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Agenda item 10

Technical assistance and capacity-building

Canada*, Kyrgyzstan, France, Norway, Portugal*, Somalia*, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution

17/... Technical assistance and cooperation on human rights for Kyrgyzstan

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights and other applicable human rights instruments,

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

Recalling also Human Rights Council resolution 5/1 of 18 June 2007,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments to which they are parties,

Recalling Human Rights Council resolution 14/14 of 18 June 2010,

Welcoming the continued collaboration of the Government of Kyrgyzstan with the international community in improving the human rights situation,

Welcoming also the decision of the Government of Kyrgyzstan to establish an independent international commission and national commissions to investigate the facts and circumstances relevant to the events of June 2010 in southern Kyrgyzstan, and welcoming their reports,

Considering the importance of the promotion and protection of human rights without discrimination based on gender, race, language, religion, ethnic origin, political or other opinion, national or social origin, property, birth or other status, and the contribution of that promotion and protection to political and social stability in the country,

* Non-Member State of the Human Rights Council.

1. *Welcomes* the report of the United Nations High Commissioner for Human Rights on technical assistance and cooperation on human rights for Kyrgyzstan,¹ including the recommendations made in the report;
2. *Calls upon* the Government of Kyrgyzstan to further uphold its commitment to the human rights enshrined in the Universal Declaration of Human Rights and to implement all its international human rights obligations;
3. *Takes note with appreciation* of the constitutional reform of 27 June 2010 making the system of governance more decentralized, and the open manner in which parliamentary elections were held on 10 October 2010;
4. *Acknowledges* the efforts of the Government of Kyrgyzstan to develop, in cooperation with the Organization for Security and Cooperation in Europe, the High Commissioner on Minorities of that body and civil society partners, and the OHCHR Regional Office for Central Asia in Bishkek, a draft national concept for ethnic development and society integration, emphasizing the need for its early adoption and implementation;
5. *Reaffirms* the need to uphold the rights to freedom of peaceful assembly, freedom of expression and freedom of association, strongly condemns the acts that resulted in the killing of protestors on 7 April 2010, and urges the Government of Kyrgyzstan to take special measures to ensure the protection of human rights;
6. *Welcomes* the positive engagement of the Government of Kyrgyzstan in the universal periodical review process, and takes note with appreciation of its acceptance of almost all the recommendations;
7. *Also welcomes* the ongoing efforts of the Government of Kyrgyzstan to further advance the constitutional and legislative reform in progress and to strengthen the protection of human rights and prevention of gender discrimination and violence, including by bringing the perpetrators of gender-based violence to justice and ensuring that victims have access to medical and psychological care;
8. *Expresses* its support and encouragement for efforts made to reform and improve the effectiveness of law enforcement and respect for the rule of law, including consideration for the special needs of women, children and other vulnerable groups, for example, by creating an independent public supervisory board for the police force in Kyrgyzstan;
9. *Urges* the Government of Kyrgyzstan to continue efforts to bring its judicial system into line with its international obligations and to ensure that the judiciary is independent and impartial and that the authorities work in an efficient manner to prosecute perpetrators of human rights violations and abuses and to bring justice to victims, with full respect for due process and the safety of victims, defendants, attorneys and witnesses;
10. *Also urges* the Government of Kyrgyzstan to ensure that progress is made in improving the human rights situation in the areas of administration of justice, torture and arbitrary detention, the right to adequate housing, the rights of women, minority rights and human rights mechanisms;
11. *Calls on* the Government of Kyrgyzstan, in cooperation with relevant stakeholders, to ensure that the legislative framework regulating the penitentiary system and the execution of punishments conforms to its international obligations;

¹ A/HRC/17/41.

12. *Urges* the Government of Kyrgyzstan to promote and protect human rights and fundamental freedoms for all, in particular, to address ongoing arbitrary detentions, torture and corruption by law enforcement and Government officials;

13. *Welcomes* the comments by the Government of Kyrgyzstan in response to the report of the independent international commission, especially its commitment to implement the recommendations of the report and to establish a special commission for that purpose;

14. *Encourages* the Government of Kyrgyzstan to guarantee freedom of the press and ensure an atmosphere in which all media can operate freely;

15. *Urges* the Government of Kyrgyzstan to promote inter-ethnic reconciliation, in particular in the light of the events of June 2010, and calls upon all actors from both inside and outside the country to refrain from violence;

16. *Encourages* the Government of Kyrgyzstan and all parties to make further efforts to continue to engage in a genuine process of open dialogue to promote national reconciliation and strengthen the democratic process to enhance peace for the people of Kyrgyzstan;

17. *Invites* relevant international organizations and States to continue to provide technical assistance and to work with the Government of Kyrgyzstan and other actors, as needed, to identify additional areas of assistance that will aid Kyrgyzstan in fulfilling its human rights obligations;

18. *Requests* the United Nations High Commissioner for Human Rights to continue to provide technical assistance through her office in Bishkek, and to work with the Government of Kyrgyzstan and other actors, as needed, to identify additional areas of assistance that will aid Kyrgyzstan in fulfilling its human rights obligations, to brief the Human Rights Council on progress and to submit a report thereon to the Council for consideration at its twentieth session.
