



United Nations

Report of the Human Rights Council

**Twenty-fourth session
(9–27 September 2013)**

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Official Records
Sixty-eighth session
Supplement No. 53A**

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Contents

<i>Chapter</i>	<i>Page</i>
Checklist of resolutions, decisions and President's statements.....	iv
I. Introduction.....	1
II. Resolutions brought to the attention of the General Assembly for its consideration and possible action.....	2
III. Resolutions.....	10
IV. Decisions.....	91
V. President's statements.....	102

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Checklist of resolutions, decisions and President's statements

A. Resolutions

<i>Resolution</i>	<i>Title</i>	<i>Date of adoption</i>	<i>Page</i>
24/1	Promoting human rights through sport and the Olympic ideal	26 September 2013	10
24/2	Local government and human rights	26 September 2013	12
24/3	Special Rapporteur on contemporary forms of slavery, including its causes and consequences	26 September 2013	13
24/4	The right to development	26 September 2013	15
24/5	The rights to freedom of peaceful assembly and of association	26 September 2013	19
24/6	The right of everyone to the enjoyment of the highest attainable standard of physical and mental health	26 September 2013	20
24/7	Arbitrary detention	26 September 2013	22
24/8	Equal political participation	26 September 2013	24
24/9	Human rights and indigenous peoples: mandate of the Special Rapporteur on the rights of indigenous peoples	26 September 2013	26
24/10	Human rights and indigenous peoples	26 September 2013	2
24/11	Preventable mortality and morbidity of children under 5 years of age as a human rights concern	26 September 2013	27
24/12	Human rights in the administration of justice, including juvenile justice	26 September 2013	29
24/13	The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination	26 September 2013	34
24/14	Human rights and unilateral coercive measures	27 September 2013	38
24/15	World Programme for Human Rights Education	27 September 2013	42
24/16	The role of prevention in the promotion and protection of human rights	27 September 2013	44
24/17	Conscientious objection to military service	27 September 2013	46
24/18	The human right to safe drinking water and sanitation	27 September 2013	49
24/19	Regional arrangements for the promotion and protection of human rights	27 September 2013	53
24/20	The human rights of older persons	27 September 2013	54
24/21	Civil society space: creating and maintaining, in law and in practice, a safe and enabling environment	27 September 2013	57
24/22	The continuing grave deterioration of the human rights and humanitarian situation in the Syrian Arab Republic	27 September 2013	59

<i>Resolution</i>	<i>Title</i>	<i>Date of adoption</i>	<i>Page</i>
24/23	Strengthening efforts to prevent and eliminate child, early and forced marriage: challenges, achievements, best practices and implementation gaps	27 September 2013	60
24/24	Cooperation with the United Nations, its representatives and mechanisms in the field of human rights	27 September 2013	62
24/25	The Social Forum	27 September 2013	65
24/26	From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance	27 September 2013	5
24/27	Technical assistance and capacity-building for human rights in the Democratic Republic of the Congo	27 September 2013	67
24/28	Technical assistance for the Sudan in the field of human rights	27 September 2013	70
24/29	Advisory services and technical assistance for Cambodia	27 September 2013	72
24/30	Assistance to Somalia in the field of human rights	27 September 2013	76
24/31	Enhancement of technical cooperation and capacity-building in the field of human rights	27 September 2013	80
24/32	Technical assistance and capacity-building for Yemen in the field of human rights	27 September 2013	83
24/33	Technical cooperation for the prevention of attacks against persons with albinism	27 September 2013	85
24/34	Technical assistance to the Central African Republic in the field of human rights	27 September 2013	86
24/35	Impact of arms transfers on human rights in armed conflicts	27 September 2013	88

B. Decisions

<i>Decision</i>	<i>Title</i>	<i>Date of adoption</i>	<i>Page</i>
24/101	Outcome of the universal periodic review: Turkmenistan	18 September 2013	91
24/102	Outcome of the universal periodic review: Burkina Faso	18 September 2013	91
24/103	Outcome of the universal periodic review: Cape Verde	18 September 2013	92
24/104	Outcome of the universal periodic review: Tuvalu	19 September 2013	92
24/105	Outcome of the universal periodic review: Colombia	19 September 2013	92
24/106	Outcome of the universal periodic review: Uzbekistan	19 September 2013	93
24/107	Outcome of the universal periodic review: Germany	19 September 2013	93
24/108	Outcome of the universal periodic review: Djibouti	19 September 2013	94
24/109	Outcome of the universal periodic review: Canada	19 September 2013	94
24/110	Outcome of the universal periodic review: Bangladesh	20 September 2013	95
24/111	Outcome of the universal periodic review: Azerbaijan	20 September 2013	95
24/112	Outcome of the universal periodic review: Russian Federation	20 September 2013	96
24/113	Outcome of the universal periodic review: Cameroon	20 September 2013	96
24/114	Outcome of the universal periodic review: Cuba	20 September 2013	97
24/115	Postponement of renewal of the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context	26 September 2013	97
24/116	Panel discussion on the safety of journalists	26 September 2013	97
24/117	High-level panel on the identification of good practices in combating female genital mutilation	27 September 2013	99
24/118	Establishment of a special fund for the participation of civil society in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights	27 September 2013	100

C. President's statements

<i>President's statement</i>	<i>Title</i>	<i>Date of adoption</i>	<i>Page</i>
24/1	Reports of the Advisory Committee	27 September 2013	102

I. Introduction

1. The Human Rights Council held its twenty-fourth session from 9 to 27 September 2013. In accordance with rule 8 (b) of its rules of procedure, as contained in the annex to Council resolution 5/1, the organizational meeting of the twenty-fourth session was held on 29 August 2013.
2. The report of the Human Rights Council on its twenty-fourth session will be issued in document A/HRC/24/2.

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

24/10

Human rights and indigenous peoples

The Human Rights Council,

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

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

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

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

Recognizing the importance to indigenous peoples of revitalizing, using, developing and transmitting their histories, languages, oral traditions, philosophies, writing systems and literatures to future generations, and designating and retaining their own names for communities, places and persons,

Welcoming the completion by the Expert Mechanism on the Rights of Indigenous Peoples of its study on access to justice in the promotion and protection of the rights of indigenous peoples submitted to the Human Rights Council at its twenty-fourth session,¹ and encouraging all parties to consider the examples of good practices and recommendations included in that study as practical advice on how to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples,

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

¹ A/HRC/24/50.

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

Taking note of the report of the Working Group on the issue of human rights and transnational corporations and other business enterprises,² in which the Working Group addressed the impact of business-related activities on the rights of indigenous peoples through the lens of the Guiding Principles on Business and Human Rights,³

1. *Welcomes* the report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples,⁴ and requests the High Commissioner to continue to submit to the Human Rights Council an annual report on the rights of indigenous peoples containing information on relevant developments in human rights bodies and mechanisms and activities undertaken by the Office of the High Commissioner at Headquarters and in the field that contribute to the promotion of, respect for and the full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and to the follow-up on the effectiveness of the Declaration;

2. *Also welcomes* the work of the Special Rapporteur on the rights of indigenous peoples and the official visits he has made in the past year, takes note with appreciation of his report,⁵ and encourages all Governments to respond favourably to his requests for visits;

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

4. *Welcomes* the work of the Expert Mechanism on the Rights of Indigenous Peoples, takes note with appreciation of the report on its sixth session,⁶ 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 continue its study on access to justice in the promotion and protection of the rights of indigenous peoples, with a focus on restorative justice and indigenous juridical systems, particularly as they relate to achieving peace and reconciliation, including an examination of access to justice related to indigenous women, children and youth and persons with disabilities, and to present it to the Human Rights Council at its twenty-seventh session;

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

7. *Further requests* the Expert Mechanism to continue to undertake, with the assistance of the Office of the High Commissioner, the questionnaire survey to seek the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples, with a view to completing a final summary of responses for presentation to the Human Rights Council at its twenty-seventh

² A/68/279.

³ A/HRC/17/31, annex.

⁴ A/HRC/24/26.

⁵ A/HRC/24/41.

⁶ A/HRC/24/49.

session, and encourages States that have not yet provided their responses to do so, as well as those States that have already responded to the questionnaire survey to update their responses as appropriate;

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

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

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

9. *Also welcomes* the decision of the General Assembly, in its resolution 67/153 of 20 December 2012, to continue, at its sixty-ninth session, its consideration of the ways and means of promoting the participation of representatives of indigenous peoples at meetings of relevant United Nations bodies and other relevant United Nations meetings and processes on issues affecting indigenous peoples, on the basis of the rules of procedure of such bodies and existing United Nations procedural rules and regulations, taking into account the report of the Secretary-General,⁷ existing practices for the accreditation of representatives of indigenous peoples at the United Nations and the objectives of the United Nations Declaration on the Rights of Indigenous Peoples;

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

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

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

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

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

⁷ A/HRC/21/24.

Declaration on the Rights of Indigenous Peoples, and welcomes the increased support by States for that Declaration;

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

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

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

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

19. *Welcomes* the study on the situation of indigenous persons with disabilities presented to the Permanent Forum on Indigenous Issues at its twelfth session,⁸ stresses the need to focus on challenges to indigenous persons with disabilities regarding full enjoyment of their human rights and to include them in all aspects of development, including by enhancing their access to goods and services to improve their standard of living, and encourages all stakeholders to increase consultations on these topics with indigenous persons with disabilities;

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

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

*34th meeting
26 September 2013*

[Adopted without a vote.]

24/26

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

The Human Rights Council,

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

Recalling also General Assembly resolution 57/195 of 18 December 2002, in which the Assembly assigned responsibilities to the relevant United Nations institutions to ensure

⁸ E/C.19/2013/6.

the effective implementation of the Durban Declaration and Programme of Action at the international level,

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

Recalling the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, adopted on 22 September 2011,⁹ which reaffirmed the political commitment to the full and effective implementation of the Durban Declaration and Programme of Action and the outcome document of the 2009 Durban Review Conference, and their follow-up processes at the national, regional and international levels,

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

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

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

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

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

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

⁹ General Assembly resolution 66/3.

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

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

1. *Welcomes* the work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, and takes note of its report and the recommendations contained therein;¹⁰

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

3. *Welcomes and acknowledges* the importance and significance of the work of the Working Group of Experts on People of African Descent in examining the current situation of people of African descent, in particular its focus on the themes of “Recognition through education, cultural rights and data collection” at its twelfth session, and, within this context, takes note of its report and the recommendations contained therein;¹¹

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

5. *Also welcomes* the launch by the Office of the High Commissioner of a database containing information on practical means to address racism, racial discrimination, xenophobia and related intolerance in accordance with paragraph 191 (d) of the Durban Declaration and Programme of Action, and calls upon States to contribute relevant information to the database;

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

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

8. *Recalls* the appointment of the five independent eminent experts on 16 June 2003 by the Secretary-General pursuant to General Assembly resolution 56/266, with the

¹⁰ A/HRC/23/19.

¹¹ A/HRC/24/52.

mandate to follow up on the implementation of the provisions of the Durban Declaration and Programme of Action and to make appropriate recommendations thereon;

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

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

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

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

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

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

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

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

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

*37th meeting
27 September 2013*

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

In favour:

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

Against:

Czech Republic, United States of America

Abstaining:

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

III. Resolutions

24/1

Promoting human rights through sport and the Olympic ideal

The Human Rights Council,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. *Takes note* of the summary of the above-mentioned discussion prepared by the Office of the United Nations High Commissioner for Human Rights;¹²

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

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

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

¹² A/HRC/20/11.

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

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

*34th meeting
26 September 2013*

[Adopted without a vote.]

24/2

Local government and human rights

The Human Rights Council,

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

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

Taking note of Advisory Committee action 9/1 of 10 August 2012 on research proposals,¹³ which includes a research proposal on local government and human rights, presented to the Human Rights Council for its consideration and approval in accordance with its functions as described in paragraphs 75 to 78 of the annex to Council resolution 5/1,

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

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

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

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

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

2. *Also requests* the Advisory Committee to seek the views and inputs of Member States, relevant international and regional organizations, the Office of the United Nations High Commissioner for Human Rights and relevant special procedures, as well as

¹³ See A/HRC/AC/9/6.

national human rights institutions and non-governmental organizations, in order to prepare the above-mentioned research-based report;

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

*34th meeting
26 September 2013*

[Adopted without a vote.]

24/3

Special Rapporteur on contemporary forms of slavery, including its causes and consequences

The Human Rights Council,

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

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

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

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

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

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

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

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

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

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

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

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

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

1. *Welcomes* the work and takes note with appreciation of the thematic reports of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, including those on servile marriage¹⁴ and child slavery in the artisanal mining and quarrying sectors;¹⁵

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

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

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

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

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

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

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

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

¹⁴ A/HRC/21/41.

¹⁵ A/HRC/18/30.

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

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

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

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

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

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

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

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

*34th meeting
26 September 2013*

[Adopted without a vote.]

24/4

The right to development

The Human Rights Council,

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

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

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

Recognizing the renewed commitments to achieve the Millennium Development Goals by their target date of 2015, as set out in the outcome document adopted at the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals,¹⁶

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

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

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

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

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

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

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

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

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

1. *Takes note* of the consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development,¹⁷ which

¹⁶ General Assembly resolution 65/1.

¹⁷ A/HRC/24/27.

provided information on the activities undertaken by the Office of the High Commissioner relating to the promotion and realization of the right to development in the period from July 2012 to May 2013;

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

3. *Takes note* of the efforts under way in the framework of the Working Group on the Right to Development, with a view to completing the tasks entrusted to it by the Human Rights Council in its resolution 4/4, in fulfilment of the mandate of the Working Group as established by the Commission on Human Rights in its resolution 1998/72 of 22 April 1998;

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

5. *Welcomes* the launching in the Working Group of the process of considering, revising and refining the draft right to development criteria and corresponding operational sub-criteria,¹⁸ with the first reading of the draft criteria and operational sub-criteria;

6. *Takes note with appreciation* of the report of the Working Group on its fourteenth session;¹⁹

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

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

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

10. *Decides*:

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

¹⁸ See A/HRC/15/WG.2/TF/2/Add.2.

¹⁹ A/HRC/24/37.

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

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

(d) To endorse the recommendations of the Working Group as reflected in its report on its fourteenth session;²⁰

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

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

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

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

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

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

*34th meeting
26 September 2013*

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

In favour:

Angola, Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Czech Republic, Ecuador, Estonia, Ethiopia, Gabon, Germany, Guatemala, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania,

²⁰ Ibid., para. 47.

Montenegro, Pakistan, Peru, Philippines, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Sierra Leone, Spain, Switzerland, Thailand, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)

Against:

United States of America]

24/5

The rights to freedom of peaceful assembly and of association

The Human Rights Council,

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

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

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

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

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

Taking note of the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association submitted to the Human Rights Council at its twenty-third session,²¹

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

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

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

²¹ A/HRC/23/39.

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

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

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

2. *Reminds* States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law;

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

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

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

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

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

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

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

*34th meeting
26 September 2013*

[Adopted without a vote.]

24/6

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

The Human Rights Council,

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

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

Recognizing the need for States, in cooperation with international organizations and civil society, including non-governmental organizations and the private sector, to create favourable conditions at the national, regional and international levels to ensure the full and effective enjoyment of the right of everyone to the highest attainable standard of physical and mental health,

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

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

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

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

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

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

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

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

*34th meeting
26 September 2013*

[Adopted without a vote.]

24/7 Arbitrary detention

The Human Rights Council,

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

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

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

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

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

1. *Stresses* the importance of the work of the Working Group on Arbitrary Detention;
2. *Takes note with interest* of the latest report of the Working Group,²² including the recommendations contained therein;
3. *Requests* the States concerned to take account of the views of the Working Group and, where necessary, to take appropriate steps to remedy the situation of persons arbitrarily deprived of their liberty, and to inform the Working Group of the steps they have taken;
4. *Encourages* the Working Group to pursue its work relating to the preparation of the draft basic principles and guidelines, as requested by the Human Rights Council in its resolution 20/16, and invites the Working Group to report to the Council on the progress made in drafting the basic principles and guidelines at its next interactive dialogue with the Council;
5. *Encourages* all States to respond to the questionnaire sent by the Working Group to prepare those draft basic principles and guidelines;
6. *Also encourages* all States:
 - (a) To give due consideration to the recommendations of the Working Group;
 - (b) To take appropriate measures to ensure that their legislation, regulations and practices remain in conformity with relevant international standards and the applicable international legal instruments;
 - (c) To respect and promote the right of anyone arrested or detained on a criminal charge to be brought promptly before a judge or other officer authorized by law to exercise judicial power, and to be entitled to trial within a reasonable time or to release;

²² A/HRC/22/44.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[Adopted without a vote.]

24/8 Equal political participation

The Human Rights Council,

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

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

Reaffirming that every citizen shall have the right and the opportunity, without any of the distinctions stipulated in the International Covenant on Civil and Political Rights and without unreasonable restrictions, to take part in the conduct of political and public affairs, directly or through freely chosen representatives, and to have access, on general terms of equality, to public service in his or her country,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*34th meeting
26 September 2013*

[Adopted without a vote.]

24/9

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

The Human Rights Council,

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

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

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

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

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

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

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

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

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

*34th meeting
26 September 2013*

[Adopted without a vote.]

24/10

Human rights and indigenous peoples

For the text of the resolution, see chapter II.

24/11**Preventable mortality and morbidity of children under 5 years of age as a human rights concern**

The Human Rights Council,

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

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

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

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

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

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

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

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

1. *Takes note with appreciation* of the report on mortality of children under 5 years of age as a human rights concern prepared by the World Health Organization pursuant to Human Rights Council resolution 22/32,²³ and welcomes its emphasis on integrating human rights into efforts to prevent under-5 mortality;

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

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

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

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

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

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

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

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

²³ A/HRC/24/60.

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

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

34th meeting
26 September 2013

[Adopted without a vote.]

24/12

Human rights in the administration of justice, including juvenile justice

The Human Rights Council,

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

Bearing in mind the numerous other international standards and norms in the field of the administration of justice, in particular of juvenile justice, including the Standard Minimum Rules for the Treatment of Prisoners, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the “Beijing Rules”),²⁴ the Basic Principles for the Treatment of Prisoners,²⁵ the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,²⁶ the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines)²⁷ and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules),²⁸ the Guidelines for Action on Children in the Criminal Justice System (the Vienna Guidelines),²⁹ the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime,³⁰ the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power³¹ and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),³²

Welcoming the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,³³

Recalling all resolutions of the Human Rights Council, the Commission on Human Rights, the General Assembly and the Economic and Social Council relevant to the subject, in particular Human Rights Council resolutions 10/2 of 25 March 2009 and 18/12 of 29

²⁴ General Assembly resolution 40/33, annex.

²⁵ General Assembly resolution 45/111, annex.

²⁶ General Assembly resolution 43/173, annex.

²⁷ General Assembly resolution 45/112.

²⁸ General Assembly resolution 45/113.

²⁹ Economic and Social Council resolution 1997/30, annex.

³⁰ Economic and Social Council resolution 2005/20, annex.

³¹ General Assembly resolution 40/34, annex.

³² General Assembly resolution 65/229, annex.

³³ General Assembly resolution 67/187, annex.

September 2011, Assembly resolutions 63/241 of 24 December 2008, 65/231 of 21 December 2010 and 67/166 of 20 December 2012, and Economic and Social Council resolution 2009/26 of 30 July 2009,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. *Notes with appreciation* the latest report of the United Nations High Commissioner for Human Rights submitted to the Human Rights Council on the protection of human rights of juveniles deprived of their liberty;³⁴

2. *Also notes with appreciation* the latest report of the Secretary-General submitted to the Human Rights Council on the latest developments, challenges and good practices in human rights in the administration of justice, analysing the international legal and institutional framework for the protection of all persons deprived of their liberty;³⁵

3. *Further notes with appreciation* the joint report of the Office of the High Commissioner, the United Nations Office on Drug and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system;³⁶

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

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

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

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

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

³⁴ A/HRC/21/26.

³⁵ See A/HRC/24/28.

³⁶ A/HRC/21/25.

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

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

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

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

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

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

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

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

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

18. *Encourages* States that have not yet integrated children's issues into their overall rule of law efforts to do so, and to develop and implement a comprehensive juvenile justice policy to prevent and address juvenile delinquency as well as with a view to promoting, inter alia, the use of alternative measures, such as diversion and restorative justice, and ensuring compliance with the principle that deprivation of liberty of children should only be used as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

19. *Encourages* States to foster close cooperation between the justice sectors, different services in charge of law enforcement, social welfare and education sectors in

order to promote the use and improved application of alternative measures in juvenile justice;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*34th meeting
26 September 2013*

[Adopted without a vote.]

24/13

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

The Human Rights Council,

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

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

Recalling further all relevant resolutions that, inter alia, condemn any State that permits or tolerates the recruitment, financing, training, assembly, transit or use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling also the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council, the African Union and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the Elimination of Mercenarism in Africa,

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

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

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

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

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

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

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

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

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

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

3. *Urges* once again all States to take the necessary steps and to exercise the utmost vigilance against the threat posed by the activities of mercenaries, and to take legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training, protection and transit of mercenaries for the planning of activities designed to impede the right to self-determination, to overthrow the Government of any State or to dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

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

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

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

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

8. *Welcomes* the cooperation extended by those countries that received a visit by the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, and the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

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

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

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

12. *Acknowledges with appreciation* the work and contributions made by the Working Group, including its research activities, and takes note of its latest report;³⁷

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

14. *Recalls* the holding of the second session of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies, expresses satisfaction at the participation of experts, including of the members of the Working Group on the use of mercenaries, as resource persons at the above-mentioned session, and requests the Working Group and

³⁷ A/HRC/24/45.

other experts to continue their participation during the third session of the open-ended intergovernmental working group, to be held from 16 to 20 December 2013;

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

16. *Requests* the Working Group on the use of mercenaries to continue the work already done by previous mandate holders on the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition of a mercenary drafted by the Special Rapporteur on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination in his report submitted to the Commission on Human Rights at its sixtieth session;³⁸

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

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

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

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

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

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

³⁸ E/CN.4/2004/15.

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

34th meeting
26 September 2013

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

In favour:

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

Against:

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

Abstaining:

Kazakhstan]

24/14

Human rights and unilateral coercive measures

The Human Rights Council,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14. *Recognizes* the importance of the quantitative and qualitative documentation of the negative impacts associated with the application of unilateral coercive measures in

the context of ensuring the accountability of those responsible for the human rights violations resulting from the application of unilateral coercive measures against any State;

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

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

17. *Takes note* of the thematic study prepared by the Office of the High Commissioner on the impact of unilateral coercive measures on the enjoyment of human rights,³⁹ including recommendations on actions aimed at ending such measures;

18. *Also takes note* of the report of the Office of the High Commissioner on the proceedings of the workshop on the various aspects relating to the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations in the States targeted,⁴⁰ and takes positive note of the report of the Secretary-General to the General Assembly on human rights and unilateral coercive measures;⁴¹

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

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

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

22. *Requests* the Office of the High Commissioner, taking into account the proceedings of the workshop⁴² held on 5 April 2013:

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

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

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

³⁹ A/HRC/19/33.

⁴⁰ A/HRC/24/20.

⁴¹ A/67/181.

⁴² See A/HRC/24/20.

35th meeting
27 September 2013

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

In favour:

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

Against:

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

Abstaining:

Kazakhstan]

24/15

World Programme for Human Rights Education

The Human Rights Council,

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

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

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

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

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

1. *Takes note* of the report of the Office of the United Nations High Commissioner for Human Rights on the consultation on the focus of the third phase of the World Programme for Human Rights Education;⁴³

⁴³ A/HRC/24/24.

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

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

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

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

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

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

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

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

*35th meeting
27 September 2013*

[Adopted without a vote.]

24/16

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

The Human Rights Council,

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

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

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

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

Expressing concern at continued human rights violations around the world,

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

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

1. *Affirms* the importance of effective preventive measures as a part of overall strategies for the promotion and protection of all human rights;
2. *Recognizes* that States, including all branches thereof, have the primary responsibility for the promotion and protection of all human rights, including the prevention of human rights violations;
3. *Stresses* that States should promote supportive and enabling environments for the prevention of human rights violations, including, inter alia, by:
 - (a) Considering ratifying international human rights conventions and covenants;
 - (b) Fully implementing international human rights conventions and covenants to which they are party;
 - (c) Enhancing and developing good governance, democratic systems, the rule of law and accountability;
 - (d) Adopting policies to ensure the enjoyment of all human rights, including civil, political, economic, social and cultural rights;
 - (e) Addressing all forms of discrimination, including racial discrimination;
 - (f) Addressing factors, inter alia, inequality and poverty, that may lead to situations in which human rights violations are committed;
 - (g) Promoting a free and active civil society;
 - (h) Promoting freedom of opinion and expression;

(i) Ensuring, where they exist, strong and independent national human rights institutions, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(j) Promoting human rights education and training;

(k) Ensuring an independent and functioning judiciary;

(l) Fighting corruption;

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

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

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

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

8. *Takes note* of the report of the Office of the United Nations High Commissioner for Human Rights on the Workshop on the Role of Prevention in the Promotion and Protection of Human Rights,⁴⁴ and the conclusions and recommendations contained therein;

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

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

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

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

⁴⁴ A/HRC/18/24.

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

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

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

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

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

*35th meeting
27 September 2013*

[Adopted without a vote.]

24/17

Conscientious objection to military service

The Human Rights Council,

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

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

Reaffirming also that the right to freedom of thought, conscience and religion shall include freedom to have or to adopt a religion or belief of one's choice, and freedom, either individually or in community with others and in public or private, to manifest one's religion or belief in worship, observance, practice and teaching, and that no one shall be subject to coercion which would impair one's freedom to have or to adopt a religion or belief of one's choice, as well as that freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others,

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

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

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

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

Aware that persons performing military service may develop conscientious objections,

1. *Recognizes* that the right to conscientious objection to military service can be derived from the right to freedom of thought, conscience and religion or belief;
2. *Takes note* of the analytical report on conscientious objection to military service presented by the United Nations High Commissioner for Human Rights to the Human Rights Council at its twenty-third session,⁴⁵ pursuant to resolution 20/2;
3. *Encourages* all States, relevant United Nations agencies, programmes and funds, intergovernmental and non-governmental organizations and national human rights institutions to cooperate fully with the Office of the High Commissioner by providing relevant information for the preparation of the next quadrennial analytical report on conscientious objection to military service, in particular on new developments, best practices and remaining challenges;
4. *Takes note* of the publication by the Office of the High Commissioner of a guide entitled *Conscientious Objection to Military Service* (2012);
5. *Acknowledges* that an increasing number of States recognize conscientious objection to military service not only for conscripts but also for those serving voluntarily, and encourages States to allow applications for conscientious objection prior to, during and after military service, including reserve duties;
6. *Recognizes* that an increasing number of States that retain compulsory military service are taking steps to ensure the establishment of alternatives to military service;
7. *Welcomes* the fact that some States accept claims of conscientious objection to military service as valid without inquiry;

⁴⁵ A/HRC/23/22.

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

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

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

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

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

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

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

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

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

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

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

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

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

*35th meeting
27 September 2013*

[Adopted without a vote.]

24/18

The human right to safe drinking water and sanitation

The Human Rights Council,

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

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

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

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

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

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

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

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

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

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

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

Deeply concerned that approximately 768 million people still lack access to improved water sources and that more than 2.5 billion people do not have access to improved sanitation as defined by the World Health Organization and the United Nations Children’s Fund in their 2013 Joint Monitoring Programme update, and concerned that these figures do not fully capture the dimensions of water safety, the affordability of services, and the safe management of excreta and wastewater, as well as of equality and non-discrimination, and therefore underestimate the numbers of those without access to safe drinking water and sanitation, and alarmed that, every year, approximately 1.5 million children under 5 years of age die and 443 million school days are lost as a result of water- and sanitation-related diseases,

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

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

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

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

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

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

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

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

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

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

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

7. *Also welcomes* the annual report of the Special Rapporteur submitted to the General Assembly on integrating non-discrimination and equality into the post-2015 development agenda for water, sanitation and hygiene,⁴⁶ takes note with appreciation of her proposal to integrate the progressive reduction and elimination of inequalities into the post-2015 agenda, and encourages further discussion on how to possibly integrate these issues in the elaboration of the post-2015 agenda;

8. *Notes* the recommendation contained in the report of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda, commissioned by the Secretary-General,⁴⁷ listing water and sanitation among the indicative goals in the post-2015 development agenda, and also takes note of the report of the Secretary-General entitled “A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015”,⁴⁸ in which the Secretary-General recognized the human right to safe drinking water and sanitation as one of the foundations for a decent life;

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

⁴⁶ A/67/270.

⁴⁷ *A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development* (United Nations, New York, 2013).

⁴⁸ A/68/202, para. 11.

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

11. *Welcomes* the annual report of the Special Rapporteur submitted to the Human Rights Council on sustainability and non-retrogression in the realization of the human right to safe drinking water and sanitation,⁴⁹ and takes note of its potential relevance to the post-2015 development agenda;

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

13. *Calls upon* States:

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

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

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

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

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

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

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

⁴⁹ A/HRC/24/44.

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

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

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

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

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

*35th meeting
27 September 2013*

[Adopted without a vote.]

24/19

Regional arrangements for the promotion and protection of human rights

The Human Rights Council,

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

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

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

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

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

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

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

of human rights,⁵⁰ held from 12 to 14 December 2012 in Geneva, including its conclusions and recommendations;

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

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

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

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

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

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

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

*35th meeting
27 September 2013*

[Adopted without a vote.]

24/20

The human rights of older persons

The Human Rights Council,

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

⁵⁰ A/HRC/23/18.

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

Reaffirming the Vienna Declaration and Programme of Action,

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

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

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

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

Taking note with appreciation of the report of the Secretary-General on the follow-up to the Second World Assembly on Ageing⁵¹ and of the report of the United Nations High Commissioner for Human Rights on the human rights of older persons,⁵²

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

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

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

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

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

⁵¹ A/67/188.

⁵² E/2012/51.

2. *Acknowledges* the report of the Office of the United Nations High Commissioner for Human Rights on the consultation on the promotion and protection of the human rights of older persons,⁵³ which summarizes the issues discussed at the consultation, including age discrimination, access by older persons to work, adequate health services and social protection, protection from abuse, violence and neglect, long-term care and the situation of older prisoners;

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

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

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

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

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

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

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

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

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

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

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

⁵³ A/HRC/24/25.

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

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

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

*35th meeting
27 September 2013*

[Adopted without a vote.]

24/21

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

The Human Rights Council,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. *Decides* to organize, at its twenty-fifth session, a panel discussion on the importance of the promotion and protection of civil society space, which will, inter alia, contribute to the identification of challenges facing States in their efforts to ensure space for

civil society and lessons learned and good practices in this regard, and invites the Office of the High Commissioner to liaise with States, relevant United Nations bodies and agencies, relevant special procedures, civil society and other stakeholders with a view to ensuring their participation in the panel discussion;

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

*35th meeting
27 September 2013*

[Adopted without a vote.]

24/22

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

The Human Rights Council,

Guided by the Charter of the United Nations,

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

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

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

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

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

1. *Welcomes* the report of the commission of inquiry on the Syrian Arab Republic;⁵⁴

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

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

4. *Stresses* the need to ensure that those responsible for such violations and abuses are held to account, and encourages States to take steps to support and enable current and future accountability efforts;

⁵⁴ A/HRC/24/46.

5. *Strongly condemns* all massacres in the Syrian Arab Republic, including most recently the massacre in the Al Ghouta region, which caused appalling civilian casualties;
6. *Also strongly condemns* the use of chemical weapons in the Syrian Arab Republic, which is prohibited under international law, amounts to a serious crime and has a devastating impact on civilians;
7. *Calls on* all groups in the Syrian Arab Republic to refrain from retaliation and violence, including sexual violence, and urges all parties to the conflict to prevent violations of international humanitarian law and human rights violations and abuses;
8. *Deplores* the deteriorating humanitarian situation, and urges the international community to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;
9. *Demands* that the Syrian authorities facilitate, and all other parties to the conflict do not hinder, the full, immediate and safe access of the United Nations and humanitarian actors, and calls upon all Member States to fully fund the United Nations appeals;
10. *Decides* to remain seized of the matter.

*36th meeting
27 September 2013*

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

In favour:

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

Against:

Venezuela (Bolivarian Republic of)

Abstaining:

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

24/23

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

The Human Rights Council,

Guided by the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as other relevant human rights instruments, including the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,

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

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

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

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

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

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

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

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

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

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

2. *Requests* the Office of the High Commissioner to prepare a report, in consultation with States, United Nations bodies, agencies, funds and programmes, civil

society and other relevant stakeholders, on preventing and eliminating child, early and forced marriage, with a particular focus on challenges, achievements, best practices and implementation gaps, to be submitted to the Human Rights Council prior to its twenty-sixth session, and to guide the panel discussion.

37th meeting
27 September 2013

[Adopted without a vote.]

24/24

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

The Human Rights Council,

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

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

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

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

Welcoming the holding, on 13 September 2012, of the panel discussion on the issue of intimidation or reprisal against individuals and groups who cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, and taking note with appreciation of the summary thereof,⁵⁵

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

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

Expressing concern at the continued reports of intimidation and reprisals against individuals and groups who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, and at the seriousness of reported reprisals, including violations of the right of the victim to life, liberty and security of person, and violations of obligations under international law prohibiting torture and cruel, inhuman or degrading treatment,

⁵⁵ A/HRC/22/34.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*37th meeting
27 September 2013*

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

In favour:

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

Against:

Gabon⁵⁶

Abstaining:

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

24/25

The Social Forum

The Human Rights Council,

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

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

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

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

1. *Takes note* of the report of the Chairman-Rapporteur of the 2012 Social Forum,⁵⁷ held in Geneva from 1 to 3 October;

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

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

4. *Underlines* the importance of coordinated efforts at the national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity and of addressing the social dimension and challenges of the

⁵⁶ The representative of Gabon subsequently stated that there had been an error in its voting and that it had intended to vote in favour.

⁵⁷ A/HRC/23/54.

ongoing globalization process and the negative impact of the current economic and financial crises;

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

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

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

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

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

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

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

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

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

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

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

*37th meeting
27 September 2013*

[Adopted without a vote.]

24/26

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

For the text of the resolution, see chapter II.

24/27

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

The Human Rights Council,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

⁵⁸ A/HRC/24/33.

5. *Welcomes* the review by the Democratic Republic of the Congo of Act No. 10/013 of 28 July 2010 on the organization and functioning of the Independent National Electoral Commission, which has made it possible to expand the membership of the Commission, under the chairmanship of a representative of civil society, and encourages the Commission to propose a realistic timetable for elections as soon as possible;

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

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

8. *Encourages* the Government of the Democratic Republic of the Congo to implement the national action plan, signed on 4 October 2012, to prevent and put an end to the recruitment and use of children, as well as to sexual violence committed against children;

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

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

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

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

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

14. *Is seriously concerned* at the still very high number of cases of sexual violence, which is also used as a weapon of war in the provinces in conflict in the east of

⁵⁹ CEDAW/C/COD/6-7.

⁶⁰ CEDAW/C/COD/CO/6-7.

the Democratic Republic of the Congo, and takes note of the efforts being made to bring the perpetrators to justice;

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

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

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

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

*37th meeting
27 September 2013*

[Adopted without a vote.]

24/28

Technical assistance for the Sudan in the field of human rights

The Human Rights Council,

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

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

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

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

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

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

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

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

⁶¹ A/HRC/24/31.

2. *Expresses its appreciation* to the Independent Expert for his work and his recommendations;
3. *Notes* that the Independent Expert commended the continued cooperation and support provided by the Government of the Sudan in the implementation of his mandate, including giving him access to all parts of the country, and encourages continuation of that cooperation;
4. *Notes with appreciation* the submission by the Government of the Sudan of its mid-term report on the implementation of the accepted recommendations of the universal periodic review and the cooperation between the Government and the United Nations Development Programme in the implementation of the accepted universal periodic review recommendations, which should be continued;
5. *Encourages* the Government of the Sudan to open an inclusive dialogue, to pursue the constitutional and political process transparently and also to ensure an atmosphere of fair and peaceful political participation in the preparation for the next elections;
6. *Takes note* of the adoption and launch by the Government of the Sudan of a national strategy for the promotion and protection of human rights in the country, and the establishment of the Truth, Justice and Reconciliation Commission in Darfur;
7. *Takes note with appreciation* of the work done by the National Human Rights Commission;
8. *Acknowledges* the steps taken by the Government of the Sudan to implement the recommendations accepted as highlighted by the Independent Expert in his report, and reminds all groups of their legal obligations and due diligence to protect human rights;
9. *Urges* the Government of the Sudan to rebuild a lasting climate of confidence and trust with civil society organizations and the international community, and to facilitate the promotion and protection of human rights in the country;
10. *Welcomes* the efforts made by the Government of the Sudan to strengthen cooperation with the Government of South Sudan, as indicated in the outcome of the most recent summit between the Presidents of the two States;
11. *Urges* Member States, relevant United Nations agencies and other stakeholders to support the national efforts of the Government of the Sudan in accordance with the present resolution with a view to further improving the situation of human rights in the country, and to respond to its request for technical assistance;
12. *Urges* the Government of the Sudan, with the support of relevant Member States, United Nations agencies and other stakeholders, to further its efforts for the promotion and protection of human rights, in particular to ensure freedom of association and peaceful assembly, including activities of civil society organizations, freedom of expression, including the press, freedom of religion, freedom from arbitrary arrests and detention, compliance by all parties with human rights and international humanitarian law, including with regard to the protection of civilians, timely and full access for humanitarian agencies, the rights of women and children, and access to justice for all Sudanese, including in conflict-affected areas, as recommended by the Independent Expert;
13. *Notes with concern* the humanitarian situation in the States of South Kordofan, Blue Nile and Darfur, and calls upon all parties to make every effort to immediately end violence and halt clashes, to facilitate access for humanitarian assistance, to take action to strengthen respect for the rule of law in the three States and to respect all human rights and fundamental freedoms;

14. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Sudan with the necessary technical support and training;

15. *Urges* the Government of the Sudan to continue its cooperation with the Independent Expert, including by giving him access to the entire country, in particular the States of Darfur, South Kordofan and Blue Nile, in order to assess and verify the situation of human rights, to determine the technical assistance needs and to report on his findings;

16. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in the Sudan under agenda item 10 for a period of one year, requests the Independent Expert to continue his engagement with the Government of the Sudan, considering a full range of information with a view to implementing the projects that will further help the Sudan to fulfil its human rights obligations, and to submit a report to the Human Rights Council for consideration at its twenty-seventh session;

17. *Requests* the Independent Expert to also assist the Government of the Sudan in its strategy to implement the remaining accepted universal periodic review recommendations;

18. *Decides* to consider this issue further, in accordance with its programme of work under agenda item 10.

*37th meeting
27 September 2013*

[Adopted without a vote.]

24/29

Advisory services and technical assistance for Cambodia

The Human Rights Council,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as enshrined in the Charter of the United Nations, as reaffirmed in the Universal Declaration of Human Rights and in accordance with their respective obligations under the International Covenants on Human Rights and other applicable human rights instruments,

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

Recalling also Council resolutions 5/1 and 5/2 of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Recalling further Council resolution 18/25 of 30 September 2011 and other relevant resolutions,

Bearing in mind the report of the Secretary-General on the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights,⁶²

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

⁶² A/HRC/24/32.

stipulated in the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,

Taking note of the new developments in Cambodia, especially those associated with recent progress and efforts by the Government of Cambodia to promote and protect human rights, especially in the achievements and improvements of social, economic, political and cultural fields over recent years through its relevant national plans, strategies and frameworks:

1. *Reaffirms* the importance of the Extraordinary Chambers in the Courts of Cambodia as an independent and impartial body, and believes it will significantly contribute to eradicating impunity and establishing the rule of law by, inter alia, exploiting its potential as a model court of Cambodia;

2. *Welcomes* the progress made with regard to the Extraordinary Chambers, including the handing down of its judgement in case 001 against Kaing Guek Eav, on 3 February 2012, and the conclusion of the trial hearings in case 002/01 on 23 July 2013, and supports the position of the Government of Cambodia and the United Nations to proceed with the tribunal in a fair, efficient and expeditious manner, given the advanced age and frail health of the persons charged and the long overdue justice for the people of Cambodia;

3. *Expresses grave concern* over the financial situation of the Extraordinary Chambers, urges the Government of Cambodia to work with the United Nations and the States providing assistance to ensure the highest standards of administration of the Extraordinary Chambers, and stresses the need for the Government and the international community to provide all appropriate assistance to the Extraordinary Chambers;

4. *Welcomes* the positive engagement of the Government of Cambodia in the universal periodic review process as well as its acceptance of all the recommendations thereon and the progress so far on their implementation;

5. *Also welcomes* the reports of the Special Rapporteur on the situation of human rights in Cambodia⁶³ and the recommendations contained therein, and takes note of the need to maintain close and respectful consultations between the Government of Cambodia and the Special Rapporteur towards further improvements in the situation of human rights in the country and for the continued technical cooperation between the Office of the United Nations High Commissioner for Human Rights and the Government;

6. *Reaffirms* the need for the Government of Cambodia to strengthen efforts to consolidate the rule of law, including through the adoption and further implementation of essential laws and codes for establishing a democratic society;

7. *Welcomes* the efforts and progress made by the Government of Cambodia in promoting legal reform under the leadership of the Council of Legal and Judicial Reform, including adopting and/or enforcing basic laws, such as the civil procedure code, the civil code, the criminal procedure code and the penal code;

8. *Encourages* the Government of Cambodia to submit three basic draft laws to the National Assembly, namely the draft law on the status of judges and prosecutors, the draft law on the organization and functioning of the courts, and the draft amendment to the Law on the Organization and Functioning of the Supreme Council of the Magistracy, and urges the Government to further continue its efforts at judicial reform, including through the swift adoption and implementation of these three basic laws in order to ensure the

⁶³ A/HRC/21/63 and A/HRC/24/36.

independence, impartiality, transparency and effectiveness of the judicial system as well as the transfer of knowledge of court officials at the Extraordinary Chambers and the sharing of good practices at the Court;

9. *Stresses* the need for the Government of Cambodia to continue to enhance its efforts to investigate urgently and to prosecute, in accordance with due process of law and its obligations under international human rights treaties, all those who have perpetrated serious crimes, including violations of human rights;

10. *Welcomes* the efforts made by the Government of Cambodia in combating corruption, including the implementation of the penal code and the anti-corruption law, as well as the activities of the Anti-Corruption Unit, and encourages the Government to continue such efforts;

11. *Also welcomes* the efforts made by the Government of Cambodia in combating crimes, such as trafficking in persons, the exploitation of labour and the sexual exploitation of women and children, and urges the Government to make further efforts to this end, in concert with the international community, to combat outstanding key problems in this area;

12. *Takes note with concern* of the latest findings regarding gender-based violence in Cambodia, and encourages the Government of Cambodia to strengthen its efforts against gender-based violence, including by effectively enforcing existing laws and regulations;

13. *Welcomes* the efforts made by the Government of Cambodia to resolve land issues through, inter alia, the implementation of relevant laws and regulations, including a moratorium on economic land concessions, expresses concern at the outstanding issues in this area, and urges the Government to continue and enhance its efforts to resolve them equitably and expeditiously in a fair and open manner, taking into consideration the rights of and the actual consequences for the parties concerned and in accordance with relevant laws and regulations such as the 2001 Land law, the Law on Expropriation, the Circular on the Settlement of Illegal Temporary Building in Cities and Urban Areas and the National Housing Policy, as well as by strengthening the capacity and effectiveness of relevant institutions, such as the National Authority for Land Dispute Resolution and cadastral committees at the national, provincial and district levels;

14. *Also welcomes* the commitments made and the progress achieved by the Government of Cambodia to implement its obligations under international human rights treaties and conventions to which it is a party with regard to its commitment to establish a national human rights institution and to encourage that this be done upon sufficient consultation with relevant stakeholders; its efforts to ratify the International Convention for the Protection of All Persons from Enforced disappearance, in June 2013, and the Convention on the Rights of Persons with Disabilities, in December 2012; and urges the Government to continue to take steps to meet its obligations under those treaties and conventions to which it is a party and, to this end, to strengthen its cooperation with United Nations agencies, including the Office of the High Commissioner, through enhanced dialogue and the development of joint activities;

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

16. *Welcomes* the efforts and progress made by the Government of Cambodia in promoting decentralization and deconcentration reform, with the aim of achieving democratic development by strengthening subnational and grass-roots institutions;

17. *Also welcomes* the fact that the elections for the National Assembly, on 28 July 2013, were held in a generally smooth and peaceful manner, while taking note of the

protests following the elections as well as the joint announcement between ruling and opposition parties on 16 September concerning the electoral reform, and urges the Government of Cambodia to make additional and continuous efforts to promote an environment conducive to the conduct of legitimate political activities by all political parties, and to make further efforts to improve its electoral system in accordance with international standards so that its election process as a whole will be satisfactory and acceptable to all parties concerned;

18. *Stresses* the need for further progress and efforts by the Government of Cambodia to promote a pluralistic and democratic process in Cambodia through parliamentary debate according to the Constitution and, to this end, encourages the Government to work with the legislature with a view to promoting the latter's independence and effectiveness, including by ensuring the meaningful participation of parliamentarians from various political parties in its deliberations;

19. *Urges* the Government of Cambodia to take appropriate measures to encourage and enable civil society and the media to play a constructive role in consolidating democratic development in Cambodia, including by ensuring and promoting their activities, and in promoting equal access to the media by all parties;

20. *Stresses* the need for the Government of Cambodia to continue to take action to promote the rights and dignity of all Cambodians by protecting civil and political rights, including freedom of opinion and expression, and, to this end, to ensure that relevant laws, inter alia, the penal code, are interpreted and applied in a judicious manner so as to promote economic, social and cultural rights, in accordance with the rule of law;

21. *Invites* the Secretary-General, agencies of the United Nations system present in Cambodia and the international community, including civil society, to continue to work with the Government of Cambodia in strengthening democracy as well as ensuring the protection and promotion of the human rights of all people in Cambodia, including by providing assistance in, inter alia, the fields of:

(a) Drafting laws and assisting the establishment of an independent national human rights institution;

(b) Capacity-building to strengthen legal institutions, including by improving the quality of judges, prosecutors, lawyers and court staff, and drawing on the expertise gained by Cambodian nationals working in the Extraordinary Chambers in the Courts of Cambodia;

(c) Capacity-building to strengthen national institutions for criminal investigations and law enforcement, as well as providing the equipment necessary for these ends;

(d) Implementation of universal periodic review recommendations;

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

22. *Decides* to extend by two years the mandate of the Special Rapporteur on the situation of human rights in Cambodia, and requests the Special Rapporteur to report on the implementation of his mandate to the Council at its twenty-seventh and thirtieth sessions and to engage in a constructive manner with the Government of Cambodia for the further improvement of the situation of human rights in the country;

23. *Requests* the Secretary-General to report to the Human Rights Council at its twenty-seventh and thirtieth sessions on the role and achievements of the Office of the High Commissioner in assisting the Government and the people of Cambodia in the promotion and protection of human rights;

24. *Decides* to continue its consideration of the situation of human rights in Cambodia at its thirtieth session.

37th meeting
27 September 2013

[Adopted without a vote.]

24/30

Assistance to Somalia in the field of human rights

The Human Rights Council,

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

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reaffirming also previous Human Rights Council resolutions on Somalia,

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

Recognizing the urgent need for a step-up in the scale, coherence and quality of all capacity development of and technical assistance to Somalia in the field of human rights,

Recognizing also the role women have played and will continue to play in community mobilization and peacebuilding in Somali society, and the importance of promoting their economic empowerment and participation in political and public decision-making processes, including within parliament,

1. *Expresses concern* at the reports of violations of human rights in Somalia, and underscores the need to end impunity, uphold human rights and hold accountable those who commit any such related crimes;

2. *Also expresses concern* at the abuses and violations perpetrated against women, including sexual violence, and emphasizes the need for accountability for all such abuses and violations;

3. *Expresses deep concern* at the continuing violations and abuses committed against children, including the recruitment and use of child soldiers, killing and maiming, rape and other sexual violence, abductions, attacks on schools and/or hospitals, and at the continued displacement of children as a result of armed conflict;

4. *Also expresses deep concern* at the continuing attacks and abuses against journalists in Somalia, urges all parties to refrain from violence against and harassment of journalists and to respect freedom of expression, and underscores the need to end impunity, uphold human rights and hold accountable those who commit any such related crimes;

5. *Strongly condemns* the grave and systematic human rights abuses perpetrated against the civilian population, including women, children, journalists and human rights defenders, by Al-Shabaab and its affiliates, and calls for their immediate cessation;

6. *Welcomes* the commitment of the Federal Government of Somalia to improving human rights in Somalia and, in this respect, also welcomes:

- (a) The adoption of the Post-Transition Human Rights Road Map for Somalia on 27 August 2013, its continuing development and realization;
- (b) The justice, police and armed forces reform plans presented at the Somalia Conference on 7 May 2013;
- (c) The continuing institutionalization of the promotion and protection of human rights in Somalia, including efforts to incorporate civilian protection and to promote human rights in security and justice sector reform plans;
- (d) The commitment of the Federal Government of Somalia to establish a national human rights commission in due course;
- (e) The joint communiqué, signed by the United Nations and the Federal Government of Somalia on 7 May 2013, on tackling the root causes of sexual violence in a sustainable manner;
- (f) The continued commitment of the Federal Government of Somalia to the universal periodic review process;
- (g) The accession of Somalia to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and its commitment to the implementation of the Convention with the technical support of the Organization for the Prohibition of Chemical Weapons and bilateral assistance provided by Member States;

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

- (a) The endorsement of the Somali Compact on 16 September 2013;
- (b) The establishment of a high-level task force in March 2013 consisting of the Federal Government of Somalia and representatives of the Somali Federal Parliament, Somali civil society, the United Nations and the donor community, to guide and support the implementation of the Compact on the basis of mutual accountability;
- (c) The holding of the Somalia Conference on 7 May 2013 in London, and the communiqué thereof, noting especially the commitments to create sustainable and accountable security forces that respect human rights, to ensure the protection of women and children in conflict, to ensure equal access for all to a robust, impartial and effective justice system, and to ensure press and media safety and freedom;
- (d) The sustained and vital commitment of the African Union Mission in Somalia and the Intergovernmental Authority on Development;

8. *Recognizes* the importance of international assistance to Somalia, and stresses that the primary responsibility to promote and protect human rights in Somalia rests with the Federal Government of Somalia at the national and subnational levels;

9. *Encourages* States to provide timely and tangible bilateral assistance and to enhance cooperation with the Federal Government of Somalia at the national and subnational levels;

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

- (a) To promote reconciliation and dialogue at both the local and national levels, recognizing the importance of assistance provided by the Intergovernmental Authority on Development;
- (b) To finalize and adopt a federal Constitution by December 2015;

- (c) To prepare for and hold credible elections in 2016;
- (d) To ensure the equitable participation of women, youth, minority groups and other marginalized groups in national political processes;
- (e) To hold public hearings on the draft law on the establishment of a national human rights commission, with the guiding intention of ensuring an independent institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) with a broad mandate and enforcement capability at the national and subnational levels;
- (f) To ensure the inclusion of human rights compliance mechanisms in instruments and institutions at both the national and subnational levels, and to recognize the importance of promoting and protecting human rights;
- (g) To harmonize national and subnational political policies and legal frameworks with applicable human rights obligations and their other commitments, including those referenced in the provisional Constitution and the migration and human rights agenda at the national and subnational levels, in order to achieve effective and consistent application of human rights for all and, in this regard, calls upon States Members of the United Nations to ensure timely and tangible assistance, taking into consideration the potential benefits of a political dividend;
- (h) To establish independent, accountable and efficient judicial institutions;
- (i) To seek tangible and timely assistance from, inter alia, regional bodies, to reform the Somali judiciary system, to select and enhance the capacity of Somali judges inside the country, with a particular focus on the promotion and protection of human rights and, in this regard, calls upon Member States to provide timely and tangible assistance;
- (j) To ensure accountability of State institutions and security forces, and those serving within them;
- (k) To increase awareness and training among the Somali security forces at the national and subnational levels on human rights, including the protection of civilians, with the timely and tangible support of the international community;
- (l) To ensure that comprehensive vetting procedures are put in place for personnel in the security forces and security institutions;
- (m) To issue clear and public orders that the Somali National Armed Forces, Somali National Police Force and allied militias should comply with applicable human rights obligations;
- (n) To guarantee a minimum level of protection for children, and to implement the action plan to end the recruitment and use of children in the Somalia National Armed Forces;
- (o) To implement, in a clear and accessible manner, a zero-tolerance policy on gender-based violence, particularly sexual violence, and to include prevention of sexual exploitation and other forms of abuse;
- (p) To ensure that individuals found to be responsible for and complicit in sexual violence, regardless of their status or rank, are held to account;
- (q) To initiate effective and impartial investigations into the killings of journalists, to prosecute all those responsible in a manner consistent with applicable domestic and international legal obligations, and to create security and space for a free press to operate;

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

(s) To ensure the protection and well-being of all internally displaced persons, including from sexual violence and exploitation, paying particular attention to ensuring that the human rights of internally displaced persons in Mogadishu are respected in relation to relocations, and to ensure a fully consultative process, providing prior notice and ensuring safe, sanitary new sites that have basic services, as well as unfettered access for humanitarian organizations;

(t) To facilitate full humanitarian access to people in need wherever they are in Somalia, and to safeguard the neutrality, impartiality and independence of humanitarian actors from political, economic and military interference, while paying particular attention to the rights, freedoms and needs of ethnic and religious minorities who require humanitarian assistance;

11. *Strongly commends* the engagement of the Independent Expert on the situation of human rights in Somalia and his latest report submitted to the Human Rights Council;⁶⁴

12. *Stresses* the importance of technical assistance in building credible and impartial domestic capacity to undertake monitoring, investigations and public reporting to identify human rights concerns, inform appropriate remedies by duty-bearers and ascertain technical assistance needs;

13. *Also stresses* the important role of joint monitoring and reporting of the situation of human rights in Somalia by domestic and international experts, and the role that those monitoring human rights can play in evaluating and ensuring the success of technical assistance projects, which in turn must be for the benefit of all Somalis;

14. *Underlines* the importance of the realization by the United Nations Assistance Mission in Somalia of its mandate throughout Somalia and the need to ensure synergy with the work of the Office of the United Nations High Commissioner of Human Rights;

15. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in Somalia, under agenda item 10, for a period of two years;

16. *Requests* the Independent Expert to continue his engagement with the Government of Somalia at the national and subnational levels, civil society and the United Nations Assistance Mission in Somalia with a view to assist Somalia in the implementation of:

- (a) Its domestic and international human rights obligations;
- (b) Human Rights Council resolutions;
- (c) Accepted universal periodic review recommendations;
- (d) Other human rights commitments, including the Post-Transition Human Rights Road Map and the process to establish an independent human rights commission in due course;

17. *Also requests* the Independent Expert to report to the Human Rights Council at its twenty-seventh session;

⁶⁴ A/HRC/24/40.

18. *Requests* the Office of the High Commissioner and other relevant United Nations agencies to provide the Independent Expert with all the human, technical and financial assistance necessary to carry out his mandate;

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

37th meeting
27 September 2013

[Adopted without a vote.]

24/31

Enhancement of technical cooperation and capacity-building in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the United Nations, particularly with regard to achieving international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming the obligation of States under the Charter of the United Nations to promote universal respect for and observance of human rights and fundamental freedoms,

Recognizing that the enhancement of international cooperation is essential for the effective promotion and protection of human rights, which should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of States to prevent human rights violations and comply with their human rights obligations for the benefit of all human beings,

Recalling the mandate of the Human Rights Council to promote advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of States concerned, and provisions in Council resolutions 5/1 and 5/2 of 18 June 2007 and 16/21 of 25 March 2011 that aim to enable the Council to fulfil such a mandate,

Reaffirming Human Rights Council resolution 16/15 of 24 March 2011, in which the Council underlined the importance of international cooperation for the realization of the rights of persons with disabilities, as well as resolutions 18/18 of 29 September 2011 and 21/21 of 27 September 2012,

Recalling Human Rights Council resolution 19/26 of 23 March 2012 on the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing Countries in the work of the Human Rights Council,

1. *Encourages* Members and observers of the Human Rights Council to use, where relevant, the general debate under agenda item 10 as a platform to share experiences, challenges and information on assistance needed in the implementation of their human rights obligations and voluntary pledges and commitments, including accepted universal periodic review recommendations, as well as their achievements and good practices in the area of technical cooperation in the field of human rights;

2. *Emphasizes* that the discussion to promote technical cooperation and capacity-building in the Human Rights Council should be based on consultation with and the consent of the States concerned, and should take into account their needs, as well as the

fact that all human rights are universal, indivisible, interdependent and interrelated and aim to make a concrete impact on the ground;

3. *Affirms* that technical cooperation should be an inclusive exercise that engages and involves all national stakeholders, including government agencies and civil societies, at all stages;

4. *Reaffirms* the need for enhanced voluntary contributions for the relevant United Nations funds to support technical assistance and capacity-building, particularly the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the Voluntary Fund for Participation in Universal Periodic Review Mechanism and the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review, and encourages States to make contribution to these funds, especially those who have not yet done so;

5. *Welcomes* the panel discussion held under agenda item 10 at the twenty-second session of the Human Rights Council on the theme “Promoting technical cooperation for strengthening of the judiciary system and administration of justice in order to ensure human rights and rule of law”, underlining the importance of technical assistance provided by the Office of the United Nations High Commissioner for Human Rights and relevant United Nations agencies to strengthen the administration of justice of States, the impartiality and integrity of the judicial system as prerequisite of the rule of law, and challenges regarding pretrial detention, reduction of prison overcrowding, specific provisions for juvenile justice and equal access to justice for all, in particular women and children, and other groups marginalized by age, gender, physical and mental disabilities, as well as encouraging greater coordination within the United Nations system on the delivery of technical assistance to States so as to respond to the support needed and to create public confidence in a justice system that is accessible for all;

6. *Acknowledges* the challenges faced by persons with disabilities, who make up an estimated 15 per cent of the world’s population, of whom 80 per cent live in developing countries, and may not only be subject to multiple discrimination but also remain largely invisible in the implementation, monitoring and evaluation of the Millennium Development Goals;

7. *Takes note with appreciation* of the thematic study of the Office of the High Commissioner on the structure and roles of national mechanisms for the implementation and monitoring of the Convention on the Rights of Persons with Disabilities⁶⁵ and the report of the Secretary-General entitled “The way forward: a disability-inclusive development agenda towards 2015 and beyond”;⁶⁶

8. *Notes* the discussion held at the sixth session of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, which noted the potential contribution of disability-inclusive development in the post-2015 development agenda while recognizing the potential of persons with disabilities can contribute to the fulfilment of human rights;

9. *Welcomes* regional consultations in preparation for, and the outcome document of, the high-level meeting held at the sixty-eighth session of the General Assembly on the realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities, which recognize the

⁶⁵ A/HRC/13/29.

⁶⁶ A/68/95.

need to ensure accessibility for and inclusion of persons with disabilities in all aspects of development efforts and to provide a comprehensive reference for the elaboration of the post-2015 development agenda;

10. *Stresses* the importance of ensuring that disability-inclusive development is taken into consideration in the realization of internationally agreed development goals;

11. *Encourages* States parties to ensure the effective implementation of the Convention on the Rights of Persons with Disabilities, including, where appropriate, through harmonization of domestic legislation and policies with their obligations under the Convention, and, where appropriate, to consider requesting technical cooperation and capacity-building from the Office of the High Commissioner and the Committee on the Rights of Persons with Disabilities in such efforts, and encourages both the Office and the Committee to respond favourably to such requests;

12. *Encourages* all actors, with the participation of persons with disabilities and in cooperation with civil society organizations and organization of persons with disabilities, including through tripartite and South-South cooperation and public-private partnerships, to reinforce local, regional and international cooperation in support of national efforts for the adoption and implementation of appropriate measures, including legislative measures, to enhance the contribution of persons with disabilities in socioeconomic development;

13. *Decides*, in accordance with paragraphs 3 and 4 of Human Rights Council resolution 18/18, that the theme for the annual thematic panel discussion under agenda item 10 to be held during the twenty-sixth session of the Council shall be “Technical cooperation and capacity-building in advancing the rights of persons with disabilities through legal and institutional frameworks, including public-private partnerships”, and that the discussion shall be fully accessible to persons with disabilities;

14. *Encourages* organizations of persons with disabilities, national monitoring bodies and human rights institutions to participate actively in the session referred to in paragraph 13 above;

15. *Requests* the Office of the High Commissioner to prepare a report on the activities undertaken by the Office, other relevant United Nations agencies and, where applicable, regional organizations to support efforts by States to promote and protect the rights of persons with disabilities in their national legislation, policies and programmes, including to mainstream disability in development efforts, and requests that the report be made available in accessible, easy-to-read format on the website of the Office, for submission to the Human Rights Council at its twenty-sixth session, to serve as a basis for the thematic panel discussion, and to liaise with States, relevant United Nations bodies and agencies, relevant special procedures and other stakeholders, including, where applicable, those involved in technical cooperation projects that demonstrate best practices, constructive engagement and positive impact on the ground, with a view to ensuring their participation in the thematic panel discussion.

*37th meeting
27 September 2013*

[Adopted without a vote.]

24/32

Technical assistance and capacity-building for Yemen in the field of human rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and the relevant human rights treaties,

Recalling Security Council resolutions 2014 (2011) of 21 October 2011 and 2051 (2012) of 12 June 2012 and Human Rights Council resolutions 18/19 of 29 September 2011, 19/29 of 23 March 2012 and 21/22 of 27 September 2012,

Recognizing that the promotion and protection of human rights are key factors in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability for the country,

Welcoming the progress in the political transition process based on the Gulf Cooperation Council initiative and its implementation mechanism that has started in Yemen, and looking forward to a successful conclusion of the National Dialogue Conference and to subsequent stages of the transition,

Welcoming also the ongoing implementation of the confidence-building measures contained in the 20 and 11 recommendation points contained in the reports on the preparation and the first phase of the National Dialogue Conference, in particular the measures to address the grievances of the citizens of Southern Yemen and Sada'a,

Welcoming further the commitment of the Government of Yemen to fully promote and protect human rights,

Welcoming the Cabinet approval of the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, and noting the intention of the Cabinet to accede to the Rome Statute of the International Criminal Court,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the human rights situation in Yemen⁶⁷ and of the debate held during the twenty-fourth session of the Human Rights Council, as well as the statement and comments by the Government of Yemen on the report and its willingness to cooperate with the United Nations and Office of the High Commissioner;

2. *Notes with appreciation* the efforts made by the Government of Yemen to implement Human Rights Council resolutions 18/19, 19/29 and 21/22;

3. *Welcomes* the establishment of a field presence of the Office of the High Commissioner, and notes the active cooperation of the Government with the Office and the steps taken towards the establishment of an independent national human rights institution;

4. *Looks forward* to steps by the Government of Yemen, in accordance with Human Rights Council resolution 19/29, towards the implementation of Republican Decree No. 140 of 2012, which establishes a committee to investigate allegations of violations of human rights in 2011 and which states that investigations shall be transparent and independent and adhere to international standards, and invites the Government of Yemen to provide soon a time frame for the early appointment of members of that committee;

⁶⁷ A/HRC/24/34.

5. *Also looks forward* to the early adoption of a law on transitional justice and national reconciliation that, while taking into account the recommendations of the National Dialogue Conference, is in accordance with the international obligations and commitments of Yemen and consistent with best practices;

6. *Calls upon* all parties to release persons arbitrarily detained by them and to end any practice of unlawful detention of persons, and recalls Cabinet decision No. 180 (2012) to release all those imprisoned for their participation in the events of 2011;

7. *Welcomes* the measures of the Government of Yemen to end the recruitment and use of children, and looks forward to the implementation of those measures without further delay;

8. *Demands* that armed groups end the recruitment and use of children and release those who have already been recruited, and calls upon all parties to cooperate with the United Nations and other qualified groups for their reintegration into their communities, taking into consideration the relevant recommendations made by the Secretary-General in his report on children and armed conflict;⁶⁸

9. *Calls upon* the Government of Yemen to investigate cases of violence against journalists, in accordance with its international obligations to respect the freedom of expression, peaceful assembly and association;

10. *Notes with appreciation* the considerable representation of women in the National Dialogue Conference, and encourages the Government of Yemen to continue its efforts to ensure that women are represented at all levels of the political process and that they are able to participate in public life, free of discrimination and intimidation;

11. *Encourages* the Government of Yemen to continue to implement the accepted recommendations contained in the reports of the High Commissioner⁶⁹ with the support of her Office, and calls upon the Government to address the recommendations contained in the report of the High Commissioner submitted to the Human Rights Council at its twenty-fourth session;⁶⁷

12. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect human rights;

13. *Looks forward* to the Government continuing its efforts to promote and protect human rights;

14. *Calls on* the Government of Yemen to ensure, in the framework of scrupulous respect for due process-related rights, fair trial guarantees, including in cases involving the death penalty, and to ensure that the death penalty is not applied to minors, in conformity with commitments undertaken by the Government, including during its universal periodic review in 2009, and notes in this connection the establishment of the Specialized Forensic Technical Committee and the accelerated efforts of the Government to improve birth registration with international assistance;

15. *Encourages and supports* the efforts by the Government of Yemen to promote and protect the rights of children, and calls for early progress in ensuring that appropriate legislative, administrative, social and educational measures are in place to eliminate the occurrence of child, early and forced marriages;

⁶⁸ A/67/845-S/2013/245.

⁶⁹ A/HRC/18/21, A/HRC/19/51 and A/HRC/21/37.

16. *Invites* all bodies of the United Nations system, including the Office of the High Commissioner, and Member States, to assist the transitional process in Yemen, including by supporting the mobilization of resources to tackle the economic and social challenges faced by Yemen, in coordination with the international donor community and according to the priorities set by the Yemeni authorities;

17. *Calls upon* the international community to provide financial support for the Yemen humanitarian response plan of 2013;

18. *Requests* the High Commissioner to provide technical assistance and to work with the Government of Yemen, as needed, to identify additional areas of assistance to enable Yemen to fulfil its human rights obligations;

19. *Requests* the Office of the High Commissioner to present to the Human Rights Council, at its twenty-seventh session, a progress report on the situation of human rights in Yemen and on the follow-up to the present resolution and Council resolutions 18/19, 19/29 and 21/22.

*37th meeting
27 September 2013*

[Adopted without a vote.]

24/33

Technical cooperation for the prevention of attacks against persons with albinism

The Human Rights Council,

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

Reaffirming the Universal Declaration of Human Rights, and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant of Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

Reaffirming also that everyone has the right to life, liberty and security of person and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling the fundamental principle of equality and non-discrimination that underlies the Charter and international human rights instruments,

Reaffirming the right to health and education as enshrined in the Universal Declaration of Human Rights and relevant international human rights treaties,

Taking note of the work of the Special Representative of the Secretary-General on Violence against Children,

Bearing in mind Human Rights Council resolution 23/13 of 13 June 2013,

Expressing grave concern at the attacks against persons with albinism, including against women and children, which are often committed with impunity,

Welcoming the steps taken and the efforts made by the countries concerned, including the initiation of legal action against perpetrators of attacks against persons with albinism, public condemnation of attacks against persons with albinism, and public awareness-raising campaigns,

Noting with appreciation the preliminary report on persons with albinism submitted by the United Nations High Commissioner for Human Rights pursuant to Human Rights Council resolution 23/13,

Inviting the human rights treaty bodies and special procedures of the Human Rights Council to continue to give attention, within their respective mandates, to the situation of human rights of persons with albinism,

Calling upon States to ensure accountability through the conduct of impartial, speedy and effective investigations into attacks against persons with albinism falling within their jurisdiction, and to bring to justice those responsible, as well as to ensure that victims and family members have access to appropriate remedies,

Convinced of the need for effective action to combat and eliminate attacks against persons with albinism and to adopt specific measures to protect and preserve the rights to life and to security of persons with albinism, as well as their right not to be subject to torture and ill-treatment,

1. *Requests* the Human Rights Council Advisory Committee to prepare a study on the situation of human rights of persons living with albinism and to submit a report thereon to the Human Rights Council at its twenty-eighth session;

2. *Decides* to continue its consideration of the matter under the same agenda item at its twenty-eighth session.

*37th meeting
27 September 2013*

[Adopted without a vote.]

24/34

Technical assistance to the Central African Republic in the field of human rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007 and 23/18 of 13 June 2013,

Bearing in mind the situation in the Central African Republic since 24 March 2013,

Reaffirming that all States are under an obligation to promote and protect the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments to which they are party,

In view of the Bamako Declaration adopted on 3 November 2000 by the French-speaking States and Governments, which condemns all coups d'état and any seizure of power through violence, arms or other illegal means,

In view also of the final communiqué of the special meeting of the Heads of State and Government of the Economic Community of Central African States, held in N'Djamena on 21 December 2012, and the political agreement signed in Libreville on 11 January 2013,

Taking into account the efforts undertaken by States members of the Economic Community of Central African States, including those of the chair of the follow-up committee of the Economic Community of Central African States on the situation in the Central African Republic,

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

Concerned about the political, security and humanitarian situation in the Central African Republic, as well as the risk of clashes between communities and religions,

Deeply concerned about all human rights violations and violations of international humanitarian law following the events of 24 March 2013, including those involving summary executions, rape and other forms of sexual abuse, torture, looting and the destruction of property,

Recalling that such violence has led to the mass displacement of people,

Bearing in mind the establishment of a National Transitional Council and the appointment by this Council of a Head of State to oversee the transition,

Bearing in mind also the deployment of the Central African Multinational Force set up by the Economic Community of Central African States in the context of an operation to disarm the militias, train the Central African Armed Forces and secure the electoral process,

1. *Welcomes* the decisions of the Peace and Security Council of the African Union and the conclusions of the fourth special summit of the Heads of State and Government of the Economic Community of Central African States, held in N'Djamena on 18 April 2013, and those of the International Contact Group on the Central African Republic at its meeting on 3 May 2013 in Brazzaville;

2. *Takes note with appreciation* of the interim report of the United Nations High Commissioner for Human Rights;⁷⁰

3. *Condemns* all human rights violations and violations of international humanitarian law, including those involving summary executions, arbitrary arrest and detention, rape and other forms of sexual abuse, the recruitment and use of children by armed groups, looting and the destruction of property;

4. *Calls for* an immediate halt to all such human rights violations and acts of violence, and for the strict observance of all human rights and fundamental freedoms;

5. *Welcomes* the initiatives taken by the Economic Community of Central African States to resolve the Central African crisis, including the decision taken at its special summits in N'Djamena on 3 and 18 April 2013 to set up an institutional transition mechanism in the Central African Republic for a period of up to 18 months;

6. *Supports* current efforts by the African Union and the Economic Community of Central African States to resolve the crisis in the Central African Republic and to bring about a definitive return to constitutional order, peace and security in that country;

7. *Encourages* the efforts of the Economic Community of Central African States, the African Union, the United Nations and the partners of the Central African Republic in the stabilization process, which led to the adoption of a road map on a

⁷⁰ A/HRC/24/59.

transition lasting 18 months, a Government of national unity, a National Transitional Council, a Transition Charter and a Transitional Constitutional Court;

8. *Encourages* the transitional authorities to guarantee freedom of expression, and invites them to organize a free and transparent general election, as called for in the N'Djamena Agreement of 18 April 2013, and ensure adherence to its provisions that prohibit members of the transitional Government from running for office, and that the election be organized with a view to creating conditions conducive to a return to constitutional order, to a lasting and inclusive reconciliation of the different components of the Central African population and to the consolidation of peace, while ensuring that women participate fully in the election and reconciliation processes;

9. *Requests* the support of all stakeholders and all international partners to meet the need for significant financial, humanitarian and technical assistance and for measures identified as urgent priorities by the Central African Republic;

10. *Calls upon* the transitional authorities to take all necessary steps to put an immediate stop, throughout the national territory, to all acts of violence against the civilian population, in strict compliance with the provisions of applicable international human rights law;

11. *Also calls upon* the transitional authorities to ensure respect for the rights and fundamental freedoms of all population groups and to take all necessary steps to ensure there is no impunity for the perpetrators of crimes, acts of violence or any other human rights violations;

12. *Emphasizes* the need for all parties to the conflict to facilitate humanitarian access for United Nations and other humanitarian organizations for all persons in need of assistance, and for humanitarian organizations to continue to deliver appropriate humanitarian assistance to refugees and displaced persons and to respond to the challenges associated with the humanitarian crisis in the Central African Republic;

13. *Decides* to appoint an Independent Expert, for a period of one year, to monitor the situation of human rights in the Central Africa Republic, to make recommendations concerning technical assistance and capacity-building in the field of human rights;

14. *Requests* the Independent Expert to present a preliminary report to the Human Rights Council at its twenty-sixth session;

15. *Requests* the High Commissioner to provide the Independent Expert with the necessary financial and human resources to accomplish his/her mandate;

16. *Decides* to remain seized of this matter.

*37th meeting
27 September 2013*

[Adopted without a vote.]

24/35

Impact of arms transfers on human rights in armed conflicts

The Human Rights Council,

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

Reaffirming that everyone has the right to life, liberty and security of person and is entitled to a social and international order, in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the Geneva Conventions of 12 August 1949, the Additional Protocols thereto of 8 June 1977, other international human rights law and international humanitarian law instruments and the Vienna Declaration and Programme of Action,

Recalling also General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolutions 5/1 and 5/2 and decision 5/101 of 18 June 2007, and resolution 16/21 of 25 March 2011,

Recalling in particular that the Human Rights Council has the mandate to, inter alia, serve as a forum for dialogue on thematic issues on all human rights,

Acknowledging that millions of people around the world are affected by systematic human rights violations and abuses in armed conflicts,

Acknowledging also that human rights law and international humanitarian law are complementary and mutually reinforcing,

Recalling the principles and provisions related to international human rights law and international humanitarian law, and to the promotion of responsible action by States, as contained in the Arms Trade Treaty adopted by the General Assembly on 2 April 2013,⁷¹ as well as in other relevant instruments,

Reaffirming that all efforts should be made to ensure the cessation of all violations and abuses of, and the full respect for, international human rights law and international humanitarian law in armed conflicts,

1. *Expresses its deep concern* at the fact that arms transfers to those involved in armed conflicts may seriously undermine the human rights of civilians, especially women, children, the elderly, persons with disabilities and vulnerable groups;

2. *Notes with alarm* that such arms transfers can have a seriously negative impact on the human rights of women and girls, who may be disproportionately affected by the widespread availability of arms, as it may increase the risk of sexual and gender-based violence, and may also contribute to the recruitment and use of children in armed conflicts;

3. *Urges* all States to refrain from transferring arms to those involved in armed conflicts when said States assess, in accordance with their applicable national procedures and international obligations and standards, that such arms are sufficiently likely to be used to commit or facilitate serious violations or abuses of international human rights law or international humanitarian law;

4. *Invites* all relevant special procedures, commissions of inquiry and human rights treaty bodies to bear the present resolution in mind, within the framework of their respective mandates, when considering the situation of human rights in armed conflicts.

*37th meeting
27 September 2013*

⁷¹ Resolution 67/234 B.

[Adopted by a recorded vote of 42 to 1, with 4 abstentions. The voting was as follows:

In favour:

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

Against:

United States of America

Abstaining:

Kuwait, Mauritania, Qatar, United Arab Emirates]

IV. Decisions

24/101

Outcome of the universal periodic review: Turkmenistan

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Turkmenistan on 22 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Turkmenistan, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/3), the views of Turkmenistan concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/3/Add.1 and A/HRC/24/2, chap. VI).

*19th meeting
18 September 2013*

[Adopted without a vote.]

24/102

Outcome of the universal periodic review: Burkina Faso

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Burkina Faso on 22 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Burkina Faso, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/4), the views of Burkina Faso concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/2, chap. VI).

*19th meeting
18 September 2013*

[Adopted without a vote.]

24/103

Outcome of the universal periodic review: Cape Verde

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Cape Verde on 23 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Cape Verde, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/5), the views of Cape Verde concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/2, chap. VI).

*19th meeting
18 September 2013*

[Adopted without a vote.]

24/104

Outcome of the universal periodic review: Tuvalu

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Tuvalu on 24 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Tuvalu, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/8), the views of Tuvalu concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/8/Add.1 and A/HRC/24/2, chap. VI).

*20th meeting
19 September 2013*

[Adopted without a vote.]

24/105

Outcome of the universal periodic review: Colombia

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of

18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Colombia on 23 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Colombia, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/6), the views of Colombia concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/6/Add.1 and A/HRC/24/2, chap. VI).

*20th meeting
19 September 2013*

[Adopted without a vote.]

24/106

Outcome of the universal periodic review: Uzbekistan

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Uzbekistan on 24 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Uzbekistan, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/7), the views of Uzbekistan concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/7/Add.1 and A/HRC/24/2, chap. VI).

*20th meeting
19 September 2013*

[Adopted without a vote.]

24/107

Outcome of the universal periodic review: Germany

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Germany on 25 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Germany, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/9), the views of Germany concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/9/Add.1 and A/HRC/24/2, chap. VI).

22nd meeting
19 September 2013

[Adopted without a vote.]

24/108

Outcome of the universal periodic review: Djibouti

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Djibouti on 25 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Djibouti, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/10), the views of Djibouti concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/2, chap. VI).

22nd meeting
19 September 2013

[Adopted without a vote.]

24/109

Outcome of the universal periodic review: Canada

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Canada on 26 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Canada, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/11), the views of Canada concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the

interactive dialogue held in the Working Group (A/HRC/24/11/Add.1 and A/HRC/24/2, chap. VI).

*22nd meeting
19 September 2013*

[Adopted without a vote.]

24/110

Outcome of the universal periodic review: Bangladesh

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Bangladesh on 29 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Bangladesh, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/12), the views of Bangladesh concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/12/Add.1 and A/HRC/24/2, chap. VI).

*23rd meeting
20 September 2013*

[Adopted without a vote.]

24/111

Outcome of the universal periodic review: Azerbaijan

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Azerbaijan on 30 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Azerbaijan, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/13), the views of Azerbaijan concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/13/Add.1 and A/HRC/24/2, chap. VI).

*23rd meeting
20 September 2013*

[Adopted without a vote.]

24/112

Outcome of the universal periodic review: Russian Federation

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of the Russian Federation on 29 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of the Russian Federation, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/14), the views of the Russian Federation concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/14/Add.1 and A/HRC/24/2, chap. VI).

*24th meeting
20 September 2013*

[Adopted without a vote.]

24/113

Outcome of the universal periodic review: Cameroon

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Cameroon on 1 May 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Cameroon, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/15), the views of Cameroon concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/2, chap. VI).

*24th meeting
20 September 2013*

[Adopted without a vote.]

24/114**Outcome of the universal periodic review: Cuba**

The Human Rights Council,

Acting in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Cuba on 1 May 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

Decides to adopt the outcome of the universal periodic review of Cuba, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/16), the views of Cuba concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/16/Add.1 and A/HRC/24/2, chap. VI).

*24th meeting
20 September 2013*

[Adopted without a vote.]

24/115**Postponement of renewal of the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context**

At its 34th meeting, on 26 September 2013, the Human Rights Council, recalling Council resolution 16/21 of 25 March 2011 and General Assembly resolution 65/281 of 17 June 2011, in an effort to synchronize schedules for resolutions, mandates and presentation of reports by the special procedures, decided to postpone the renewal of the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context to its twenty-fifth session, and, for that reason, to extend, on an exceptional basis, the mandate of the Special Rapporteur until that session.

[Adopted without a vote.]

24/116**Panel discussion on the safety of journalists**

At its 34th meeting, on 26 September 2013, the Human Rights Council decided to adopt the text below:

“The Human Rights Council,

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

Recalling Human Rights Council resolution 21/12 of 27 September 2012 on the safety of journalists,

Recalling also all relevant resolutions of the Commission on Human Rights and the Human Rights Council, in particular Council resolution 12/16 of 2 October 2009 and all other resolutions on the right to freedom of opinion and expression, Council resolution 13/24 of 26 March 2010 on the protection of journalists in situations of armed conflict, and Council resolution 20/8 of 5 July 2012, on the promotion, protection and enjoyment of human rights on the Internet,

Recalling further all relevant reports by the special procedures of the Human Rights Council with regard to the safety of journalists, in particular the reports of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression⁷² and the Special Rapporteur on extrajudicial, summary or arbitrary executions,⁷³ presented to the Human Rights Council at its twentieth session, and the interactive dialogue thereon,

Deeply concerned at the frequent violations and abuses of the human rights of journalists, including through killing, torture, enforced disappearance, arbitrary detention, expulsion, intimidation, harassment, threats and acts of other forms of violence, as well as through measures, such as surveillance, search and seizure, when aimed at hampering the work of journalists,

Taking note with appreciation of the report of the Office of the United Nations High Commissioner for Human Rights on the safety of journalists⁷⁴ presented to the Human Rights Council at its twenty-fourth session,

Acknowledging in particular the recommendation made in the report to continue to promote the issue of safety of journalists through the Human Rights Council and related panel discussions,

1. *Decides* to convene, at its twenty-sixth session, a panel discussion on the issue of the safety of journalists, with a particular focus on discussing the findings made in the report of the Office of the United Nations High Commissioner for Human Rights,⁷⁴ identifying challenges and further developing good practices for ensuring the safety of journalist by sharing information on initiatives undertaken to protect them;

2. *Requests* the Office of the High Commissioner to organize the panel discussion from within existing resources, in consultation with States, relevant United Nations bodies, funds and programmes, in particular the United Nations Educational, Scientific and Cultural Organization, treaty bodies, special procedures and regional human rights mechanisms, as well as with civil society, non-governmental organizations and national human rights institutions, with a view to ensuring their participation in the panel discussion;

3. *Also requests* the Office of the High Commissioner to prepare and submit a summary report on the panel discussion to the Human Rights Council at its twenty-seventh session.”

[Adopted without a vote.]

⁷² A/HRC/20/17 and Add.1–3.

⁷³ A/HRC/20/22, Corr.1 and Add.1–4.

⁷⁴ A/HRC/24/23.

24/117**High-level panel on the identification of good practices in combating female genital mutilation**

At its 35th meeting, on 27 September 2013, the Human Rights Council decided to adopt the following text:

“The Human Rights Council,

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

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Recalling the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa,

Recalling also General Assembly resolution 67/146 of 20 December 2012 on intensifying global efforts for the elimination of female genital mutilation, further to the decision of the African Union, taken in Malabo on 1 July 2011, to support the adoption by the General Assembly at its sixty-sixth session of a resolution banning female genital mutilation,

Deeply concerned at the fact that, despite the intensification of efforts at the national, regional and international levels, and the emphasis placed on the abandonment of female genital mutilation, this practice persists in all regions of the world,

Taking note of the report of the Secretary-General on ending female genital mutilation,⁷⁵

Recalling, in particular, the Vienna Declaration and Programme of Action, adopted on 25 June 1993 at the World Conference on Human Rights,⁷⁶ the International Conference on Population and Development and its Programme of Action,⁷⁷ and the Beijing Declaration and Platform for Action⁷⁸ and the related follow-up meetings,

Recognizing and underscoring the importance of the issue and the possibility of organizing international discussions on female genital mutilation, as recommended by the General Assembly in resolution 67/146,

1. *Decides* to organize a high-level panel discussion at its twenty-sixth session on the identification of good practices in combating female genital mutilation so that an exchange of views may take place concerning the progress made, good practices, and challenges and obstacles encountered in the effort to combat female genital mutilation, as well as the initiatives undertaken at the national, regional and international levels with a view to its eradication;

⁷⁵ E/CN.6/2012/8.

⁷⁶ A/CONF.157/24 (part I), chap. III.

⁷⁷ *Report of the International Conference on Population and Development*, Cairo, 5–13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

⁷⁸ *Report of the Fourth World Conference on Women*, Beijing, 4–15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

2. *Calls upon* the Office of the United Nations High Commissioner for Human Rights to organize a high-level panel discussion on the identification of good practices in combating female genital mutilation and to consult with States, institutions, the treaty bodies, special procedures mandate holders, the relevant regional human rights mechanisms, parliamentarians, civil society, including non-governmental organizations, and national human rights institutions with a view to ensuring their participation in the panel discussion;

3. *Also calls upon* the Office of the High Commissioner to prepare a summary report on the high-level panel discussion.”

[Adopted without a vote.]

24/118

Establishment of a special fund for the participation of civil society in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights

At its 37th meeting, on 27 September 2013, the Human Rights Council decided to adopt the text below:

“The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action,

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

Recalling also Human Rights Council resolution 6/13 of 28 September 2007 and all subsequent Council resolutions on the Social Forum, Council resolution 6/15 of 28 September 2007 and all subsequent Council resolutions on the Forum on Minority Issues, and Council resolution 17/4 of 16 June 2011 and all subsequent Council resolutions on the Forum on Business and Human Rights,

Acknowledging that civil society, including non-governmental organizations, play an important role at the national, regional and international levels in the promotion and protection of all human rights,

Noting the insufficiency of funding for the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights to ensure broad participation, particularly from relevant parts of civil society that may not be able to finance their own travel,

1. *Requests* the Secretary-General to establish a special fund for the participation of civil society and other relevant stakeholders in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights, to be administered by the Office of the United Nations High Commissioner for Human Rights, in accordance with the financial regulations and rules of the General Assembly, which would be used to support the participation of civil society representatives and other relevant stakeholders in the annual meetings of the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights in accordance with the mandates of these forums, and requests the Office of the High Commissioner to report thereon;

2. *Decides* that the Special Fund for the Participation of Civil Society in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights should aim to facilitate the broadest possible participation of civil society representatives and other relevant stakeholders, and to give priority to the participation of local or national-level non-governmental organizations active in the relevant fields, with particular attention being paid to participants from least developed countries, and that the resources of the Special Fund should be utilized in such a manner as to ensure equal or adequate levels of support for each of the forums;

3. *Calls upon* States to support the participation of civil society and other relevant stakeholders in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights and, to that end, to make voluntary contributions to the Special Fund;

4. *Encourages* intergovernmental and non-governmental organizations and other private or public entities to make voluntary contributions to the Special Fund.”

[Adopted without a vote.]

V. President's statements

PRST/24/1

Reports of the Advisory Committee

At the 37th meeting, on 27 September 2013, the President of the Human Rights Council read out the following statement:

“The Human Rights Council takes note of the reports of the Advisory Committee on its tenth and eleventh sessions (A/HRC/AC/10/3 and A/HRC/AC/11/2) and the recommendation contained in action 11/1, paragraph 4.

It is my understanding that, after consulting with Member States, the present statement does not set any precedent with regard to future reports of the Advisory Committee, which will be dealt with in accordance with Human Rights Council resolutions 5/1 and 16/21.”
