/30/45](#).

25. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his tasks, and to provide all necessary information requested by him;

26. *Urges* the High Commissioner, relevant special procedures of the Human Rights Council and the treaty bodies to pay attention, within the framework of their mandates, to the situation of persons whose rights have been violated as the result of unilateral coercive measures;

27. *Requests* the Secretary-General to provide the assistance necessary to the Special Rapporteur to fulfil his mandate effectively, in particular by placing adequate human and material resources at his disposal;

28. *Decides* to continue its consideration of the issue of negative impact of unilateral coercive measures on human rights in accordance with its programme of work.

*40th meeting
1 October 2015*

[Adopted by a recorded vote of 33 to 14, with no abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Mexico, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Montenegro, Netherlands, Portugal, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America]

30/3. 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, 18/14 of 29 September 2011 and 24/19 of 27 September 2013,

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,¹⁴ held on 8 and 9 October 2014 in Geneva, including its conclusions and recommendations;

3. *Further welcomes* the holding of the meetings of focal points for cooperation between United Nations and regional human rights mechanisms, and takes note with appreciation of their outcomes;

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 and of the consultation on the review of the Addis Ababa road map held between special procedure mandate holders of the Council and of the African Commission on Human and Peoples' Rights in Luanda on 27 April 2014;

5. *Also takes note with appreciation* of the holding of a dialogue between the chairs of United Nations human rights treaty bodies and African human rights mechanisms in Addis Ababa in June 2012; the joint declaration on the reinforcement of cooperation between the Secretariat of the Council of Europe and the Office of the High Commissioner signed on 26 September 2013; the strengthened cooperation between the Office of the High Commissioner and the International Organization of la Francophonie, including with a view to providing support for French-speaking countries in the context of the universal periodic review and other human rights mechanisms, and the renewal on 9 October 2013 of the cooperation agreement between the two organizations for the period 2014-2015; the two-day Workshop on Regional Mechanisms: Best Practices on Implementation of Human Rights, organized by the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights and held on 17 and 18 November 2014 in Bangkok; and the dialogue between the chairs of the human rights treaty bodies and representatives of the Inter-American Commission on Human Rights and all judges of the Inter-American Court of Human Rights, in San José, during the annual meeting of chairs of human rights treaty bodies in June 2015; and encourages all of them to continue to enhance their cooperation;

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

7. *Requests* the Secretary-General and the High Commissioner to provide the necessary resources 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;

¹⁴ A/HRC/28/31.

8. *Requests* the High Commissioner to hold, in 2016, a workshop on regional arrangements for the promotion and protection of human rights to take stock of developments since the workshop held in 2014, including a thematic discussion on interactions with civil society and human rights defenders, 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 Member 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 thirty-fourth 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.

*40th meeting
1 October 2015*

[Adopted without a vote.]

30/4. 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,

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

Welcoming the thirtieth anniversary of the United Nations Voluntary Fund for Indigenous Peoples in 2015, and acknowledging the decades of its substantive work to facilitate the direct and meaningful participation of indigenous peoples within the United Nations, the Human Rights Council and the human rights treaty bodies, also in the light of this important anniversary,

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 study by the Expert Mechanism on the Rights of Indigenous Peoples on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage, including through their participation in political and public life, submitted to the Human Rights Council at its thirtieth session,¹⁵ and encouraging all parties to consider the examples of good practices and recommendations included in the study as practical advice on how to attain the end 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, elders and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling the commitment to consider, at the seventieth session of the General Assembly, ways to enable the participation of indigenous peoples' representatives and

¹⁵ A/HRC/30/53.

institutions in meetings of relevant United Nations bodies on issues affecting them,¹⁶ including any specific proposals made by the Secretary-General in his report,¹⁷

Recognizing the twenty-sixth anniversary of the adoption by the International Labour Organization of the Indigenous and Tribal Peoples Convention, 1989 (No.169) and its contribution to the promotion and protection of the rights of indigenous peoples,

1. *Welcomes* the report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples,¹⁸ 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 the 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 follow-up on the effectiveness of the Declaration;

2. *Also welcomes* the work of the Special Rapporteur on the rights of indigenous peoples, including the official visits made and her reports, and encourages all Governments to respond favourably to her requests for visits;

3. *Requests* the Special Rapporteur to report on the implementation of her mandate to the General Assembly at its seventieth session;

4. *Welcomes* the work of the Expert Mechanism on the Rights of Indigenous Peoples, takes note with appreciation of the report on its eighth session,¹⁹ and encourages States to continue to participate in and contribute to its discussions, including by their national specialized bodies and institutions;

5. *Requests* the Expert Mechanism to prepare a study, to be finalized by its ninth session, on the right to health and indigenous peoples with a focus on children and youth, and to present it to the Human Rights Council at its thirty-third session;

6. *Also 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 end 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 thirty-third session, and encourages States and indigenous peoples that have not yet provided their responses to do so, as well as those States and indigenous peoples that have already responded to the questionnaire survey to update their responses as appropriate;

7. *Welcomes* the adoption by the General Assembly on 22 September 2014 of its resolution 69/2, containing the outcome document of the high-level plenary meeting of the Assembly known as the World Conference on Indigenous Peoples;

8. *Also welcomes* the report of the Secretary-General on the progress made in the implementation of the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples;¹⁷

¹⁶ See General Assembly resolution 69/2.

¹⁷ See A/70/84-E/2015/76.

¹⁸ A/HRC/30/25.

¹⁹ A/HRC/30/52.

9. *Decides* to hold, at its thirty-third session, a half-day panel discussion on the causes and consequences of violence against indigenous women and girls, including those with disabilities;

10. *Welcomes* the ongoing cooperation and coordination among the Special Rapporteur, the Permanent Forum on Indigenous Issues and the Expert Mechanism, and their permanent effort to promote the United Nations Declaration on the Rights of Indigenous Peoples, including the follow-up to the World Conference of Indigenous Peoples, and invites them to continue to work in close cooperation with all Human Rights Council mechanisms within their respective mandates;

11. *Reaffirms* that the United Nations treaty bodies are important mechanisms for the promotion and protection of human rights, and encourages States to give serious consideration to their recommendations regarding indigenous peoples;

12. *Welcomes* the contribution of the universal periodic review to the realization of the rights of indigenous peoples, encourages effective follow-up to accepted review recommendations concerning indigenous peoples, and invites States to include, as appropriate, information on the situation of the rights of indigenous peoples, including measures taken to pursue the objectives of the United Nations Declaration on the Rights of Indigenous Peoples during the review;

13. *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 or that have not yet supported the United Nations Declaration on the Rights of Indigenous Peoples to consider doing so;

14. *Welcomes* the increased support by States for the United Nations Declaration on the Rights of Indigenous Peoples, and encourages States that have endorsed it to adopt measures to pursue its objectives in consultations and cooperation with indigenous peoples;

15. *Encourages* States to give due consideration to all the rights of indigenous peoples in fulfilling the commitments undertaken in the 2030 Agenda for Sustainable Development and in the elaboration of national programmes;

16. *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;

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

18. *Urges* States and invites other public or private actors or institutions to contribute to the United Nations Voluntary Fund for Indigenous Peoples as an important means of promoting the rights of indigenous peoples worldwide and within the United Nations system;

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

*40th meeting
1 October 2015*

[Adopted without a vote.]

30/5. The question of the death penalty

The Human Rights Council,

Guided by 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 Rights of the Child and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and reaffirming that all States must implement their obligations under international human rights law,

Recalling also the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty,

Recalling further General Assembly resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008, 65/206 of 21 December 2010, 67/176 of 20 December 2012 and 69/186 of 18 December 2014 on the question of a moratorium on the use of the death penalty,

Reaffirming the safeguards guaranteeing the protection of persons facing the death penalty set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984, and the provisions regarding the implementation of the guidelines contained in Council resolutions 1989/64 of 24 May 1989 and 1996/15 of 23 July 1996,

Recalling all resolutions of the Commission on Human Rights on the question of the death penalty, the last of which was resolution 2005/59 of 20 April 2005,

Recalling also Human Rights Council decision 18/117 of 28 September 2011 on reporting by the Secretary-General on the question of the death penalty, Council resolution 22/11 of 21 March 2013 on a panel on the human rights of children of parents sentenced to the death penalty or executed, Council decision 22/117 of 21 March 2013 on a high-level panel discussion on the question of the death penalty and Council resolution 26/2 of 26 June 2014 on the question of the death penalty,

Taking note of the reports of the Secretary-General on the question of the death penalty, in the latest of which²⁰ the Secretary-General concluded that the imposition of the death penalty was incompatible with human dignity, the right to life and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and highlighted the consequences of the lack of transparency in the imposition and application of the death penalty and the consequences arising at various stages of the imposition and application of the death penalty for the enjoyment of the human rights of other affected persons,

Mindful of the work of special procedure mandate holders who have addressed human rights issues related to the death penalty, including the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the independence of judges and lawyers,

Mindful also of the work undertaken by the treaty bodies to address human rights issues related to the death penalty,

Recognizing the role of regional and subregional instruments and initiatives towards the abolition of the death penalty,

²⁰ A/HRC/30/18.

Welcoming the fact that many States are applying a moratorium on the use of the death penalty,

Noting that States with different legal systems, traditions, cultures and religious backgrounds have abolished the death penalty or are applying a moratorium on its use,

Strongly deploring the fact that the use of the death penalty leads to violations of the human rights of the persons facing the death penalty and of other affected persons,

Recalling the calls to consider whether the use of the death penalty violates the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, including because of the death row phenomenon or the methods of execution,

Emphasizing the need to ensure that persons facing the death penalty are treated with humanity and with respect for their inherent dignity, and to improve conditions in prisons in accordance with international standards, such as the Standard Minimum Rules for the Treatment of Prisoners,

Recalling that all methods of execution can inflict inordinate pain and suffering, and that the circumstances in which executions are carried out, in particular public executions, which imply an undignified exposure of the persons sentenced to death, and secret executions or those with short or no prior warning add to the suffering of the persons sentenced to death, as well as of other affected persons,

Emphasizing that lack of transparency in the use of the death penalty has direct consequences for the human rights of the persons sentenced to death as well as for other affected persons,

Acknowledging the interest in studying the question of the death penalty, as well as in holding local, national, regional and international debates related thereto,

1. *Urges* all States to protect the rights of persons facing the death penalty and other affected persons by complying with their international obligations, including the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Calls upon* States that have not yet acceded to or ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty to consider doing so;

3. *Calls upon* States that have not yet abolished the death penalty to make available relevant information, disaggregated by sex, age and other applicable criteria, with regard to their use of the death penalty, inter alia, the number of persons sentenced to death, the number of persons on death row, the number of executions carried out and the number of death sentences reversed, commuted on appeal or in which amnesty or pardon has been granted, which can contribute to possible informed and transparent national and international debates, including on the obligations of States with regard to the use of the death penalty;

4. *Calls upon* States to ensure that children whose parents or parental caregivers are on death row, the inmates themselves, their families and their legal representatives are provided, in advance, with adequate information about a pending execution, its date, time and location, to allow a last visit or communication with the convicted person, the return of the body to the family for burial or to inform on where the body is located, unless this is not in the best interests of the child;

5. *Requests* the Secretary-General to dedicate the 2017 supplement to his quinquennial report on capital punishment to the consequences arising at various stages of the imposition and application of the death penalty on the enjoyment of the human rights of the persons facing the death penalty and other affected persons,

paying specific attention to the right to equality and non-discrimination, including on foreign nationals, and to present it to the Human Rights Council at its thirty-sixth session;

6. *Decides* that the upcoming biennial high-level panel discussion to be held at the thirty-fourth session of the Human Rights Council will address the human rights violations related to the use of the death penalty, in particular with respect to the prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

7. *Requests* the Office of the United Nations High Commissioner for Human Rights to organize the panel discussion and to liaise with States, relevant United Nations bodies, agencies, treaty bodies, special procedures and regional human rights mechanisms, as well as with parliamentarians, civil society, including non-governmental organizations, and national human rights institutions with a view to ensuring their participation in the panel discussion;

8. *Also requests* the Office of the High Commissioner to prepare a summary report on the panel discussion and to submit it to the Human Rights Council at its thirty-sixth session;

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

*40th meeting
1 October 2015*

[Adopted by a recorded vote of 26 to 13, with 8 abstentions. The voting was as follows:

In favour:

Albania, Algeria, Argentina, Bolivia (Plurinational State of), Brazil, Congo, Côte d'Ivoire, El Salvador, Estonia, France, Gabon, Germany, Ireland, Kazakhstan, Latvia, Mexico, Montenegro, Namibia, Netherlands, Paraguay, Portugal, Sierra Leone, South Africa, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of)

Against:

Bangladesh, Botswana, China, Ethiopia, India, Indonesia, Japan, Nigeria, Pakistan, Qatar, Saudi Arabia, United Arab Emirates, United States of America

Abstaining:

Cuba, Ghana, Kenya, Maldives, Morocco, Republic of Korea, Russian Federation, Viet Nam]

30/6. 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, 18/4 of 29 September 2011, 24/13 of 26 September 2013 and 27/10 of 25 September 2014,

Recalling also 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,²¹

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 as well as for private military and security companies on the global market;

²¹ General Assembly resolution 2625 (XXV), annex.

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;

5. *Also requests* all States to exercise the utmost vigilance in banning the use of private companies offering international military consultancy and security services when intervening in armed conflicts or actions to destabilize constitutional regimes;

6. *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;

7. *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;

8. *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;

9. *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;

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

11. *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;

12. *Calls upon* States to investigate the possibility of mercenary involvement whenever and wherever criminal acts of a terrorist nature occur and to bring to trial those found responsible or to consider their extradition, if so requested, in accordance with national law and applicable bilateral or international treaties;

13. *Condemns* any form of impunity granted to perpetrators of mercenary activities and to those responsible for the use, recruitment, financing and training of mercenaries, and urges all States, in accordance with their obligations under international law, to bring them, without distinction, to justice;

14. *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;

15. *Acknowledges with appreciation* the work and contributions made by the Working Group, including its research activities, and takes note of its latest report;²²

16. *Recalls* the holding of the fourth 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 experts, including of the members of the Working Group, as resource persons in the above-mentioned session, and requests the Working Group and other experts to continue their participation during the fifth session of the open-ended intergovernmental working group;

17. *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;

18. *Requests* the Working Group 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,²³ as well as the evolving phenomenon of mercenaries and its related forms;

19. *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;

20. *Requests* the Working Group to continue to monitor mercenaries and mercenary-related activities in all their forms and manifestations, as well as 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;

21. *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;

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

23. *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

²² A/HRC/30/34.

²³ E/CN.4/2004/15.

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;

24. *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 seventy-first session and to the Human Rights Council at its thirty-third session;

25. *Decides* to continue its consideration of this matter under the same agenda item at its thirty-third session.

*41st meeting
1 October 2015*

[Adopted by a recorded vote of 32 to 14, with 1 abstention. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Montenegro, Netherlands, Portugal, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Mexico]

30/7. Human rights in the administration of justice, including juvenile justice

The Human Rights Council,

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

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, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto, as well as the International Convention for the Protection of All Persons from Enforced Disappearance, and encouraging all States that have not ratified or acceded to the aforementioned 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), the Basic Principles for the Treatment of Prisoners, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh

Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, the Guidelines for Action on Children in the Criminal Justice System, the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), the Bangalore Principles of Judicial Conduct, the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,

Welcoming the adoption of the revised United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules),

Recalling all resolutions of the Commission on Human Rights, the Human Rights Council, the General Assembly and the Economic and Social Council relevant to the subject, in particular Human Rights Council resolutions 18/12 of 29 September 2011, 24/12 of 26 September 2013 and 25/6 of 27 March 2014, General Assembly resolutions 67/166 of 20 December 2012 and 69/172 of 18 December 2014, and Economic and Social Council resolution 2009/26 of 30 July 2009,

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 (1992) on humane treatment of prisoners deprived of their liberty, No. 32 (2007) on the right to equality before courts and tribunals and to a fair trial, and No. 35 (2014) on liberty and security of person, and noting with interest also the adoption by the Committee on the Rights of the Child of its general comments No. 10 (2007) on children's rights in juvenile justice, and No. 13 (2011) on the right of the child to freedom from all forms of violence,

Noting with appreciation the important work in the field of the administration of justice 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,

Convinced that the independence and impartiality of the judiciary, the integrity of the judicial system and an independent legal profession are essential prerequisites for the protection of human rights, the rule of law, good governance and democracy, and for ensuring that there is no discrimination in the administration of justice, and should therefore be respected in all circumstances,

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

Welcoming, in this regard, the inclusion in sustainable development goal 16, on the promotion of just, peaceful and inclusive societies, of the target to promote the rule of law at the national and international levels and to ensure equal access to justice for all,

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

Recalling also that the social rehabilitation and reintegration of prisoners shall be among the essential aims of the criminal justice system so as to ensure, 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 incarceration, persons deprived of their liberty retain their non-derogable human rights and all other human rights and fundamental freedoms,

Concerned about the negative impact of overincarceration and overcrowding on the enjoyment of human rights, and acknowledging that overincarceration constitutes one of the major underlying causes of overcrowding,

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 they are deprived of their liberty, and their vulnerability to violence, abuse, injustice and humiliation,

Encouraging continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice, welcoming in this regard the holding of the World Congress on Juvenile Justice in Geneva, from 26 to 30 January 2015, and noting with interest its final declaration,

Reaffirming that the best interests of the child must be a primary consideration in all decisions concerning the 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 be,

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

1. *Notes with appreciation* the report of the United Nations High Commissioner for Human Rights submitted to the Human Rights Council on the human rights implications of overincarceration and overcrowding;²⁴

2. *Welcomes* the panel discussion convened by the Human Rights Council on the protection of the human rights of persons deprived of their liberty, held on 10 September 2014, and notes with appreciation the summary report prepared by the Office of the High Commissioner and submitted to the Council at its twenty-eighth session;²⁵

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

4. *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;

5. *Invites* States to assess their national legislation and practice in accordance with those standards, including the revised United Nations Standard Minimum Rules for the Treatment of Prisoners;

²⁴ [A/HRC/30/19](#).

²⁵ [A/HRC/28/29](#).

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 promoting and protecting 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 requests for capacity-building, and enhancement and strengthening of institutions concerned with the administration of justice;

7. *Stresses* the special need for continuous 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 solely on the basis of 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. *Urges* all States to consider establishing, maintaining or enhancing independent mechanisms with the mandate to monitor all places of detention, including by making unannounced visits, and to hold private interviews without witnesses with all persons deprived of their liberty;

12. *Calls upon* States to ensure a proper file and data management system on prisoners that allows the tracking of the number of persons deprived of their liberty, their detention period and developments regarding the prison population;

13. *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;

14. *Calls upon* States to investigate promptly, effectively and impartially all alleged human rights violations and abuses suffered by persons deprived of their liberty, in particular cases involving death, torture and cruel, inhuman or degrading treatment or punishment, to provide effective remedies to the victims, and to ensure that detention administrations cooperate fully with the investigating authority and preserve all evidence;

15. *Encourages* States to address overcrowding in detention facilities by taking effective measures, including through enhancing the availability and use of alternatives to pretrial detention and custodial sentences, access to legal aid, mechanisms for crime prevention, early release and rehabilitation programmes and the efficiency and capacity of the criminal justice system and its facilities, and to make use in this regard of, inter alia, the United Nations Office on Drugs and Crime *Handbook on Strategies to Reduce Overcrowding in Prisons*;

16. *Calls upon* States to review penal policies that can contribute to overincarceration and overcrowding, in particular regarding so-called “zero-tolerance” policies, such as the application of mandatory pretrial detention and mandatory minimum sentences, especially for minor and/or non-violent crimes;

17. *Urges* States to endeavour to reduce pretrial detention, which should be a measure of last resort and for as short a period as possible by, inter alia, adopting legislative and administrative measures and policies on its preconditions, limitations, duration and alternatives, and by taking measures aimed at implementing existing legislation, as well as by ensuring access to justice and legal advice and assistance;

18. *Underscores* the particular importance of providing appropriate training for prosecutorial and judicial authorities with a view to ensuring proportionate sentencing and enhancing the implementation of non-custodial measures at the pretrial and post-conviction stages;

19. *Recognizes* that every child and juvenile alleged as, accused of or recognized as having infringed the law, particularly those who are deprived of their liberty, as well as child victims and witnesses of crimes, should 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 taking into account the age, gender, social circumstances and development needs of such children, and calls upon States parties to the Convention on the Rights of the Child to abide strictly by its principles and provisions;

20. *Welcomes* the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,²⁶ and urges States to consider applying them, as appropriate, in the design, implementation, monitoring and evaluation of laws, policies, programmes, budgets and mechanisms aimed at eliminating violence against children in the field of crime prevention and criminal justice;

21. *Also welcomes* the Global Programme on Violence against Children in the Field of Crime Prevention and Criminal Justice recently developed by the United Nations Office on Drugs and Crime and United Nations Children's Fund, which is intended to promote and assist in the effective implementation of the Model Strategies and Practical Measures, and encourages Member States and other stakeholders to support and to benefit from this programme;

22. *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 the deprivation of a child's liberty should only be used as a measure of last resort, for the shortest appropriate period of time, and that such decisions must be subject to periodic review of their continuing necessity and appropriateness, as well as to avoid, wherever possible, the use of pretrial detention for children;

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

24. *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;

²⁶ General Assembly resolution 69/194, annex.

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

26. *Welcomes* the invitation made by the General Assembly to the Secretary-General to commission an in-depth global study on children deprived of liberty, and to submit the conclusions to the Assembly at its seventy-second session;²⁷

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

28. *Also invites* States, upon their request, to benefit from the technical advice and assistance provided by the relevant United Nations agencies and programmes in order to strengthen their national capacities and infrastructures in the field of the administration of justice, including in addressing overcrowding, overincarceration and violence against children in the field of crime prevention and criminal justice;

29. *Calls upon* relevant special procedures of the Human Rights Council to pay 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 the causes and effects of overincarceration and overcrowding, and to provide, wherever appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

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

31. *Requests* the High Commissioner to submit to the Human Rights Council, at its thirty-sixth session, a report on non-discrimination and the protection of persons with increased vulnerability in the administration of justice, in particular in situations of deprivation of liberty and with regard to the causes and effects of overincarceration and overcrowding, drawing on the experience of United Nations and regional human rights mechanisms, and seeking the views of States, including on their policies and best practices, civil society, and other relevant stakeholders;

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

*41st meeting
1 October 2015*

[Adopted without a vote.]

30/8. Contribution of the Human Rights Council to the high-level meeting on HIV/AIDS in 2016

For the text of the resolution, see chapter II.

²⁷ General Assembly resolution 69/157, para. 52 (d).

30/9. Equal participation in political and public affairs

The Human Rights Council,

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

Recalling relevant international human rights treaties, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also all relevant General Assembly and Human Rights Council resolutions on participation in political and public affairs, in particular Council resolutions 24/8 of 26 September 2013 on equal political participation, and 27/24 of 3 October 2014 on equal participation in political and public affairs,

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 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, as well as to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and held by secret ballot, guaranteeing the free expression of the will of the electors, and reaffirming also that the will of the people shall be the basis of the authority of government,

Reaffirming also that no distinctions are permitted among citizens in the enjoyment of the right to participate in the conduct of 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 and effective participation in political and public affairs for democracy, the rule of law, social inclusion, 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, inclusive economic growth and sustainable development, peace and democracy,

Recognizing that the rights of everyone to freedom of expression, to peaceful assembly, to freedom of association, to education, and access to information, as well as inclusive economic empowerment, are among the essential conditions for equal participation in political and public affairs and must be promoted and protected,

Recognizing also the need for further work on the full and effective implementation of the right to participate in public affairs in the context of article 25 of the International Covenant on Civil and Political Rights, including by identifying possible gaps in existing guidance on the implementation of this right,

Recognizing further the need to intensify efforts to eliminate barriers in law and in practice and to actively facilitate full and effective participation in political and public affairs,

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 the full implementation of the right to participate in public affairs,

1. *Expresses concern* that, despite progress made towards the full implementation of the right to participate in public affairs worldwide, many people continue to face obstacles, including discrimination, in the enjoyment of their right to participate in the public affairs of their countries as well as in the enjoyment of other human rights that enable it;

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

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

4. *Notes* the emergence of new forms of participation and grass-roots engagement, in particular through new information and communications technology and social media, and the challenges to established forms of political participation in some States;

5. *Notes with interest* the study on promotion, protection and implementation of the right to participate in public affairs in the context of existing human rights law prepared by the Office of the United Nations High Commissioner for Human Rights,²⁸ and welcomes the contributions of States and other stakeholders to the study;

6. *Invites* States to consider best practices and experiences with respect to the implementation of the right to participate in public affairs when fulfilling their human rights obligations, and to share their best practices and experiences in this regard at the regional and international levels, including when reporting to the United Nations human rights system, in order to facilitate full, effective and equal participation in political and public affairs;

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

(a) Complying fully with their international human rights law obligations and commitments with regard to participation in political and public affairs, including by reflecting them in their national legislative framework;

(b) Considering signing and ratifying or acceding to the International Covenant on Civil and Political Rights and other core international human rights treaties;

(c) Taking all necessary measures to eliminate laws, regulations and practices that discriminate, directly or indirectly, against citizens in their right to participate in 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;

(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, persons with disabilities and persons in vulnerable situations, from participating fully and effectively in political and public affairs, including, inter alia, reviewing and repealing measures that unreasonably restrict the right to participate in public affairs, and considering adopting, on the basis of reliable data on participation, temporary special measures, including legislative acts, aimed at increasing the participation of underrepresented groups in all aspects of political and public life;

²⁸ A/HRC/30/26.

(e) Taking appropriate measures to encourage publicly and promote the importance of participation of all citizens in political and public affairs, in particular women, persons belonging to marginalized groups or to minorities, and persons in vulnerable situations, including by engaging them in designing, evaluating and reviewing policies and legislation on participation in political and public affairs;

(f) Developing and disseminating information and educational materials on the political process and relevant international human rights law provisions to facilitate equal participation in political and public affairs;

(g) Taking steps to promote and protect the voting rights of all those entitled to vote without any discrimination, including facilitation of voter registration and participation and the provision of electoral information and voting papers in a range of accessible formats and languages, as appropriate;

(h) Exploring new forms of participation and opportunities brought about by new information and communications technology and social media as a means to improve and widen, online and offline, the exercise of the right to participate in public affairs, and other rights directly supporting and enabling it;

(i) Ensuring the rights of everyone to freedom of expression, peaceful assembly and freedom of association, education and development, and facilitating equal and effective access to information, media and communications technology in order to enable pluralistic debates fostering inclusive and effective participation in political and public affairs;

(j) Creating a safe and enabling environment for human rights defenders and civil society organizations, which together with other actors play a key role in the effective promotion and protection of all human rights;

(k) Providing full and effective access to justice and redress mechanisms to those citizens whose right to participate in public affairs has been violated, including by developing effective, independent and pluralistic national human rights institutions, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles);

8. *Requests* the Office of the High Commissioner:

(a) To organize, prior to the thirty-second session of the Human Rights Council, an expert workshop to discuss the existing guidance on the implementation of the right to participate in public affairs with the aim of identifying possible gaps and making recommendations in this regard, as well as new developments, trends and innovations with respect to full, effective and equal participation in political and public affairs;

(b) To invite States, relevant United Nations bodies, funds and programmes, intergovernmental organizations, treaty bodies, special procedures, regional human rights mechanisms, civil society organizations, academia, national human rights institutions and other relevant stakeholders to participate actively in the workshop;

(c) To prepare a summary report on the above-mentioned workshop, including any recommendations stemming therefrom, and to submit it to the Human Rights Council at its thirty-third session;

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

*41st meeting
1 October 2015*

[Adopted without a vote.]

30/10. The grave and deteriorating human rights and humanitarian situation in the Syrian Arab Republic

For the text of the resolution, see chapter II.

30/11. Review of the mandate of the Expert Mechanism on the Rights of Indigenous Peoples

The Human Rights Council,

Reaffirming its support for the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling all Commission on Human Rights and Human Rights Council resolutions on human rights and indigenous peoples, in particular Council resolution 6/36 of 14 December 2007, in which the Council decided to establish the Expert Mechanism on the Rights of Indigenous Peoples,

Welcoming the adoption by the General Assembly of the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples in its resolution 69/2 of 22 September 2014, and the report of the Secretary-General on the progress made in its implementation,²⁹

Bearing in mind that, in paragraph 28 of the outcome document of the World Conference on Indigenous Peoples, the Human Rights Council was invited, taking into account the views of indigenous peoples, to review the mandates of its existing mechanisms, in particular the Expert Mechanism on the Rights of Indigenous Peoples, during the sixty-ninth session of the General Assembly, with a view to modifying and improving the Expert Mechanism so that it could more effectively promote respect for the Declaration, including by better assisting Member States to monitor, evaluate and improve the achievement of the ends of the Declaration,

1. *Requests* the Office of the United Nations High Commissioner for Human Rights to convene a two-day expert workshop open to the participation of States, indigenous peoples and other stakeholders, including by inviting the submission of written contributions, no later than the first four months of 2016, to review the mandate of the Expert Mechanism on the Rights of Indigenous Peoples and to propose recommendations on how it can more effectively promote respect for the Declaration, including by better assisting Member States to monitor, evaluate and improve the achievement of the ends of the Declaration, as outlined in paragraph 28 of the outcome document of the World Conference on Indigenous Peoples, and invites indigenous peoples to participate fully and effectively in this process;

2. *Also requests* the Office of the High Commissioner to prepare a report on the workshop, including the recommendations made, to be submitted to the Human Rights Council prior to its thirty-second session, and invites States, indigenous peoples and all other stakeholders to discuss the report at the ninth session of the Expert Mechanism, and also invites States to consider the report and to discuss any possible intergovernmental follow-up action;

3. *Invites* States to consider, as appropriate, the possibility of holding consultations with indigenous peoples at the national level during this process;

4. *Decides* to continue its consideration of this matter at its thirty-third session and in accordance with its annual programme of work.

²⁹ [A/70/84-E/2015/76](#).

41st meeting
1 October 2015

[Adopted without a vote.]

30/12. Promotion of the right to peace

The Human Rights Council,

Recalling all previous resolutions on the promotion of the right of peoples to peace adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, in particular Council resolution 20/15 of 5 July 2012,

Recalling also General Assembly resolution 39/11 of 12 November 1984 entitled “Declaration of the Right of Peoples to Peace” and the United Nations Millennium Declaration, as well as other relevant international documents,

Taking note of the report of the open-ended intergovernmental working group on a draft United Nations declaration on the right to peace on its third session,³⁰ held from 20 to 24 April 2015, pursuant to Human Rights Council resolution 27/17,

1. *Decides* that the working group shall hold its fourth session for five working days with the objective of finalizing the declaration;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the working group with the assistance necessary for it to fulfil its mandate;

3. *Invites* States, civil society and all relevant stakeholders to contribute actively and constructively to the work of the working group;

4. *Requests* the working group to prepare a report and to submit it to the Human Rights Council, to be made available in all official languages of the United Nations, for consideration at its thirty-third session.

41st meeting
1 October 2015

[Adopted by a recorded vote of 33 to 12, with 2 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d’Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Mexico, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Estonia, France, Germany, Ireland, Japan, Latvia, Montenegro, Netherlands, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Portugal]

³⁰ A/HRC/29/45.

30/13. Promotion and protection of the human rights of peasants and other people working in rural areas

The Human Rights Council,

Recalling the Universal Declaration of Human Rights,

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Recalling the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Recalling also the Vienna Declaration and Programme of Action and all other relevant human rights instruments,

Recalling further Human Rights Council resolutions 13/4 of 24 March 2010, 16/27 of 25 March 2011 and 19/7 of 22 March 2012 on the right to food, and in particular Council resolutions 21/19 of 27 September 2012 and 26/26 of 27 June 2014 on the promotion and protection of the human rights of peasants and other people working in rural areas,

Underlining the imperative need to achieve the Millennium Development Goals by 2015 in order to contribute to making the right to development a reality for everyone, and welcoming the 2030 Agenda for Sustainable Development,

Welcoming General Assembly resolution 66/222 of 22 December 2011, in which the Assembly declared 2014 the International Year of Family Farming, and welcoming also its resolution 68/232 of 20 December 2013, in which the Assembly declared 2015 the International Year of Soils,

Gravely concerned that hunger, like poverty, is still predominantly a rural problem, and that in the rural population it is those who produce food who suffer disproportionately, and alarmed that 75 per cent of people suffering from hunger live in rural areas, particularly in developing countries, and 50 per cent are small-scale and traditional farm holders, as well as subsistence farmers, and that they are especially vulnerable to food insecurity, malnutrition, discrimination and exploitation,

Recognizing that livelihoods in rural areas are disproportionately affected by poverty, climate change, lack of development and lack of access to scientific progress,

Convinced of the need to strengthen the protection and realization of the human rights of peasants and other people working in rural areas,

Welcoming the report of the open-ended intergovernmental working group on a United Nations declaration on the rights of peasants and other people working in rural areas on its second session,³¹ held from 2 to 6 February 2015, pursuant to Human Rights Council resolutions 21/19 and 26/26, and in particular the inputs from Governments, regional groups, civil society and relevant stakeholders,

Bearing in mind the development of this issue,

1. *Decides* that the working group with the mandate to negotiate, finalize and submit to the Human Rights Council a draft United Nations declaration on the rights of peasants and other people working in rural areas shall hold its next two annual sessions for five working days each before the thirty-sixth session of the Council;

³¹ A/HRC/30/55.

2. *Also decides* that the draft declaration presented by the Chair-Rapporteur of the working group at its second session will be translated in all official languages of the United Nations, and that negotiations during the third session of the working group shall be held on this basis, taking into consideration the report of the Chair-Rapporteur on the second session;

3. *Requests* the Chair-Rapporteur of the working group to conduct informal consultations during the intersessional periods, as appropriate, with Governments, relevant special procedures of the Human Rights Council, regional groups, intergovernmental organizations, United Nations mechanisms, civil society and representatives of peasants and other people working in rural areas, as well as with other relevant stakeholders and other relevant specialized agencies of the United Nations system;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to ensure the participation in the annual sessions of the working group of up to five expert panellists, including representatives of peasants and other people working in rural areas, civil society and grass-roots organizations from developing countries, in order to contribute to the analysis and interactive dialogues;

5. *Also requests* the Office of the High Commissioner to provide the working group with the human, technical and financial assistance necessary for it to fulfil its mandate, and to prepare a background study for the working group in relation to the rights included in the draft declaration before the third session of the working group;

6. *Invites* States, civil society and all relevant stakeholders, in particular representatives of peasants and other people working in rural areas, to contribute actively and constructively to the work of the working group;

7. *Requests* the working group to submit an annual report on progress made to the Human Rights Council for its consideration.

*41st meeting
1 October 2015*

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

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

United States of America

Abstaining:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Mexico, Montenegro, Netherlands, Portugal, Qatar, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland]

30/14. Contribution of parliaments to the work of the Human Rights Council and its universal periodic review

The Human Rights Council,

Acknowledging the crucial role that parliaments play in, inter alia, translating international commitments into national policies and laws, and hence in contributing to the fulfilment by each State Member of the United Nations of its human rights obligations and commitments and to the strengthening of the rule of law,

Taking note of the successive resolutions adopted by the General Assembly since 2010, in particular its resolutions 65/123 of 13 December 2010, in which the Assembly recognized the importance of continued parliamentary support for the work of the Human Rights Council, and 66/261 of 29 May 2012, in which it encouraged the Inter-Parliamentary Union, as the world organization of national parliaments, to strengthen its contribution to the Council, particularly with regard to the universal periodic review, as well as resolution 68/272 of 19 May 2014, in which the Assembly welcomed the contribution of the Inter-Parliamentary Union to the work of the Council,

Recalling its resolutions 22/15 of 21 March 2013 and 26/29 of 27 June 2014 on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review,

Taking note with appreciation of the summary report of the United Nations High Commissioner for Human Rights of the panel discussion on the theme, "Contribution of parliaments to the work of the Human Rights Council and its universal periodic review", held on 29 May 2013,³²

Welcoming the update at the twenty-ninth session by the High Commissioner on the activities of the Inter-Parliamentary Union on parliamentary capacity-building, as well as on its activities with regard to the work of the Human Rights Council and its universal periodic review, as requested by the Council in its resolution 26/29,

Considering that the Human Rights Council and parliaments stand to gain considerably from continuing exploring possible synergies to ensure that the universal periodic review has the greatest impact at the national level,

1. *Decides* to convene, at its thirty-second session, on the occasion of the tenth anniversary of the Human Rights Council, a panel discussion to take stock of the contribution of parliaments to the work of the Council and its universal periodic review and to identify ways to enhance further that contribution;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to organize the panel discussion and to liaise with the Inter-Parliamentary Union, States Members of the United Nations and relevant United Nations bodies and agencies, as well as with civil society, including non-governmental organizations, and national human rights institutions, with a view to ensuring their participation;

3. *Requests* the High Commissioner to prepare a report on the panel discussion in the form of a summary and to submit it to the Human Rights Council at its thirty-fifth session;

4. *Decides* to continue consideration of this issue under the same agenda item.

³² Available from www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Pages/ListReports.aspx.

41st meeting
1 October 2015

[Adopted without a vote.]

30/15. Human rights and preventing and countering violent extremism

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 and the International Covenant on Civil and Political Rights, and recalling the Vienna Declaration and Programme of Action,

Recalling General Assembly resolutions 68/127 of 18 December 2013, 68/276 of 13 June 2014 and 69/140 of 15 December 2014, as well as resolution 66/12 of 18 November 2011 concerning the United Nations Counter-Terrorism Centre, Human Rights Council resolutions on human rights and terrorism and relevant international instruments relating to terrorism,

Recognizing that the objectives of countering violent extremism and countering terrorism and of the protection and promotion of human rights, fundamental freedoms and rule of law are mutually reinforcing,

Looking forward with interest to the upcoming plan of action of the Secretary-General on preventing violent extremism, and reaffirming that the Human Rights Council has a complementary role to play in supporting the implementation of the United Nations Global Counter-Terrorism Strategy by emphasizing the human rights dimensions in countering violent extremism and preventing the spread of violent extremism,

Welcoming the efforts made by the Secretary-General and the High Representative of the Secretary-General for the Alliance of Civilizations to promote greater understanding and respect among civilizations, cultures and religions,

Noting the contribution of the processes of the countering violent extremism summits and related international and regional conferences and meetings held throughout the world,

Recognizing the important role of regional organizations and comprehensive, multi-stakeholder approaches to preventing and countering violent extremism,

Recognizing also that violent extremism, in all its forms and manifestations, cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Recognizing further the commitment of all religions to peace, and determined to condemn violent extremism, which spreads hate and threatens lives,

Reaffirming that violent extremism constitutes a serious common concern for all States, and convinced that there is no justification for violent extremism, whatever the motivation,

Noting that while there can be no excuse or justification for violent extremism, abuses and violations of human rights may be among the elements that contribute to creating an environment in which people, especially youth, are vulnerable to

radicalization that leads to violent extremism and recruitment by violent extremists and terrorists,

Deeply concerned at the profound threat posed by acts resulting from violent extremism and terrorism motivated by extremist ideologies or intolerance to the realization and enjoyment of human rights and by the increasing and serious human rights abuses and violations of international humanitarian law by violent extremists and terrorists, including those involving unlawful killings, the deliberate targeting of civilians, the unlawful recruitment and use of child soldiers, sexual violence and other forms of violence, forced conversions, targeted persecution of individuals on the basis of their religion or belief, forced displacement and abduction, abuse of women and children, and acts of violence against members of ethnic and religious minorities, and unlawful sieges involving civilians, especially minorities,

Deploring attacks on religious places and shrines and cultural sites, which violate international law, in particular human rights and international humanitarian law, including any deliberate destruction of relics and monuments,

Recalling that, as affirmed in the Preamble to the Charter, the practice of tolerance is one of the principles to be applied to attain the ends pursued by the United Nations of preventing war and maintaining peace, and convinced that the respect for and protection of all human rights and fundamental freedoms of all persons, as well as tolerance, the recognition and appreciation of others and the ability to live together with and to listen to others form a sound foundation of any society and of peace,

Emphasizing the importance of supporting, recognizing and protecting the rights of victims of violent extremism in all its forms and manifestations, deploring the suffering caused by violent extremism to the victims and their families, expressing profound solidarity with them, and stressing the importance of providing them with proper support and assistance while taking into account, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth, ensuring accountability and ending impunity, in accordance with international law,

Reaffirming States' international obligations to promote and protect human rights while preventing and countering violent extremism, and recognizing that the protection of human rights is crucial to achieving the goal of effectively preventing and countering violent extremism,

Reaffirming also the commitment of States to take measures aimed at raising awareness of, and addressing the numerous and diverse conditions conducive to, the spread of violent extremism in all its forms and manifestations,

Noting that States may seek to integrate poverty eradication as part of their national strategies to address one of the conditions conducive to the spread of violent extremism,

Recalling Human Rights Council resolution 16/18 of 24 March 2011 on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion and belief, and recalling also the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence as important tools to counter violent extremism in all its forms and manifestations,

Recognizing that racism, racial discrimination, xenophobia and related intolerance may contribute to creating an environment in which individuals are vulnerable to radicalization that leads to the commission of acts resulting from violent extremism and terrorism motivated by extremist ideologies,

Reaffirming that human rights and fundamental freedoms, including the freedoms of peaceful assembly and of association, are essential components of democracy providing individuals with invaluable opportunities to express their political opinions and that enables dialogue in preventing and countering violent extremism,

Underscoring that preventing and countering violent extremism requires a whole-of-society approach, involving government, civil society, local and religious leaders and the private sector, and acknowledging that the active participation of civil society is a key factor in governmental efforts to protect human rights and fundamental freedoms while preventing and countering violent extremism,

1. *Reaffirms* that acts, methods and practices of violent extremism in all their forms and manifestations are activities that aim to threaten the enjoyment of human rights and fundamental freedoms, and democracy, and threaten the territorial integrity and security of States, and destabilize legitimately constituted Governments, and that the international community should take the steps necessary to enhance cooperation to prevent and counter violent extremism;

2. *Also reaffirms* the primary responsibility of States in preventing and countering violent extremism and terrorism in all its forms and manifestations on the territory under their jurisdiction, in full compliance with their international law obligations;

3. *Urges* States to ensure that any measures taken to prevent and counter violent extremism comply with all their obligations under international law, in particular international human rights law, international refugee law and international humanitarian law;

4. *Calls upon* States and local entities involved in supporting the prevention and countering of violent extremism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, including through human rights education and training, as well as due process and the rule of law;

5. *Encourages* States to engage with local communities and non-governmental actors through a whole-of-society approach in developing strategies that respect human rights and fundamental freedoms to counter narratives that incite acts of violent extremism and terrorism and address the conditions conducive to the spread of violent extremism, including by empowering women, religious, cultural, education and local leaders, engaging members of all concerned groups in civil society and from the private sector, adopting tailored approaches that incorporate human rights and fundamental freedoms to prevent and counter recruitment to this kind of violent extremism, and promoting social inclusion and cohesion;

6. *Stresses* the need to empower youth, including by means of targeted youth employment programmes that promote political participation, economic inclusion and social cohesion and respect for human rights as a means to prevent and counter violent extremism;

7. *Reaffirms* the important role that education, including human rights education and training, can play in preventing and countering violent extremism, and in this regard encourages States to cooperate in efforts to achieve the goals and targets under the Education For All movement and work to achieve the aims of the United Nations Declaration on Human Rights Education and Training, adopted by the General Assembly in its resolution 66/137 of 19 December 2011;

8. *Emphasizes* that tolerance and dialogue among civilizations and the enhancement of interfaith and intercultural understanding and respect among peoples, including at the national, regional and global levels, while avoiding the escalation of

hatred are among the most important elements in promoting cooperation, combating terrorism and countering violent extremism, and welcomes the various initiatives to this end;

9. *Expresses concern* over the increased use by terrorists and violent extremists and their supporters of communications technology for the purpose of radicalizing to terrorism or violent extremism, recruiting and inciting others to commit acts of terrorism or violent extremism, including through the Internet;

10. *Calls upon* Member States to advocate for and disseminate information on tolerance and mutual respect, and underlines the potential contribution of the media and new communications technology, including the Internet, to promoting respect for all human rights, to developing a better understanding among all religions, beliefs, cultures and peoples, to enhancing tolerance and mutual respect and thus to strengthening the rejection of violent extremism;

11. *Emphasizes* that civil society should have an enabling environment to develop, promote and advance comprehensive solutions to prevent and counter violent extremism in accordance with national strategies and respecting human rights and fundamental freedoms, and recognizing the contributions of civil society to these efforts;

12. *Also emphasizes* the need to enhance international cooperation and effective partnerships, including by strengthening national capacities and developing, promoting and implementing comprehensive and coordinated solutions that respect human rights and are aimed at preventing and countering violent extremism;

13. *Underscores* the need to promote community-oriented and law enforcement efforts that respect human rights in preventing and countering violent extremism;

14. *Also underscores* the need to prevent and counter radicalization that leads to violent extremism in detention facilities and prisons, and to support rehabilitation and reintegration measures while promoting human rights;

15. *Recognizes* the work of relevant United Nations agencies and international, regional and subregional organizations and civil society in preventing and countering violent extremism, as well as the Counter-Terrorism Implementation Task Force and its entities, and the development and implementation of good practices in various forums such as the Global Counterterrorism Forum, including as outlined in its Ankara Memorandum on Good Practices for a Multi-Sectoral Approach to Countering Violent Extremism;

16. *Underscores* the central role of the United Nations in preventing and countering violent extremism, notes the importance of relevant United Nations bodies and entities in assisting States in this field, and calls upon the Office of the United Nations High Commissioner for Human Rights and relevant international stakeholders to complement ongoing United Nations initiatives on preventing and countering violent extremism in full accordance with their respective mandates;

17. *Decides* to convene a panel at its thirty-first session to discuss the human rights dimensions of preventing and countering violent extremism, and requests the Office of the High Commissioner to prepare a summary report on the panel discussion;

18. *Requests* the Office of the High Commissioner to prepare a compilation report on best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism by the thirty-third session of the Council, and encourages the Office to consult with Member States, United Nations entities and other organizations, as appropriate, to benefit from

ongoing relevant work on the human rights dimensions of preventing and countering violent extremism.

*42nd meeting
2 October 2015*

[Adopted by a recorded vote of 37 to 3, with 7 abstentions. The voting was as follows:

In favour:

Albania, Algeria, Argentina, Bangladesh, Botswana, Brazil, Congo, Côte d'Ivoire, Estonia, Ethiopia, France, Gabon, Germany, Ghana, India, Indonesia, Ireland, Japan, Kenya, Latvia, Maldives, Mexico, Montenegro, Morocco, Netherlands, Nigeria, Paraguay, Portugal, Qatar, Republic of Korea, Saudi Arabia, Sierra Leone, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

Against:

Russian Federation, South Africa, Venezuela (Bolivarian Republic of)

Abstaining:

Bolivia (Plurinational State of), China, Cuba, El Salvador, Kazakhstan, Namibia, Pakistan]

30/16. From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

For the text of the resolution, see chapter II.

30/17. Forum on people of African descent in the diaspora

For the text of the resolution, see chapter II.

30/18. 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, 2051 (2012) of 12 June 2012 and 2140 (2014) of 26 February 2014, and Human Rights Council resolutions 18/19 of 29 September 2011, 19/29 of 23 March 2012, 21/22 of 27 September 2012, 24/32 of 27 September 2013 and 27/19 of 25 September 2014,

Recalling also Security Council resolution 2216 (2015) of 14 April 2015,

Recognizing that the promotion and the 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 acceptance by Yemeni political parties to complete the political transition process on the basis of the Gulf Cooperation Council initiative and its implementation mechanism, and emphasizing the need for the implementation of the

recommendations made in the outcome document of the National Dialogue Conference and to complete the drafting of a new Constitution,

Welcoming also the results of the meeting of Yemeni political parties in Riyadh on 17 May 2015 and their commitments to find a political solution to the conflict in Yemen on the basis of the Gulf Cooperation Council initiative, the outcomes of the National Dialogue Conference and Security Council resolution 2216 (2015), and the efforts of the Secretary-General and of his Special Envoy for Yemen,

Recalling its call for an investigation into all cases of violations and abuses of human rights and of violations of international humanitarian law, and the relevant call made by the United Nations High Commissioner for Human Rights,

Welcoming Presidential Decree No. 13 of 7 September 2015 appointing the members of the national independent commission of inquiry to investigate all previous violations and violations since 2011, in accordance with Human Rights Council resolutions 24/32 and 27/19,

Aware of reports by the Office for the Coordination of Humanitarian Affairs that the existing humanitarian emergency affects the enjoyment of social and economic rights, and aware that the parties to the conflict must ensure that humanitarian aid is facilitated and not hindered,

Noting the temporary interruption of the provision of technical assistance and capacity-building in the field of human rights owing to the deterioration in the political and security situation in Yemen,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Yemen³³ and of the debate held during the thirtieth session of the Human Rights Council, takes note with interest of the statement and comments by the Government of Yemen on the report and welcomes its willingness to cooperate with the United Nations and the Office of the High Commissioner;

2. *Expresses deep concern* at the serious abuses and violations of international human rights law and international humanitarian law in Yemen, including the continued recruitment of children contrary to international treaties, the abduction of political activists, the violations against journalists, the killing of civilians, the prevention of access by relief and humanitarian aid, the cutting of electricity and water supplies and the attacks against hospitals and ambulances;

3. *Calls upon* all parties in Yemen to respect their obligations under international human rights law and international humanitarian law, to stop immediately attacks on civilians and to ensure humanitarian access to the affected population nationwide;

4. *Calls upon* the Government to take measures to protect civilians, and to take appropriate measures to ensure the effective investigation, with a view to ending impunity, into all cases of violations and abuse of human rights and of violations of international humanitarian law, including cases of violence against journalists and the detention of journalists and political activists;

5. *Calls upon* all parties in Yemen to implement fully Security Council resolution 2216 (2015), which will contribute to an improvement in the situation of human rights and which contains specific concerns and places particular demands on Saleh and Houthi militias to release political prisoners and journalists and to engage in the political process in an inclusive, peaceful and democratic way, ensuring that women are part of the political and peacemaking process;

³³ A/HRC/30/31.

6. *Demands* that all Yemeni parties to the conflict 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 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;³⁴

7. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect the human rights of all individuals within its territory and subject to its jurisdiction, and in that connection recalls that Yemen is a party to 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 International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, the Convention on the Rights of Persons with Disabilities and the Convention relating to the Status of Refugees and the Protocol thereto, and looks forward to the Government continuing its efforts to promote and protect human rights;

8. *Expresses deep concern* at the deteriorating humanitarian situation in Yemen, expresses its appreciation to donor States and organizations working on improving the humanitarian situation, and calls upon the international community to provide financial support for the Yemen humanitarian response plan for 2015 and to fulfil their pledges to the relevant United Nations humanitarian appeal;

9. *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 consequences of the violence and the economic and social challenges faced by Yemen, in coordination with the international donor community and according to the priorities set by the Yemeni authorities;

10. *Requests* the High Commissioner, while allocating sufficient staff, in coordination with the Government of Yemen, to provide technical assistance and to work with the Government of Yemen, as required, in the field of capacity-building, and to identify additional areas of assistance to enable Yemen to fulfil its human rights obligations, and specifically requests the Office of the High Commissioner to assist the national independent commission of inquiry in meeting its work in accordance with international obligations, as mandated in Presidential Decree No. 140 of 22 September 2012;

11. *Also requests* the High Commissioner to present to the Human Rights Council, at its thirty-first session, an oral update on the situation of human rights in Yemen and on the follow-up to the present resolution, and to present to the Council, at its thirty-third session, a written report on the development and implementation of the present resolution.

*42nd meeting
2 October 2015*

[Adopted without a vote.]

³⁴ A/68/878-S/2014/339.

30/19. Technical assistance and capacity-building in the field of human rights in the Central African Republic

The Human Rights Council,

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

Guided also by the Universal Declaration of Human Rights,

Recalling other relevant international instruments on human rights,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/2 and 5/1 of 18 June 2007, 23/18 of 13 June 2013, 24/34 of 27 September 2013, S-20/1 of 20 January 2014 and 27/28 of 26 September 2014,

Recalling further Security Council resolutions 2088 (2013) of 24 January 2013, 2121 (2013) of 10 October 2013, 2127 (2013) of 5 December 2013, 2134 (2014) of 28 January 2014, 2149 (2014) of 10 April 2014 and 2217 (2015) of 28 April 2015,

Considering the situation in the Central African Republic since 24 March 2013,

Reaffirming that all States have 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 instruments on human rights to which they are parties,

Considering the Bamako Declaration, adopted on 3 November 2000 by the French-speaking States and Governments at the International Symposium on the Practices of Democracy, Rights and Freedoms in the French-speaking Community, which condemns all coups d'état and any seizure of power by violent means, weapons or other illegal means,

Considering also the final communiqué of the special summit meeting of Heads of State and Government of the Economic Community of Central African States, held in N'Djamena on 21 December 2012, the political agreement signed in Libreville on 11 January 2013 and the Cessation of Hostilities Agreement, signed in Brazzaville on 23 July 2014,

Welcoming the holding of popular consultations and the Bangui Forum on National Reconciliation, which was followed by the adoption of a republican pact and an agreement on disarmament, demobilization and reintegration, signed by the representatives of the main actors in the conflict in the Central African Republic,

Reaffirming its commitment to the sovereignty, independence, unity and territorial integrity of the Central African Republic,

Concerned about the fragile security situation in the Central African Republic and the critical humanitarian situation that continues to prevail, and especially the fate of displaced persons and refugees, as well as the risk of sectarian violence,

Gravely concerned at the serious violations and abuses of human rights committed against the civilian population, including summary executions, extrajudicial killings, arbitrary arrests and detention, enforced disappearances, the recruitment and use of children, rape and other forms of sexual violence, torture, looting, unlawful destruction of property and other serious violations and abuses of international human rights law,

Noting the mobilization of the international community to provide humanitarian assistance to the population of the Central African Republic affected by the crisis, with

the donors' conference held in Addis Ababa on 1 February 2014, the Brussels conference held on 26 May 2015 and several high-level meetings on humanitarian action in the Central African Republic,

Recalling the need for the transitional authorities, the international community and humanitarian actors to support the voluntary return of internally displaced persons and refugees, and to ensure that this return is sustainable,

Welcoming the efforts of the International Support Mission to the Central African Republic, the Operation Sangaris mission conducted by France, the European Union military operation in the Central African Republic, the European Union Military Advisory Mission in the Central African Republic and the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic to protect civilians and to contribute to improving security,

Recalling that the international forces present in the Central African Republic must act, in carrying out their duties, in full respect for the applicable provisions of international humanitarian law, international human rights law and international refugee law, expressing its concern at the allegations of sexual abuse and other human rights violations that may have been committed by personnel of the international forces in the Central African Republic, and recalling that an in-depth investigation should be launched into the allegations and that those responsible for these acts must be brought to justice,

Stressing the urgency and the imperative of ending impunity in the Central African Republic and of bringing to justice the perpetrators of violations and abuses of international humanitarian law and human rights, and the need to strengthen national mechanisms to ensure accountability,

Welcoming the commitment of the authorities of the Central African Republic to restore the rule of law, to end impunity and to bring to justice the perpetrators of crimes under the Rome Statute of the International Criminal Court to which the Central African Republic is party, and taking note of the decision of the Prosecutor of the Court, made on 7 February 2014, to conduct a preliminary review of the situation in the Central African Republic, and on 24 September 2014, to launch an investigation, following the request made by the transitional authorities,

Welcoming also the report of the international commission of inquiry to investigate allegations of violations and abuses of international humanitarian law and international human rights law in the Central African Republic, and noting with concern its findings that the main parties to the conflict have committed, since January 2013, violations and abuses that may constitute war crimes and crimes against humanity,

1. *Strongly condemns* the violations and abuses of human rights that continue to be committed by all stakeholders, and stresses that those responsible for these violations must be held responsible for their actions and brought to justice;

2. *Reiterates* its call for an immediate end to all abuses and violations of human rights and illegal acts of violence committed by all parties, and requires strict adherence to all human rights and all fundamental freedom and the re-establishment of the rule of law in the country, and in this regard reminds all parties of their obligations under international human rights law and international humanitarian law;

3. *Takes note with appreciation* of the report of the Independent Expert on the situation of human rights in Central African Republic³⁵ and the recommendations contained therein;

³⁵ A/HRC/30/59.

4. *Urges* all parties in the Central African Republic to protect all civilians, in particular women and children, against sexual and gender-based violence;

5. *Welcomes* the commitment made by several armed groups on 5 May 2015 to release children from their ranks and to end and prevent the recruitment and use of children, and in this regard calls upon them to implement their commitment;

6. *Urges* all parties to protect and to regard as victims those children who have been released or otherwise separated from armed forces and armed groups, and emphasizes the need to pay particular attention to the protection, release and reintegration of all children associated with the armed forces and armed groups;

7. *Calls upon* the authorities of the Central African Republic to ensure respect for the human rights and fundamental freedoms of the entire population and to take all necessary measures to end the impunity of perpetrators of acts of violence and other violations and abuses of human rights, including by strengthening the judicial system and national mechanisms to ensure accountability;

8. *Takes note* of the decision of the Central African authorities to request the Prosecutor of the International Criminal Court to open an investigation into alleged crimes committed in the Central African Republic that may fall under the Court's jurisdiction;

9. *Welcomes* the efforts made by the transitional authorities, including the adoption and promulgation of relevant legislation aimed at establishing within the national judicial system a special criminal court with competence for serious violations of human rights and international humanitarian law, and urges the national authorities to take all appropriate measures to implement the law on the creation of the special criminal court;

10. *Supports* the efforts made by the mediator of the Economic Community of Central African States, the African Union and all other partners of the Central African Republic to solve the crisis and to restore decisively the constitutional order, peace and security, in accordance with the political agreement signed in Libreville on 11 January 2013, the N'Djamena Declaration of 18 April 2013 and the Constitutional Charter for the Transition of 18 July 2013;

11. *Welcomes* the efforts made by the transitional authorities to carry out the transitional process, including aspects related to reconciliation, and urges the transitional authorities to implement the recommendations made at the Bangui Forum in an inclusive approach to enable genuine and lasting reconciliation;

12. *Requests* the transitional authorities and the national elections authority to take the necessary steps, in accordance with the Constitutional Charter for the Transition, to speed up the preparatory electoral process for the holding of free, open, transparent and inclusive elections by the end of 2015, including by allowing the participation of refugees and internally displaced persons;

13. *Urges* the international community to continue to provide all necessary assistance for the holding of the elections, taking into account the financial support already provided by the international community;

14. *Welcomes* the improvement of the security situation in the Central African Republic, and calls upon all parties to respect the terms of the Cessation of Hostilities Agreement, which constitutes an important step forward in finding a solution to the crisis;

15. *Encourages* the authorities of the Central African Republic to take all necessary measures to consolidate the security situation on the national territory, inter

alia, by implementing the disarmament, demobilization, reintegration and repatriation programme in conformity with the agreement reached thereon at the Bangui Forum;

16. *Remains deeply concerned* by the conditions of displaced persons and refugees, and encourages the international community to support the national authorities and host countries to ensure appropriate protection and support for victims of violence, in particular women, children and persons with disabilities;

17. *Calls upon* the transitional authorities to continue their efforts to protect and to promote the right to freedom of movement for all, including displaced persons, without distinction, and to respect their right to choose their place of residence, to return home or to seek protection elsewhere;

18. *Invites* all stakeholders and the international community to remain mobilized to respond to the urgencies and priorities identified by the Central African Republic, including financial and technical support, and to pay the costs for psycho-trauma treatment of people affected by the crisis;

19. *Urges* the international community to provide assistance in the setting up of a mechanism by the Central African authorities to assist victims of trauma and post-traumatic stress disorder, including children and victims of sexual violence;

20. *Requests* all parties to facilitate access of victim populations to humanitarian assistance and access of humanitarian actors to the entire national territory by strengthening security on the roads;

21. *Encourages* the States Members of the United Nations, within the framework of international cooperation, the relevant United Nations bodies, international financial institutions and other international organizations concerned and donors to provide the Central African Republic with technical assistance and capacity-building in order to promote respect for human rights and to undertake reform of the justice and security sectors;

22. *Encourages* the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, in accordance with its mandate, to publish reports on the situation of human rights in the Central African Republic in order to enable the international community to monitor the situation;

23. *Decides* to renew, for one year, the mandate of the Independent Expert to assess, to monitor and to report on the situation of human rights in the Central African Republic with a view to making recommendations related to technical assistance and capacity-building in the field of human rights;

24. *Requests* all parties to cooperate fully with the Independent Expert in carrying out her mandate;

25. *Requests* the Independent Expert to work closely with all United Nations bodies, the African Union and the Economic Community of Central African States, as well as with other relevant international organizations, civil society and all relevant human rights mechanisms;

26. *Also requests* the Independent Expert to provide an oral update on her report on technical assistance and capacity-building in the field of human rights in the Central African Republic to the Human Rights Council at its thirty-first session, and to submit a written report to the Council at its thirty-third session;

27. *Welcomes* the interactive dialogue held at its twenty-ninth session, with the participation of the Minister for Justice and the Minister for National Reconciliation in the debate on the fight against impunity in the Central African Republic, and decides to hold an interactive dialogue at its thirty-second session in the presence of the

Independent Expert and other stakeholders to assess the development of the situation of human rights on the ground, with a particular focus on transitional justice;

28. *Requests* the United Nations High Commissioner for Human Rights to continue to provide the Independent Expert with all financial and human resources to enable her to carry out fully her mandate;

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

42nd meeting
2 October 2015

[Adopted without a vote.]

30/20. 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 its previous resolutions on Somalia,

Recalling its resolutions 5/1 and 5/2 of 18 June 2007,

Recognizing the continued urgent need to step up the scale, coherence and quality of all capacity development in and technical assistance to Somalia in the field of human rights, and in that respect welcoming the forthcoming universal periodic review of Somalia,

Recognizing also the role that 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 and at all levels of federal, regional state and subnational government,

1. *Expresses concern* at the reports of violations and abuses 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 girls and women, including sexual violence and female genital mutilation, and abuses and violations committed against children, including the unlawful recruitment and use of child soldiers, killing and maiming, rape and other sexual violence, and abductions, and emphasizes the need for accountability for all such violations and abuses;

3. *Expresses deep concern* that internally displaced persons continue to bear the brunt of ongoing violence, and at abuses and violations perpetrated against them, especially the most marginalized and vulnerable, which may include women, children and persons belonging to minorities;

4. *Also expresses deep concern* at the continuing attacks against and harassment of journalists in Somalia, urges the authorities to prohibit, prevent and protect against all unlawful killings, attacks and harassment of journalists, urges all parties to refrain from violence 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 serious and systematic violations and abuses perpetrated against members of the civilian population, including women, children, journalists, parliamentarians and human rights defenders, by Al-Shabaab and its affiliates, including the killing of the Ambassador of Somalia to the United Nations Office at Geneva, Yusuf Mohamed Ismail “Bari Bari”, in a terrorist attack in Mogadishu on 27 March 2015, and calls for the immediate cessation of those violations and abuses and for perpetrators to be held accountable;

6. *Recognizes* the importance of international assistance to Somalia, and stresses that the primary responsibility for promoting and protecting human rights in Somalia rests with the Federal Government of Somalia;

7. *Welcomes* the commitment of the Federal Government of Somalia to improve human rights in Somalia, and in that respect also welcomes:

(a) The formation of the Ministry of Women and Human Rights Development as the lead federal government body to advance the human rights agenda in Somalia, working alongside the Ministry of Justice and Religious Affairs and other departments;

(b) The work to develop the action plan for the post-transition human rights road map, including consultations with civil society and emerging regional administrations;

(c) The Somali Armed Forces Guulwade (Victory) plan and Somali Police Force Heegan (Readiness) plan, as first steps towards the provision by the Federal Government of Somalia of full security to the people of Somalia;

(d) The continuing institutionalization of the promotion and protection of human rights in Somalia, including efforts to incorporate protection for civilians, internally displaced persons and returning refugees, and to promote human rights in the reform plans of the security and justice sectors;

(e) The commitment of the Federal Government of Somalia to be fully consultative in its efforts to establish a national human rights commission in due course;

(f) The initiation of a consultative process to review and amend Somalia’s media laws, while encouraging further progress in the process;

(g) The agreement and publication of a national action plan on eradicating sexual violence in conflict;

(h) The drafting of a bill on sexual offences and the re-commitment to establish a clear policy and to legislate against female genital mutilation;

(i) The continued commitment of the Federal Government of Somalia to the universal periodic review process;

(j) The confirmation by the Federal Government that it will imminently ratify the Convention on the Rights of the Child and the Convention on Cluster Munitions;

(k) The formation of the National Independent Electoral Commission, the Boundaries and Federalism Commission and the Independent Commission for the Review and Implementation of the Constitution;

8. *Underscores* the importance of coordinated international assistance to Somalia in the field of human rights, and in that respect welcomes:

(a) The continued work towards meeting the goals established in the Somali Compact, most recently the work of the High-level Partnership Forum held in Mogadishu on 29 and 30 July 2015, noting especially the call for human rights to be anchored in the implementation of all peace- and State-building goals, in particular through the human rights road map and existing action plans on human rights;

(b) The sustained and vital commitment of the African Union Mission in Somalia and the Intergovernmental Authority on Development;

9. *Encourages* international donors to provide timely and tangible assistance to and to enhance cooperation with the Government of Somalia at the federal, regional state and subnational levels;

10. *Urges* the international community to provide financial support to enable host countries to respond to the ongoing humanitarian needs of Somali refugees in the region, to support the reintegration of those returning to Somalia as well as internally displaced persons, and to provide urgent financial support to receiving bodies in response to the growing humanitarian needs of refugees from Yemen, while emphasizing the principle of burden-sharing;

11. *Calls upon* the Federal Government of Somalia, with the support of the international community:

(a) To promote reconciliation and dialogue at both the local and national levels, recognizing the importance of the assistance provided by the Intergovernmental Authority on Development;

(b) To finalize and adopt a federal Constitution in line with the provisions of the Federal Government's Agenda Vision 2016;

(c) To prepare for and hold credible, transparent and inclusive elections in 2016;

(d) To ensure the equitable participation of women, youth, members of minority groups and other marginalized groups in national political processes;

(e) To harmonize national and subnational political policies and legal frameworks with the applicable human rights obligations and other commitments, including those referenced in the provisional Constitution and the migration and human rights agenda at the federal, regional state and subnational levels;

(f) To establish independent, accountable and efficient judicial institutions and to seek tangible and timely assistance from, inter alia, regional bodies, to reform the Somali judicial system and to enhance the capacity of Somali judges, with particular focus on the promotion and protection of human rights and combating corruption;

(g) To establish, without further delay, the remaining constitutional bodies, including the Human Rights Commission, the Judicial Services Commission and the Constitutional Court;

(h) To ensure the accountability of State institutions and security forces and those serving within them; to increase awareness of and training on human rights among the Somali security forces at the national and subnational levels, including regarding the protection of civilians and the prevention of extrajudicial killings, with the timely and tangible support of the international community; to ensure that comprehensive vetting procedures are put in place for personnel in the security forces and in security institutions; and to issue clear and public orders that the Somali National Armed Forces, Somali National Police Force and allied militias should comply with applicable international law;

(i) To continue measures to implement the action plans to end the recruitment and use of children in the Somalia National Armed Forces;

(j) To implement, in a clear and accessible manner, a zero-tolerance policy on gender-based violence, particularly sexual violence, to include prevention of sexual exploitation and other forms of abuse, and to ensure that individuals found to be responsible for and complicit in sexual violence are, regardless of their status or rank, held to account;

(k) To fulfil its commitment to sign and ratify the Convention on the Elimination of Discrimination against Women;

(l) To initiate effective and impartial investigations into the killings of journalists, to prosecute all those responsible for unlawful acts in a manner consistent with applicable domestic and international legal obligations, to create security and space for a free press to operate, and to take measures to protect and support civil society and human rights defenders, in particular in view of the forthcoming elections;

(m) To treat disengaged combatants in accordance with applicable obligations under domestic and international law, in particular international human rights law and international humanitarian law, as applicable;

(n) To ensure the protection and well-being of all internally displaced persons, including from sexual violence and exploitation; to seek durable solutions for them; to ensure a fully consultative process and best practice for relocations, as well as safe, sanitary new sites that have basic services; to ensure unfettered access for humanitarian organizations; to recognize the acute vulnerability of internally displaced persons; 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;

(o) To continue to engage constructively in the universal periodic review process, including through its engagement with the upcoming review in 2016 and the subsequent follow-up;

12. *Strongly commends* the engagement of the Independent Expert on the situation of human rights in Somalia;

13. *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 and inform appropriate remedies by duty-bearers;

14. *Also stresses* the important role of joint monitoring and reporting on 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;

15. *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;

16. *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 one year;

17. *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 assisting Somalia in the implementation of:

- (a) Its domestic and international human rights obligations;
- (b) Human Rights Council resolutions;
- (c) The recommendations accepted during the universal periodic review;

(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;

18. *Also requests* the Independent Expert to report to the Human Rights Council at its thirty-third session;

19. *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;

20. *Decides* to remain actively seized of the matter.

*42nd meeting
2 October 2015*

[Adopted without a vote.]

30/21. 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 Charter 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 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,

Recalling also Human Rights Council resolutions 29/2 of 29 June 2015 and 26/19 of 26 June 2014, in which the Council resolved to ensure respect for the human rights and fundamental freedoms of all migrants,

Recalling further all relevant international human rights instruments, particularly the International Covenant on Civil and Political Rights and the International

Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of Persons with Disabilities and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Convention relating to the Status of Refugees,

Acknowledging the cultural and economic contributions made by migrants to their communities of origin and destination and the need to identify appropriate means of maximizing development benefits, to respond to the challenges that migration poses to countries of origin, transit and destination, to promote dignified, humane treatment with applicable protections and access to basic services, and to strengthen mechanisms for international cooperation,

Recognizing that States are responsible for promoting and protecting the human rights of all persons, including irregular migrants, who are in their territory, and subject to their jurisdiction, in accordance with their international human rights obligations,

Recognizing also the shared responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of migrants and avoiding approaches that might aggravate their vulnerability, bearing in mind the need to address the special situation and vulnerability of migrant women and girls,

Expressing deep concern that the number of people who are forcibly displaced has reached the highest level since the Second World War, and underlining that it is necessary for Member States to respect their obligations under international law, including provision of international protection, as appropriate,

Deeply concerned at the large and growing number of migrants, especially women and children, including those unaccompanied or separated from their parents, who find themselves in a vulnerable situation by attempting to cross international borders, and recognizing the obligation of States to respect the human rights of those migrants in accordance with their applicable international human rights obligations,

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 consultations 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 to 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 the universal periodic review and the Voluntary Trust 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-eighth session of the Human Rights Council on the theme “Technical cooperation to support inclusive and participatory development and poverty eradication at the national level”, which underlined the importance of technical cooperation and capacity-building to fill the gaps and support States in overcoming challenges in the implementation of their national development and poverty eradication policies to ensure that such policies are inclusive, participatory and leave no one behind;

6. *Underscores* the importance of international, regional and bilateral cooperation and dialogue in the protection of the human rights of all migrants, particularly at a time when both regular and irregular migration flows have increased in the globalized economy and occur in a context of conflicts and continued security concerns, while taking into account the multidimensional character of the migratory phenomenon;

7. *Encourages* States, relevant international organizations, intergovernmental bodies, civil society, including non-governmental organizations, and the private sector to continue and to enhance their dialogue with a view to strengthening and making more inclusive public policies aimed at promoting and respecting the human rights of all migrants;

8. *Decides*, in accordance with paragraphs 3 and 4 of its resolution 18/18 of 29 September 2011, that the theme for the annual thematic panel discussion under agenda item 10 to be held during its thirty-first session will be “Technical cooperation and capacity-building to promote and protect the rights of all migrants, including women, children, older persons and persons with disabilities”;

9. *Requests* the Office of the United Nations High Commissioner for Human Rights 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 migrants in their national legislation, policies and programmes, and to submit it to the Human Rights Council at its thirty-first 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.

*42nd meeting
2 October 2015*

[Adopted without a vote.]

30/22. Technical assistance and capacity-building to improve human rights in the Sudan

The Human Rights Council,

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

Recalling the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

Taking note of the communiqué and report of 22 June 2015 of the African Union Peace and Security Commission concerning the situation in Darfur, and its communiqué adopted on 25 August 2015 at its 539th meeting, in which the Commission called upon the Sudan to create an environment conducive to national dialogue,

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

Welcoming the commitment of the Government of the Sudan to protect and promote human rights in the country,

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,

Welcoming the cooperation of the Government of the Sudan during the visit held in May 2015 of the Special Rapporteur on violence against women, its causes and consequences, and the proposed visit in November 2015 of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights,

Welcoming also the implementation by the Government of the Sudan of the Child Act (2010), which provides protection for children, including the prohibition of child recruitment, and urging its full implementation,

Encouraging the efforts of the Government of the Sudan to implement the universal periodic review recommendations that it accepted,

Noting the challenges that the Sudan still faces in conflict-affected areas, particularly in the States of Darfur, Southern Kordofan and Blue Nile,

Emphasizing the need to ensure that humanitarian access is available and assistance is provided to internally displaced persons,

1. *Welcomes* the work of the Independent Expert on the situation of human rights in the Sudan;

2. *Takes note* of the report of the Independent Expert submitted to the Human Rights Council at its thirtieth session,³⁶ and of the comments of the Government of the Sudan thereon;

3. *Also takes note* of the continued cooperation of the Government of the Sudan with the Independent Expert to enable him to fulfil his mandate, and of the Government's stated commitment to continue that cooperation;

4. *Encourages* the initiative of holding a comprehensive, inclusive national dialogue in the Sudan to achieve sustainable peace, and also encourages all Sudanese stakeholders to ensure an environment conducive to inclusive, transparent and credible dialogue;

5. *Takes note* of the assessment made by the Independent Expert that recommendations made by the previous mandate holder to all parties have largely remained unimplemented, and encourages all stakeholders to fulfil their pledges with regard to the release of political prisoners;

6. *Commends* the commitment and the effort of the Government of the Sudan to reinforce human rights education and to continue to incorporate human rights principles in the education system, and encourages the Government to enhance its

³⁶ A/HRC/30/60.

efforts to implement the other portions of the National Plan for the Protection and Promotion of Human Rights (2013-2023);

7. *Notes with appreciation* the continued efforts made by the Government of the Sudan in combating human trafficking, including the enactment and implementation of the National Act on Combating Human Trafficking and Smuggling (2014) and in hosting a regional conference on trafficking in persons in Khartoum in late 2014, and encourages the Government and regional and international partners to implement the Khartoum Process;

8. *Also notes with appreciation* the hosting by the Sudan of tens of thousands of refugees from neighbouring and regional countries;

9. *Encourages* the Government of the Sudan to further promote and protect the right to freedom of religion and belief, and in this respect to comply with its constitutional obligations and its obligations under the International Covenant on Civil and Political Rights;

10. *Expresses serious concern* at the excessive use of force, including the lethal shooting of demonstrators in September 2013 and March 2014, takes note of the record of the Government of the Sudan in investigating and prosecuting perpetrators, and calls upon the Government to institute an independent public inquiry and to refer its findings to the judiciary within its legal system to ensure justice and accountability related to those incidents;

11. *Takes note* of the investigation by the Attorney General's office and report entitled "Monitoring cases of death during the events that the State of Khartoum witnessed in September 2013", and encourages the process of the referral of its findings to the judiciary for the purpose of ensuring justice and accountability;

12. *Stresses* that holding perpetrators accountable needs to be a foremost priority of the Government of the Sudan;

13. *Expresses concern* at reports of the closure of some non-governmental organizations and restrictions on the media, pre- and post-publication censorship, seizure of newspapers, the banning of some journalists, and violations of the rights to freedom of expression and freedom of association and of peaceful assembly;

14. *Urges* the Government of the Sudan to further its efforts for the promotion and protection of human rights, in particular to ensure freedom from arbitrary arrest and detention and to respect the human rights of all individuals, including human rights defenders and members of civil society organizations;

15. *Condemns* any party's violations or abuses of international human rights and humanitarian law reported in the States of Darfur, Southern Kordofan and Blue Nile, including those involving sexual and gender-based violence, the indiscriminate bombing of humanitarian facilities and the killing of civilians and humanitarian aid workers, and urges all parties to resort to peace;

16. *Urges* the Government of the Sudan to investigate allegations of human rights violations in the camps for internally displaced persons with a view to ending violations;

17. *Encourages* all parties to facilitate humanitarian access to populations in need of assistance, and encourages the Government of the Sudan to intensify its endeavours to address humanitarian needs in conflict-affected areas;

18. *Encourages* the Government of the Sudan to ratify international instruments as accepted by the Government in the universal periodic review process;

19. *Encourages* the commitment of the Government of the Sudan to comprehensive national legal reform initiatives in the Sudan, to guarantee further full compliance of the State with its constitutional and international human rights obligations, such as provisions of the Criminal Act (1991), including those which redefine the offence of rape and dissociate it from adultery and which introduce the offence of sexual harassment; the promulgation and implementation of the National Act on Combating Human Trafficking and Smuggling of Persons Act, the Anti-Corruption Act, the Act on the Rights of Persons with Disabilities; and the revision of the Press Act, the local state Community Protection Law and the National Security Act;

20. *Urges* Member States, the United Nations High Commissioner for Human Rights, 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 by responding to the Government's requests for technical assistance;

21. *Requests* the Office of the High Commissioner, taking into account the recommendations of the Independent Expert, to provide technical assistance and capacity-building to the Government of the Sudan at its request on ways to improve the situation of human rights in the country with a view to providing support for the country to fulfil its human rights obligations, including specifically assistance with the legal reforms under way in the country described in paragraph 19 above so as to help to reconcile those laws with the international obligations of the Sudan;

22. *Expresses deep concern* at the situation of human rights and security in conflict-related areas, particularly in the Darfur region and the States of Southern Kordofan and Blue Nile, and the profound negative impact of this on civilians, in particular women and children, and therefore encourages the Independent Expert to visit conflict zones, which the Government of the Sudan will facilitate, as it has done with past visits by the Independent Expert in fulfilment of the mandate;

23. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in the Sudan for a period of one year under agenda item 10, to continue the engagement of the mandate holder with the Government of the Sudan to assess, verify and report on the situation of human rights with the view to make recommendations on technical assistance and capacity-building for addressing human rights in the country, considering a full range of information, including information presented by the Government and viewpoints by civil society, and other relevant stakeholders that would assist the mandate holder in the implementation of the mandate;

24. *Requests* the Independent Expert to present a report to the Human Rights Council for its consideration at its thirty-third session;

25. *Calls upon* the Government of the Sudan to continue its full cooperation with the Independent Expert and to continue to permit effective access to visit all areas of the country, and to meet with all relevant actors;

26. *Requests* the Office of the High Commissioner to provide all necessary financial and human resources support to the Independent Expert in the implementation of the mandate;

27. *Calls upon* the Government of the Sudan to continue to cooperate with the Office of the High Commissioner in the implementation of the present resolution;

28. *Decides* to consider this issue under agenda item 10.

[Adopted without a vote.]

30/23. 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 Human Rights 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 Human Rights Council resolution 24/32 of 20 September 2013 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,³⁷

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 the achievements and improvements in 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 delivery of the Trial Chamber's verdict in case 002/01 against former senior leaders of Democratic Kampuchea, Nuon Chea and Khieu Samphan, who were found guilty of crimes against humanity and sentenced to life imprisonment on 7 August 2014, and the commencement of the trial hearings on case 002/02 on 17 October 2014, 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 continued concern* over the grave 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, stresses the need for the Government

³⁷ A/HRC/24/32.

and the international community to provide all appropriate assistance to the Extraordinary Chambers, and also stresses the importance of efficient and sustainable management of financial resources by the Extraordinary Chambers;

4. *Welcomes* the positive engagement of the Government of Cambodia in the second universal periodic review process as well as its acceptance of most of 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 Cambodia³⁸ and the recommendations contained therein, 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, and encourages the Special Rapporteur and the field office of the Office of the High Commissioner in Phnom Penh to continue to exchange information in order to assist in the effective implementation of their respective mandates, bearing in mind their independence;

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 and an independent judiciary;

7. *Notes* 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 enforcing basic laws, such as the civil procedure code, the civil code, the criminal procedure code and the penal code;

8. *Also notes* the enactment of three fundamental laws on the judiciary, namely the Law on the Statute of Judges and Prosecutors, the Law on the Organization and Functioning of the Courts, and the amendment to the Law on the Organization and Functioning of the Supreme Council of the Magistracy, and urges the Government of Cambodia to continue further its efforts at judicial reform, including through the fair, effective and transparent application of these laws, the transfer of knowledge of court officials and the sharing of good practices at the Extraordinary Chambers;

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, encourages the implementation of the penal code and the anti-corruption law, and also encourages the Government to continue other such efforts, including through the activities of the anti-corruption unit;

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* of the latest findings regarding gender-based issues in Cambodia, and encourages the Government of Cambodia to strengthen its efforts on gender-based issues, including by effectively enforcing existing laws and regulations;

³⁸ [A/HRC/27/70](#) and [A/HRC/30/58](#).

13. *Encourages* the Government of Cambodia to implement its five-year strategy for gender equality, promoting women's economic, social and political empowerment, including their participation in decision-making processes, and the expansion of women's economic benefits through improved working conditions, social protection and labour standards;

14. *Encourages*, in this context, the Government of Cambodia to monitor the implementation of the Land Law, including regarding specific obstacles to women and vulnerable groups in obtaining land ownership and rights;

15. *Notes* the efforts made by the Government of Cambodia to resolve land issues, inter alia, through 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;

16. *Welcomes* the commitments made and the progress achieved by the Government of Cambodia in implementing 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; 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;

17. *Also welcomes* the efforts made by the Cambodian Human Rights Committee, especially in resolving complaints from individuals;

18. *Further 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;

19. *Notes* the agreement between the ruling and opposition parties on 22 July 2014, which led to the participation of the opposition party in the National Assembly and to their close collaboration in the electoral reform, especially the revision of the legal status of the electoral management body and the composition of its commissioners, as well as the review of the electoral process, including voter registration, through the amendment to the Constitution and the adoption of the Law on the Organization and Functioning of the National Election Committee and the Law on the Election of Members of the National Assembly, 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 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;

20. *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;

21. *Urges* the Government of Cambodia to take appropriate measures to encourage and enable civil society, including independent trade unions 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;

22. *Also urges* the Government of Cambodia to take account of the interests and concerns of all stakeholders in implementing the Law on Associations and Non-Governmental Organizations in order to nurture the vibrant civil society, as well as to protect and ensure freedom of speech, association and peaceful assembly, in accordance with the Constitution and the International Covenant on Civil and Political Rights;

23. *Encourages* 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;

24. *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 and independence 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 accepted universal periodic review recommendations;

(e) Assisting the assessment of progress in human rights issues;

25. *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 her mandate to the Council at its thirty-third and thirty-sixth 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;

26. *Requests* the Secretary-General to report to the Human Rights Council at its thirty-third and thirty-sixth 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;

27. *Decides* to continue its consideration of the situation of human rights in Cambodia at its thirty-sixth session.

[Adopted without a vote.]

30/24. National policies and human rights

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 as a common standard of achievement for all peoples and all nations,

Recalling all relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also its resolutions 23/19 of 23 June 2013 and 27/26 of 26 September 2014 on national policies and human rights,

Recalling further that States emphasized in the Vienna Declaration and Programme of Action and the 2005 World Summit Outcome³⁹ that they bear the responsibility, in conformity with the Charter, to develop and encourage respect for human rights and fundamental freedoms for all, without distinction of any kind such as race, colour, sex, language, disability, religion, political or other opinion, national or social origin, property, birth or other status,

Bearing in mind that States should integrate their obligations and commitments under international human rights law into their national legislation in order to ensure that State action at the national level is effectively directed towards the promotion and protection of all human rights and fundamental freedoms,

Noting that State action aimed at the promotion, protection and full realization of human rights and fundamental freedoms at the national level is most effective when fully integrated into national policies based on a human rights perspective,

Reaffirming that all human rights are inalienable, universal, indivisible, interdependent and interrelated and that, therefore, national policies aimed at their promotion and protection will also have a mutually reinforcing effect on their realization,

Recognizing that each State has the right to choose the framework that is best suited to its particular needs at the national level,

Reaffirming the importance of international cooperation to support States in the process of integrating their obligations and commitments under international human rights law into national legislation, and drawing up and carrying out national policies aimed at the full realization of human rights and fundamental freedoms,

Recognizing the important and constructive role that national human rights institutions and civil society can play in the process of drawing up and assessing the impact of national policies aimed at the promotion, protection and full realization of human rights and fundamental freedoms,

Bearing in mind that the technical cooperation offered by the Office of the United Nations High Commissioner for Human Rights, upon the request of and in close cooperation with States, with the aim of integrating human rights into national

³⁹ General Assembly resolution 60/1.

policies and programmes can be a useful vehicle to support States' compliance with their human rights obligations and their follow-up to recommendations made by United Nations human rights mechanisms,

Affirming that the inclusive participation of all sectors of society in debating and developing policies and programmes affecting the population is critical for the success of such processes,

Recognizing that public policies planned and formulated through participatory and accessible approaches are a key factor in promoting respect for and safeguarding the realization of human rights,

1. *Welcomes* the panel discussion on the issue of national policies and human rights, with a particular focus on the findings of the report of the Office of the United Nations High Commissioner for Human Rights on technical assistance and capacity-building options for integrating human rights into national policies,⁴⁰ held by the Human Rights Council at its twenty-eighth session;

2. *Takes note with appreciation* of the summary report of the Office of the High Commissioner of the panel discussion,⁴¹ and of the conclusions and recommendations contained therein;

3. *Acknowledges* the efforts made by the Office of the High Commissioner in both technical assistance and capacity-building, upon request and in close cooperation with States, to align laws, policies, institutions and practices with their human rights obligations and commitments, to implement accepted universal periodic review recommendations and to follow up on recommendations made by other United Nations human rights mechanisms;

4. *Encourages* the Office of the High Commissioner to enhance further the efforts aimed at supporting these measures in order that national policies have a positive impact on the enjoyment of human rights;

5. *Invites* relevant United Nations bodies, agencies, funds and programmes and other relevant stakeholders to cooperate with States in providing technical assistance, upon request, of the States concerned, with the aim of assisting them in integrating human rights into national policies and programmes so that national policies contribute to the enjoyment of human rights;

6. *Recommends* that States integrate into their national policies a human rights perspective aimed at the promotion, protection and full realization of human rights and fundamental freedoms, and take into consideration the views of civil society in the process;

7. *Requests* the Office of the High Commissioner:

(a) To organize, prior to the thirty-second session of the Human Rights Council, an expert workshop to discuss effective, inclusive and participatory mechanisms and methodologies to mainstream human rights in the formulation and implementation of public policies, and to invite States, relevant United Nations bodies, funds and programmes, intergovernmental organizations, treaty bodies, special procedures, regional human rights mechanisms, civil society organizations, academia, national human rights institutions and other relevant stakeholders to participate actively in the workshop;

⁴⁰ [A/HRC/27/41](#).

⁴¹ [A/HRC/30/28](#).

(b) To prepare a summary report on the above-mentioned workshop, including any recommendations stemming therefrom, and to submit it to the Human Rights Council at its thirty-third session;

8. *Decides* to remain seized of this issue.

42nd meeting
2 October 2015

[Adopted without a vote.]

30/25. Promoting international cooperation to support national human rights follow-up systems and processes

The Human Rights Council,

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

Recalling General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council, and reaffirming that the work of the Council shall be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation with a view to enhancing the promotion and protection of all human rights, civil political, economic, social and cultural rights, including the right to development,

Recalling also General Assembly resolution 65/281 of 17 June 2011 and Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 25 March 2011,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that international cooperation, in conformity with the purposes and principles set out in the Charter and international law, provide an effective and practical contribution to preventing violations of human rights and fundamental freedoms,

Affirming that technical cooperation should be an inclusive exercise that engages and involves all national stakeholders, including government agencies and civil society, at all stages,

Recognizing the important, valuable and mutually reinforcing role and contribution of all human rights mechanisms from the international and regional human rights systems for the promotion and protection of human rights and fundamental freedoms,

Recognizing also the importance and added value of technical assistance and capacity-building provided in consultation with, and with the consent of, the States concerned to ensure follow-up to and the effective implementation of their respective international human rights obligations and commitments,

Recognizing further that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue in all relevant forums, including in the context of the universal periodic review, and be aimed at strengthening the capacity of States to implement their respective human rights obligations and commitments,

Emphasizing the importance of the universal periodic review as a mechanism based on cooperation and constructive dialogue with the objective of, *inter alia*,

improving the situation of human rights on the ground and promoting the fulfilment of the human rights obligations and commitments undertaken by States,

Noting that the effectiveness of the universal periodic review, as a cooperative mechanism, depends on the progress achieved by the State concerned, and as appropriate by other relevant stakeholders in the implementation of accepted recommendations,

Recognizing the important and constructive role played by parliaments, national human rights institutions, civil society and other relevant stakeholders in the universal periodic review mechanism, and encouraging their continued and unhindered participation in and contribution to national human rights follow-up systems and processes,

Welcoming the technical assistance and capacity-building provided by the Office of the United Nations High Commissioner for Human Rights in consultation with, and with the consent of, the State concerned, particularly with a view to supporting the establishment and the strengthening of national human rights follow-up systems and processes,

Recalling Human Rights Council resolution 6/17 of 28 September 2008, in which the Council requested the Secretary-General to establish a universal periodic review voluntary trust fund to facilitate the participation of developing countries, particularly least developing countries, in the universal periodic review mechanism, and to establish the voluntary fund for financial and technical assistance, to be administered jointly with the universal periodic review voluntary trust fund, in order to provide, in conjunction with multilateral funding mechanisms, a source of financial and technical assistance to help countries to implement recommendations emanating from the universal periodic review in consultation with, and with the consent of, the country concerned,

Also recalling that 2016 will mark the tenth anniversary of the Human Rights Council and the last session of the second cycle of the Working Group on the Universal Periodic Review,

1. *Encourages* States to establish and strengthen national human rights follow-up systems and processes and to seek, as needed, technical assistance and capacity-building, and to share experiences and good practices to that end;

2. *Invites* States to gradually increase their voluntary contributions to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review and other relevant trust funds, in order to allow States, upon request and in accordance with their priorities, to establish or strengthen their respective national human rights follow-up systems and processes;

3. *Requests* the United Nations High Commissioner for Human Rights to continue to provide technical assistance and capacity-building, upon request of and in accordance with the priorities set by the States concerned, on the establishment and the strengthening of national follow-up systems and processes;

4. *Also requests* the High Commissioner to organize an intersessional half-day panel discussion, taking advantage of existing capacities, during the twenty-sixth session of the Working Group on the Universal Periodic Review, to share experiences and good practices in the establishment and strengthening of national human rights follow-up systems, including the role of international cooperation in this regard, and to prepare a summary report thereon and to submit it to the Human Rights Council at its thirty-fourth session;

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

42nd meeting
2 October 2015

[Adopted without a vote.]

30/26. Technical assistance and capacity-building for human rights in the Democratic Republic of the Congo

The Human Rights Council,

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

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

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

Recalling further its resolutions 10/33 of 27 March 2009, 13/22 of 26 March 2010, 16/35 of 25 March 2011, 19/27 of 23 March 2012, 24/27 of 27 September 2013 and 27/27 of 26 September 2014, 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,

Taking note of the reports of the United Nations High Commissioner for Human Rights submitted in accordance with resolution 27/27 concerning, respectively, the human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo during the period from June 2014 to May 2015,⁴² and the impact of technical assistance and capacity-building on the human rights situation in that country during the period from 2008 to 2014,⁴³

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 Office of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo in improving the human rights situation in the country,

Taking note of the finding in the report of the High Commissioner that most technical assistance interventions have concentrated on the eastern part of the Democratic Republic of the Congo and have generally been short-term, which has not helped to produce sustainable outcomes,⁴³

Welcoming the significant progress made by the Democratic Republic of the Congo with regard to institutional and legislative developments relating to human rights, including the creation of the Human Rights Defenders Protection Unit, the appointment of the members of the National Human Rights Commission and the adoption of the institutional act giving courts of appeal jurisdiction over war crimes and crimes against humanity,

⁴² A/HRC/30/32.

⁴³ A/HRC/30/33.

Encouraging the efforts of the Democratic Republic of the Congo to combat impunity, protect civilians and raise awareness among victims of sexual violence of their need for justice and assistance, by, inter alia, the establishment by the office of the personal representative of the Head of State tasked with combating sexual violence and the recruitment of child soldiers of a helpline at the call centre for victims of sexual violence, which has helped to combat impunity for crimes under international law and sexual and gender-based violence,

Welcoming the inauguration on 30 March 2015 of the national commission tasked with combating sexual violence within the armed forces of the Democratic Republic of the Congo and the promulgation by the President of the Republic in August 2015 of the act on gender equality in the Democratic Republic of the Congo,

Expressing its deep concern at the scale of the violence and serious crimes that continue to be committed against civilian populations by armed groups in the eastern part of the Democratic Republic of the Congo,

Taking note of the opening of the strategic dialogue between the Government of the Democratic Republic of the Congo and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo,

Welcoming the holding from 27 April to 2 May 2015 of the forum on justice and human rights in the Democratic Republic of the Congo, the implementation of the recommendations of which is expected to improve the justice sector and the protection of human rights,

Welcoming also the efforts made by the Democratic Republic of the Congo to implement its commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, signed in Addis Ababa on 24 February 2013,

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

1. *Welcomes* the active participation of the Government of the Democratic Republic of the Congo at the thirtieth session of the Human Rights Council in the interactive dialogue on the impact of technical assistance;

2. *Encourages* the Government of the Democratic Republic of the Congo to continue implementing the recommendations that it accepted during the second cycle of the universal periodic review and the reforms undertaken to improve the human rights situation, including the reform of the army, the national police and other security forces, the strengthening of the judiciary, the fight against impunity and the facilitation of access to justice for victims;

3. *Also encourages* the Government of the Democratic Republic of the Congo to continue its cooperation with the Office of the United Nations High Commissioner for Human Rights and the thematic mandate holders of the Human Rights Council;

4. *Takes note* of the report of the High Commissioner on the impact of technical assistance and capacity-building on the human rights situation in the Democratic Republic of the Congo between 2008 and 2014,⁴³ and urges the Government of the Democratic Republic of the Congo, the United Nations Joint Human Rights Office, the United Nations country team and the partner countries and organizations to put into effect the recommendations contained in that report;

5. *Welcomes* the appointment, under Presidential Order No. 15/021 of 31 March 2015, of the Special Adviser to the Head of State on good governance and the fight against corruption, money laundering and the financing of terrorism, and also

welcomes the action taken to date to gather evidence and initiate criminal proceedings;

6. *Condemns* unequivocally the wave of violence in the east of the country and all the armed groups perpetrating it;

7. *Commends* 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 calls upon the Government to continue its efforts to ensure that it is fully operational, including through the allocation of appropriate financial and logistical capacity;

8. *Urges* the Government of the Democratic Republic of the Congo to continue its efforts, with the support of the international community, to put an end to impunity, primarily for perpetrators of sexual violence, and to all human rights violations, also urges the Government to bring the perpetrators to justice and to ensure that the victims receive compensation, and, in that connection, welcomes the commencement of payment by the Government of compensation to the victims of sexual violence in the Songo Mboyo case;

9. *Takes note* of the publication by the Independent National Electoral Commission of the comprehensive electoral calendar and the promulgation by the President of the Republic on 25 August 2015 of Act No. 15/016 on the distribution of seats for municipal and local elections, and urges the Government of the Democratic Republic of the Congo to ensure the transparency and credibility of the electoral process and to create the necessary conditions for the electoral process to be free, fair, credible, peaceful and transparent, in accordance with the international commitments of the Democratic Republic of the Congo;

10. *Encourages* the Government of the Democratic Republic of the Congo to continue its efforts to provide for an expansion of political space in the context of elections, while ensuring respect for human rights and fundamental freedoms, including the freedoms of expression, of association and of peaceful assembly;

11. *Also encourages* the Government of the Democratic Republic of the Congo to continue its efforts to provide for punishment in confirmed cases of extrajudicial execution and arbitrary detention;

12. *Emphasizes* the importance of ensuring a fair trial for persons involved in criminal proceedings;

13. *Encourages* the Government of the Democratic Republic of the Congo to maintain the momentum of the efforts made to reform the army, the police and the security services;

14. *Welcomes* the establishment and functioning of the Constitutional Court, and encourages the Democratic Republic of the Congo to continue with the introduction and establishment of other courts in the context of the reform of the judicial system;

15. *Encourages* the Government of the Democratic Republic of the Congo to provide greater protection for all political actors, members of civil society, journalists and human rights defenders during elections and to ensure respect for all human rights;

16. *Welcomes* the vote by the National Assembly on the draft legislation on the implementation of the Rome Statute of the International Criminal Court, ratified by the Democratic Republic of the Congo in 2002;

17. *Commends* the Government of the Democratic Republic of the Congo on the arrest and conviction for war crimes and crimes against humanity of senior officers of the defence and security forces and the tracking down of armed groups and the arrest of leaders of those groups;

18. *Also commends* the Government of the Democratic Republic of the Congo on the establishment and functioning of the steering committee of the human rights liaison entity and the appointment of new members of the Committee of Experts and the technical secretariat, and calls upon the Government to continue its efforts to reactivate the entity and to take appropriate measures to ensure the harmonious operation of all institutions responsible for implementing human rights;

19. *Invites* the international community, in the context of full acceptance by the Congolese State, to improve the involvement of national authorities and beneficiaries in the design, implementation, monitoring and evaluation of projects aimed at the promotion and protection of human rights in the interests of ensuring that they have a greater impact at the central, provincial and local levels, with particular reference to the priorities for the justice and human rights sectors set out in the recommendations of the forum held in April 2015;

20. *Calls upon* the international community to give priority to structural, long-term activities throughout the territory of the Democratic Republic of the Congo in order to optimize the long-term impact of technical assistance programmes;

21. *Invites* the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the Government to continue their constructive discussions within the framework of the strategic dialogue on the implementation of the United Nations human rights due diligence policy;

22. *Calls upon* the international community to support the Office of the United Nations High Commissioner for Human Rights in its efforts to increase and strengthen its technical assistance programmes and activities aimed at improving the human rights situation in the country, invites the High Commissioner to report to the Council at its thirty-third session on the human rights situation in the Democratic Republic of the Congo, ensuring the involvement of the National Human Rights Commission in the preparation of the report, and calls for an interactive dialogue to be held on the basis of the report, including a discussion on strengthening the role of women in the electoral process;

23. *Decides* to remain seized of the matter until its thirty-third session.

*42nd meeting
2 October 2015*

[Adopted without a vote.]

30/27. Technical cooperation and capacity-building for Burundi in the field of human rights

The Human Rights Council,

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

Reaffirming the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007,

Reaffirming that all States have the primary responsibility to promote and protect human rights and fundamental freedoms for all,

Noting the commitment and the efforts of the Government of Burundi to improve the situation of human rights,

Welcoming the establishment by the Office of the United Nations High Commissioner for Human Rights of an office in Burundi, and also welcoming the cooperation of the authorities of Burundi with that office,

Reaffirming that the Arusha Accords, which have been the basis for the Constitution of Burundi, are the guarantors of preservation, peacebuilding, national reconciliation and the strengthening of democracy and the rule of law,

Concerned about the information on the situation of human rights in Burundi shared by the High Commissioner, the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence based on their recent visits to Burundi,

Welcoming the adoption of a resolution on the situation of human rights in Burundi by the African Commission on Human and Peoples' Rights on 7 August 2015, in which it strongly condemned the various acts of human rights violations and called upon the Government to make every effort to restore security and the rule of law, and urgently to investigate human rights violations and to prosecute the alleged perpetrators,

Recognizing the role and the efforts of the Human Rights Council in preventing the further deterioration of the situation of human rights in Burundi,

1. *Calls upon* all parties to refrain from any action that could exacerbate tensions in Burundi, to take into account the best interests of the country and to safeguard the Arusha Accords, a backbone for peace and democracy;

2. *Condemns* all alleged violations and abuses of human rights perpetrated by all parties in Burundi, particularly the restrictions of freedom of expression, of freedom of the media and of freedom of peaceful assembly and association, the excessive use of force by the security forces against demonstrators, the use of live ammunition against protesters resulting in deaths, extrajudicial killings, the arbitrary detention of protesters, acts of torture and ill-treatment of detainees, the harassment and intimidation of human rights defenders and journalists, including by armed youth groups affiliated with political parties, and retributive acts of violence, including targeted assassinations, and encourages the Government of Burundi to take all necessary measures to prevent all violations and abuses of human rights in Burundi;

3. *Calls upon* the authorities of Burundi to conduct thorough and independent investigations of all violations and abuses of human rights so that all perpetrators, regardless of their affiliation, are brought to justice;

4. *Notes with satisfaction* the establishment by the Government of an independent national commission on human rights;

5. *Commends* the Government for the standing invitation extended to the special procedures and its cooperation with those who have visited the country, including the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence;

6. *Notes* the cooperation of the Government of Burundi with the United Nations High Commissioner for Human Rights during his visit to Burundi, from 12 to 15 April 2015;

7. *Welcomes* the cooperation of Burundi with the international human rights mechanisms, including the Human Rights Committee, the Committee against Torture, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women;

8. *Also welcomes* the engagement of the Government during the two cycles of the universal periodic review and its commitment to implement the recommendations that it has accepted;

9. *Expresses its deep concern* about the difficult situation of a great number of Burundian refugees who have fled to neighbouring countries, and calls upon receiving countries and the international community to continue to provide protection and assistance, while noting with satisfaction the progress regarding the voluntary return of refugees;

10. *Calls upon* the authorities of Burundi to ensure the protection of citizens against intimidation and all acts of violence, and to respect, protect and guarantee all human rights and fundamental freedoms for all, in line with the country's international obligations, and to adhere to the rule of law and undertake transparent accountability for acts of violence;

11. *Welcomes* the efforts made at the regional and subregional levels, including by the East African Community and the Peace and Security Council of the African Union to monitor the situation of human rights in Burundi and to contribute to its improvement;

12. *Also welcomes* the deployment by the African Union of human rights observers and military experts to assist the Government of Burundi in the disarmament of all illegally armed individuals;

13. *Encourages* the authorities of Burundi to continue the disarmament of all illegally armed groups and individuals, and to protect and guarantee the fundamental rights and freedoms of all, in accordance with their international obligations;

14. *Encourages* the Government of Burundi to pursue dialogue with all stakeholders in order to improve the situation of human rights;

15. *Requests* the High Commissioner to continue to provide and to strengthen his activities in technical assistance and capacity-building as requested by the Government of Burundi through his office established in Burundi, and to support the Government's efforts to fulfil its human rights obligations;

16. *Calls upon* the Government of Burundi to cooperate fully with the Office of the High Commissioner in the implementation of the present resolution;

17. *Requests* the High Commissioner to engage with the Government of Burundi to assess and report on the situation of human rights to the country in order for it to fulfil its human rights obligations;

18. *Also requests* the High Commissioner to present to the Human Rights Council, at its thirty-first session, in an interactive dialogue, an oral update and, at its thirty-second session, a written report in an interactive dialogue on the implementation of the present resolution;

19. *Decides* to hold an interactive dialogue at its thirty-third session in the presence of all relevant stakeholders;

20. *Also decides* to remain seized of the matter.

*42nd meeting
2 October 2015*

[Adopted without a vote.]

30/28. The right to development

For the text of the resolution, see chapter II.

30/29. Promotion of a democratic and equitable international order

The Human Rights Council,

Recalling all previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the promotion of a democratic and equitable international order, in particular Assembly resolution 65/223 of 21 December 2010 and Council resolutions 8/5 of 18 June 2008, 18/6 of 29 September 2011, 21/9 of 27 September 2012, 25/15 of 27 March 2014 and 27/9 of 25 September 2014,

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law,

Affirming that the enhancement of international cooperation for the promotion and the protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and of international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone 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,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practice tolerance and good neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues and threats to international peace and security must be shared among the nations of the world and should be exercised multilaterally and that, in this regard, the central role must be played by the United Nations as the most universal and representative organization in the world,

Concerned about the continued abuse by Member States of the extraterritorial application of their national legislation in a manner that affects the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the full enjoyment of human rights,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, 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 democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and the protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, the inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Stressing the need for adequate financing of and technology transfer to developing countries, in particular landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Reaffirms* that everyone is entitled to a democratic and equitable international order;

2. *Also reaffirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal adherence to and implementation of the rule of law at both the national and international levels;

4. *Reaffirms* the Universal Declaration of Human Rights, in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, as well as the right to choose representatives freely through periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures;

5. *Calls upon* all Member States to fulfil their commitment expressed during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity, and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

6. *Reaffirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and pursue freely their economic, social and cultural development, in accordance with the Charter of the United Nations and relevant resolutions of the United Nations;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of

information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, that should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as of respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

9. *Reaffirms*, among other principles, the principles of sovereign equality of States, of non-intervention and of non-interference in internal affairs;

10. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and the promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

11. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security, and to that end should do their utmost to achieve general and complete disarmament under effective international control, and to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of developing countries;

12. *Underlines* that attempts to overthrow legitimate governments by force disrupt the democratic and constitutional order, the legitimate exercise of power and the full enjoyment of human rights;

13. *Reaffirms* the need to continue to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence,

common interest and cooperation among all States, irrespective of their economic and social systems, in order to correct inequalities and redress existing injustices, to make it possible to eliminate the widening gap between developed and developing countries and to ensure steadily accelerating economic and social development and peace and justice for present and future generations;

14. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

15. *Takes note* of the report of the Independent Expert on the promotion of a democratic and equitable international order;⁴⁴

16. *Invites* the Independent Expert to continue to develop studies on the adverse human rights impact of international investment agreements, bilateral investment treaties and multilateral free trade agreements on the international order;

17. *Calls upon* all Governments to cooperate with and assist the Independent Expert in the discharge of his mandate, and to provide him with all the necessary information requested by him in order to enable him to fulfil his duties effectively;

18. *Requests* the United Nations High Commissioner for Human Rights to continue to provide all the necessary human and financial resources for the effective fulfilment of the mandate by the Independent Expert;

19. *Requests* the Independent Expert to submit to the Human Rights Council, at its thirty-third session, a report on the implementation of the present resolution;

20. *Invites* the Independent Expert to continue to develop close cooperation with academia, think tanks and research institutes, such as South Centre, and other stakeholders from all regions;

21. *Requests* the human rights treaty bodies, the Office of the High Commissioner, the special mechanisms of the Human Rights Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions to its implementation;

22. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

23. *Requests* the Office of the High Commissioner to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

24. *Decides* to continue consideration of this matter under the same agenda item at its thirty-third session.

*43rd meeting
2 October 2015*

[Adopted by a recorded vote of 31 to 14, with 2 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Morocco, Namibia, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Sierra Leone,

⁴⁴ A/HRC/30/44.

South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of),
Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Montenegro,
Netherlands, Portugal, Republic of Korea, the former Yugoslav Republic of
Macedonia, United Kingdom of Great Britain and Northern Ireland, United
States of America

Abstaining:

Mexico, Paraguay]

IV. Decisions

30/101. Outcome of the universal periodic review: Belarus

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Belarus on 4 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Belarus, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/3](#)), the views of the State 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/30/3/Add.1](#) and [A/HRC/30/2](#), chap. VI).

*22nd meeting
24 September 2015*

[Adopted without a vote.]

30/102. Outcome of the universal periodic review: United States of America

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 United States of America on 11 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of the United States of America, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/12](#)), the views of the State 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/30/12/Add.1](#) and [A/HRC/30/2](#), chap. VI).

*22nd meeting
24 September 2015*

[Adopted without a vote.]

30/103. Outcome of the universal periodic review: Malawi

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Malawi on 5 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Malawi, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/5](#)), the views of the State 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/30/5/Add.1](#) and [A/HRC/30/2](#), chap. VI).

*22nd meeting
24 September 2015*

[Adopted without a vote.]

30/104. Outcome of the universal periodic review: Mongolia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Mongolia on 5 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Mongolia, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/6](#)), the views of the State 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/30/6/Add.1](#) and [A/HRC/30/2](#), chap. VI).

*24th meeting
24 September 2015*

[Adopted without a vote.]

30/105. Outcome of the universal periodic review: Panama

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Panama on 6 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Panama, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/7](#)), the views of the State 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/30/2](#), chap. VI).

24th meeting
24 September 2015

[Adopted without a vote.]

30/106. Outcome of the universal periodic review: Maldives

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Maldives on 6 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Maldives, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/8](#)), the views of the State 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/30/8/Add.1](#) and [A/HRC/30/2](#), chap. VI).

24th meeting
24 September 2015

[Adopted without a vote.]

30/107. Outcome of the universal periodic review: Andorra

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Andorra on 7 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Andorra, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/9](#)), the views of the State 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/30/9/Add.1](#) and [A/HRC/30/2](#), chap. VI).

*26th meeting
25 September 2015*

[Adopted without a vote.]

30/108. Outcome of the universal periodic review: Bulgaria

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Bulgaria on 7 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Bulgaria, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/10](#)), the views of the State 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/30/10/Add.1](#) and [Corr.1](#) and [A/HRC/30/2](#), chap. VI).

*26th meeting
25 September 2015*

[Adopted without a vote.]

30/109. Outcome of the universal periodic review: Honduras

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Honduras on 8 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Honduras, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/11](#)), the views of the State 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/30/2](#), chap. VI).

*26th meeting
25 September 2015*

[Adopted without a vote.]

30/110. Outcome of the universal periodic review: Liberia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Liberia on 4 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Liberia, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/4](#)), the views of the State 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/30/4/Add.1](#) and [A/HRC/30/2](#), chap. VI).

*27th meeting
25 September 2015*

[Adopted without a vote.]

30/111. Outcome of the universal periodic review: Marshall Islands

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Marshall Islands on 11 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of the Marshall Islands, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/13](#)), the views of the State 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/30/13/Add.1](#) and [A/HRC/30/2](#), chap. VI).

*27th meeting
25 September 2015*

[Adopted without a vote.]

30/112. Outcome of the universal periodic review: Croatia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Croatia on 12 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Croatia, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/14](#)), the views of the State 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/30/14/Add.1](#) and [A/HRC/30/2](#), chap. VI).

27th meeting
25 September 2015

[Adopted without a vote.]

30/113. Outcome of the universal periodic review: Jamaica

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Jamaica on 13 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Jamaica, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/15](#)), the views of the State 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/30/15/Add.1](#) and [A/HRC/30/2](#), chap. VI).

28th meeting
25 September 2015

[Adopted without a vote.]

30/114. Outcome of the universal periodic review: Libya

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights 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 Libya on 13 May 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Libya, comprising the report thereon of the Working Group on the Universal Periodic Review ([A/HRC/30/16](#)), the

views of the State 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/30/16/Add.1](#) and [A/HRC/30/2](#), chap. VI).

*28th meeting
25 September 2015*

[Adopted without a vote.]

30/115. Follow-up to President's statement PRST 29/1

At its 40th meeting, on 1 October 2015, the Human Rights Council decided to adopt the text below:

“The Human Rights Council,

Recalling General Assembly resolutions 60/251 of 15 March 2006 and 65/281 of 17 June 2011, and Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 25 March 2011,

Recalling also President's statement PRST 29/1 of 3 July 2015 on enhancing the efficiency of the Human Rights Council, and in particular the decision of the Council that the Bureau, in consultation with Member States, while keeping the Consultative Group and special procedure mandate holders duly informed, would make recommendations and identify modalities to adjust the terms of the mandate holders on an exceptional one-time basis in order to better spread out the appointment process over time, namely, across Council cycles, and present those recommendations to the Council at its thirtieth session for its consideration and appropriate decision,

1. Takes note of the proposal of the Bureau regarding the adjustment of the appointment of mandate-holders;

2. Decides, pursuant to PRST 29/1, on a one-time and exceptional basis, and not to be considered a precedent or a departure from relevant provisions of Human Rights Council resolutions 5/1 and 16/21:

(a) To extend the term of all Working Group mandate holders for two regular sessions of the Human Rights Council, as listed in the annex;

(b) To adjust the working cycle of the Consultative Group so that it commences in April and ends in March of the following year, without prejudice to paragraph 49 of the annex to Human Rights Council resolution 5/1. Accordingly, for the transitional period, the next working cycle of the Consultative Group will commence on 1 January 2016 and end on 31 March 2017. Thereafter, the working cycle will have a duration of one year.”

[Adopted without a vote.]

Annex

Working Group of Experts on People of African Descent

Ricardo III **Sunga** (Philippines), appointed by the Human Rights Council at its twenty-seventh session: appointment extended to the forty-seventh session

Michal **Balcerzak** (Poland), appointed by the Human Rights Council at its twenty-seventh session: appointment extended to the forty-seventh session

Sabelo **Gumedze** (South Africa), appointed by the Human Rights Council at its twenty-sixth session: appointment extended to the forty-sixth session

Mireille **Fanon-Mendez France** (France), appointed by the Human Rights Council at its sixteenth session: appointment extended to the thirty-sixth session

Ahmed **Reid** (Jamaica), appointed by the Human Rights Council at its thirtieth session: appointment extended to the fiftieth session

Working Group on Arbitrary Detention

Seong-Phil **Hong** (Republic of Korea), appointed by the Human Rights Council at its twenty-sixth session: appointment extended to the forty-sixth session

Sètonji Roland Jean-Baptiste **Adjovi** (Benin), appointed by the Human Rights Council at its twenty-fifth session: appointment extended to the forty-fifth session

José **Guevara** (Mexico), appointed by the Human Rights Council at its twenty-fifth session: appointment extended to the forty-fifth session

Vladimir **Tochilovsky** (Ukraine), appointed by the Human Rights Council at its thirteenth session: appointment extended to the thirty-third session

Leigh **Toomey** (Australia), appointed by the Human Rights Council at its twenty-ninth session: appointment extended to the forty-ninth session

Working Group on Enforced or Involuntary Disappearances

Bernard **Duhaime** (Canada), appointed by the Human Rights Council at its twenty-seventh session: appointment extended to the forty-seventh session

Houria **Es Slami** (Morocco), appointed by the Human Rights Council at its twenty-fifth session: appointment extended to the forty-fifth session

Ariel **Dulitzky** (Argentina), appointed by the Human Rights Council at its fourteenth session: appointment extended to the thirty-fourth session

Tae-Ung **Baik** (Republic of Korea), appointed by the Human Rights Council at its twenty-ninth session: appointment extended to the forty-ninth session

Henrikas **Mickevicius** (Lithuania), appointed by the Human Rights Council at its thirtieth session: appointment extended to the fiftieth session

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

Saeed **Mokbil** (Yemen), appointed by the Human Rights Council at its twenty-fifth session: appointment extended to the forty-fifth session

Anton **Katz** (South Africa), appointed by the Human Rights Council at its seventeenth session: appointment extended to the thirty-seventh session

Patricia **Arias** (Chile), appointed by the Human Rights Council at its seventeenth session: appointment extended to the thirty-seventh session

Elzbieta **Karska** (Poland), appointed by the Human Rights Council at its seventeenth session: appointment extended to the thirty-seventh session

Gabor **Rona** (United States of America/Hungary), appointed by the Human Rights Council at its eighteenth session: appointment extended to the thirty-eighth session

Working Group on the issue of human rights and transnational corporations and other business enterprises

Puvan J. **Selvanathan** (Malaysia), appointed by the Human Rights Council at its eighteenth session: appointment extended to the thirty-eighth session

Michael **Addo** (Ghana), appointed by the Human Rights Council at its eighteenth session: appointment extended to the thirty-eighth session

Dante **Pesce** (Chile), appointed by the Human Rights Council at its twenty-eighth session: appointment extended to the forty-eighth session

Margaret **Jungk** (United States of America), appointed by the Human Rights Council at its eighteenth session: appointment extended to the thirty-eighth session

Pavel **Sulyandziga** (Russian Federation), appointed by the Human Rights Council at its eighteenth session: appointment extended to the thirty-eighth session

Working Group on the issue of discrimination against women in law and in practice

Alda **Facio** (Costa Rica), appointed by the Human Rights Council at its twenty-fifth session: appointment extended to the forty-fifth session

Frances **Raday** (Israel/United Kingdom of Great Britain and Northern Ireland), appointed by the Human Rights Council at its sixteenth session: appointment extended to the thirty-sixth session

Emna **Aouij** (Tunisia), appointed by the Human Rights Council at its sixteenth session: appointment extended to the thirty-sixth session

Eleonora **Zielinska** (Poland), appointed by the Human Rights Council at its sixteenth session: appointment extended to the thirty-sixth session

Kamala **Chandrakirana** (Indonesia), appointed by the Human Rights Council at its sixteenth session: appointment extended to the thirty-sixth session

V. President's statements

PRST 30/1. Reports of the Advisory Committee

At the 40th meeting, held on 1 October 2015, the President of the Human Rights Council made the following statement:

“The Human Rights Council, recalling its resolutions 5/1 of 18 June 2007 and 16/21 of 25 March 2011, in particular section III of the annexes thereto, including on the functions of the Advisory Committee, takes note of the reports of the Advisory Committee on its fourteenth and fifteenth sessions (A/HRC/AC/14/2 and A/HRC/AC/15/2) and notes that the Advisory Committee has made certain research proposals.”

PRST 30/2. Promoting the right of everyone to the enjoyment of the highest attainable standard of physical and mental health by enhancing capacity-building in public health against pandemics

At the 42nd meeting, held on 2 October 2015, the President of the Human Rights Council made the following statement:

“The Human Rights Council:

1. Acknowledges that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health is a human right, as recognized in the International Covenant on Economic, Social and Cultural Rights, and calls for respect for and the promotion, protection and fulfilment of this right, including through intensified international cooperation enhancing capacity-building in global public health;
2. Expresses its deep concern at the outbreak of Ebola, which is still ongoing, in West Africa in 2014, and its unprecedented nature and scope, as well as its grave humanitarian, economic and social consequences;
3. Deplores the loss of lives and the wide social and economic impact caused by other pandemics, such as HIV/AIDS, tuberculosis and malaria, including non-communicable diseases;
4. Notes with concern the heavy disease burden borne by those living in poverty, especially in developing countries, including the least developed countries and small island developing States;
5. Emphasizes the need for intensified efforts to ensure universal respect for and the promotion, protection and fulfilment of all human rights and fundamental freedoms for all on the basis of equality, to reduce vulnerability to pandemics and to prevent related discrimination and stigma;
6. Recognizes the need to strengthen resilience and to promote integrated national health systems aimed at ensuring universal access to quality health-care services, universal health coverage, social infrastructures and services, to reinforce measures to eliminate discrimination of any kind, with respect for and for the promotion, protection and fulfilment of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on the basis of equality, and in this regard to enhance access to

information and education for all persons, especially for those in vulnerable situations;

7. Calls for the development of resilient and sustainable health systems, including through national efforts and international cooperation, with a view to accelerating the transition towards universal access to quality health-care services and universal health coverage in such a way as to promote uninterrupted, affordable and accessible quality health-care services for all and to prevent large-scale pandemics;

8. Recognizes the values and principles of primary health care, including equity, solidarity, social justice, universal access to services, multisectoral action, transparency, accountability and community participation and empowerment;

9. Recalls the ministerial declaration adopted by the Economic and Social Council during its 2009 high-level segment on the theme “Implementing the internationally agreed goals and commitments in regard to global public health”, and in this regard emphasizes the importance of timely international cooperation in the area of health and in particular in the prevention and control of infectious diseases, including the need to cooperate on health research and development and tackling antimicrobial resistance based on the principles of mutual respect and equality, in the context of the International Health Regulations (2005) of the World Health Organization, with a view to strengthening capacity-building in public health, especially in developing countries through, inter alia, the exchange of information and the sharing of experience, as well as research and training programmes focusing on surveillance, prevention, control, response, and care and treatment;

10. Recognizes the vital and complementary role of civil society in responding to pandemics.”

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