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Agenda item 10

Technical assistance and capacity-building

Angola, Australia*, Austria, Botswana, Brazil*, Cambodia*, Colombia*, Costa Rica, Croatia*, Cuba, Djibouti, Equatorial Guinea*, Ethiopia*, Finland*, Georgia*, Greece*, Guatemala, Honduras*, Hungary, Indonesia, Iran (Islamic Republic of)*, Ireland*, Italy, Japan*, Lebanon*, Lesotho*, Malaysia, Mauritius, Mexico, Morocco*, Nicaragua*, Norway, Panama*, Paraguay*, Peru, Poland, Portugal*, Republic of Moldova, Serbia*, Singapore*, Somalia*, Sweden*, Thailand, Timor-Leste*, Tunisia*, Turkey*, Uruguay, Venezuela (Bolivarian Republic of)*, Viet Nam*: draft resolution

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

The Human Rights Council,

Guided by the purposes and principles of the 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,

Emphasizing that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of States to prevent human rights violation 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, which aim to enable the Council to fulfil such a mandate,

* Non-Member State of the Human Rights Council.

Reaffirming the resolutions of the Commission on Human Rights that provided the foundation for advisory services and technical cooperation in the field of human rights, in particular resolutions 1993/87 of 10 March 1993 and 2004/81 of 21 April 2004,

Reaffirming also Human Rights Council resolution 18/18 of 29 September 2011,

Acknowledging one of the responsibilities of the United Nations High Commissioner for Human Rights and her Office in providing advisory services and technical and financial assistance, at the request of the State concerned, with a view to supporting actions and programmes in the field of human rights,

Acknowledging also the role and potential impact of the activities of the relevant agencies of the United Nations and international and regional organizations, as well as the contribution of civil society organizations in providing States with technical support and assistance on the basis of needs and requests of the States concerned in the implementation of their human rights obligations and their voluntary pledges and commitments, including accepted universal periodic review recommendations,

Reaffirming the important and constructive role played by existing national and regional human rights institutions in the promotion and protection of human rights, in particular in their advisory capacity to the competent authorities,

1. *Reaffirms* that States have the primary responsibility for the promotion and protection of all human rights;

2. *Emphasizes* the need to promote a cooperative and constructive approach and international cooperation for the promotion and protection of human rights, and to enhance the role of the Human Rights Council in promoting advisory services, technical assistance and capacity-building, particularly through discussions held under agenda item 10;

3. *Decides*, in accordance with paragraphs 3 and 4 of Human Rights Council resolution 18/18, that the theme for an annual thematic panel discussion under agenda item 10, to be held during the twenty-second session of the Council, shall be “Promoting technical cooperation for the strengthening of the judiciary system and administration of justice in order to ensure human rights and rule of law”;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to prepare a report on activities undertaken by the Office, other relevant United Nations agencies, in particular the United Nations Office on Drugs and Crime, and, where applicable, regional organizations to support efforts by States to strengthen their judiciary system and administration of justice, for submission to the Human Rights Council at its twenty-second 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 a positive impact on the ground, with a view to ensuring their participation in the thematic panel discussion;

5. *Encourages* States 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, particularly in response to the information on technical assistance and capacity-building provided by the High Commissioner and the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, in accordance with paragraphs 7 and 8 of Council resolution 18/18;

6. *Emphasizes* that the discussion to promote technical cooperation and capacity-building in the Human Rights Council should be based on consultations with and the consent of the States concerned, and should take into account their needs and aim to make a concrete impact on the ground, while technical assistance -shall be provided upon the request of States concerned;

7. *Emphasizes also* that technical cooperation projects should be designed and implemented taking into account the principle that civil, political, economic, social and cultural rights are interdependent;

8. *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;

9. *Welcomes* the panel discussion, held under agenda item 10 at the nineteenth session of the Human Rights Council, on the theme “Sharing of best practices and promoting technical cooperation: paving the way towards the second cycle of the universal periodic review”, the presentations given under agenda item 10 at the twentieth session of the Council by the High Commissioner for Human Rights and the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, as well as the constructive dialogue among Members and observers of the Council generated therefrom;

Technical cooperation and the universal periodic review

10. *Recognizes* that technical cooperation, including the sharing of experiences, best practices, expertise and capacity-building, is a useful tool to promote the implementation of all international human rights obligations and the accepted universal periodic review recommendations;

11. *Affirms* that the universal periodic review process as a channel to initiate constructive dialogue on human rights and explore avenues for technical cooperation with States under review and that the accepted universal periodic review recommendations, pledges and commitments could serve as a platform to develop and strengthen technical cooperation among States and between States and relevant United Nations agencies, as well as to develop partnerships among United Nations agencies, in order to support the implementation of international human rights obligations by States;

12. *Encourages* donor countries and relevant United Nations agencies to take technical assistance needs, as identified by States under review, for supporting States’ efforts to implement universal periodic review recommendations into consideration in the formulation of their bilateral technical cooperation programmes;

13. *Welcomes* the contributions made by States towards the process of follow-up and implementation of universal periodic review recommendations in States under review, and encourages all States to contribute to the follow-up and implementation of such recommendations by States under review through, inter alia, the sharing of experiences, best practices and expertise and the offering of technical assistance, on the basis of requests and consent of the States concerned;

14. *Also welcomes* efforts made by the Office of the High Commissioner and other relevant United Nations agencies to promote and support the implementation of universal periodic review recommendations by States, including the strengthening by the Office of its capacity to provide such support, and calls for the Office and other relevant United Nations agencies to continue to provide timely and quality support for States’ requests in their efforts to implement the accepted universal periodic review

recommendations and the preparation of their national reports for the review, and encourages greater coordination in this regard;

15. *Stresses* the important role of the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review in promoting the implementation of accepted universal periodic review recommendations, and encourages States and other donors to make a contribution to the Fund in order to meet the increased demand for assistance, and also encourages the Office of the High Commissioner to establish transparent criteria for its allocation;

16. *Recognizes* that existing national human rights institutions and civil society can play an important role in supporting the implementation of accepted universal periodic review recommendations and the preparation of national universal periodic review reports, and hence encourages States and relevant United Nations agencies to provide technical assistance and capacity-building for and to collaborate with these actors in those processes.
