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COMMISSION ON HUMAN RIGHTS  
Fifty-ninth session  
Agenda item 17

**PROMOTION AND PROTECTION OF HUMAN RIGHTS**

**Albania\*, Andorra\*, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria\*, Canada, Chile, Croatia, Cyprus\*, Czech Republic\*, Denmark\*, Ecuador\*, Estonia\*, Finland\*, France, Georgia\*, Germany, Greece\*, Guatemala, Hungary\*, Iceland\*, Ireland, Italy\*, Latvia\*, Liechtenstein\*, Lithuania\*, Luxembourg\*, Malta\*, Mexico, Monaco\*, Morocco\*, Netherlands\*, New Zealand\*, Nicaragua\*, Niger\*, Nigeria\*, Norway\*, Pakistan, Poland, Portugal\*, Republic of Korea, Romania\*, San Marino\*, Serbia and Montenegro\*, Slovakia\*, Slovenia\*, South Africa, Spain\*, Sri Lanka, Sweden, Switzerland\*, Thailand, Timor-Leste\*, Tunisia\*, Turkey\*, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela: draft resolution**

**2003/... Human rights defenders**

*The Commission on Human Rights,*

*Recalling* General Assembly resolution 53/144 of 9 December 1998, by which the Assembly adopted by consensus 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, annexed to that resolution,

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

*Reiterating* the importance of the Declaration and stressing the importance of its wide dissemination,

*Recalling* all previous resolutions on this subject, in particular its resolution 2002/70 of 25 April 2002 and General Assembly resolution 57/209 of 18 December 2002,

*Noting* with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are facing threats, harassment and insecurity as a result of those activities,

*Gravely concerned* by the human rights violations committed against persons engaged in promoting and defending human rights and fundamental freedoms around the world,

*Recalling* that human rights defenders are entitled to equal protection of the law, and deeply concerned about any abuse of civil or criminal proceedings against them because of their activities for the promotion and protection of human rights and fundamental freedoms,

*Concerned* at the considerable number of communications received by the Special Representative of the Secretary-General on human rights defenders that, together with the reports submitted by some of the special procedure mechanisms, indicate the serious nature of the risks faced by human rights defenders and, particularly, the severe consequences for women human rights defenders,

*Noting* with deep concern that, in a number of countries in all regions of the world, impunity for threats, attacks and acts of intimidation against human rights defenders persists and that this impacts negatively on the work and safety of human rights defenders,

*Emphasizing* the important role that individuals, non-governmental organizations and groups play in the promotion and protection of human rights and fundamental freedoms, including in combating impunity and in promoting, strengthening and preserving democracy,

*Recalling* that under the International Covenant on Civil and Political Rights certain rights are recognized as non-derogable, and emphasizing that derogation from other rights and freedoms can only take place under strict observance of the agreed conditions and procedures identified under article 4 of the Covenant,

*Acknowledging* the significant work conducted by the Special Representative of the Secretary-General during the first three years of this mandate, and welcoming the cooperation between the Special Representative and other special procedures of the Commission on Human Rights,

*Welcoming* regional initiatives for the promotion and protection of human rights and the cooperation between international and regional mechanisms for the protection of human rights defenders, and encouraging further development in this regard,

*Recalling* that the primary responsibility for promoting and protecting human rights rests with the State, and noting with deep concern that the activities of some non-State actors pose a major threat to the security of human rights defenders,

*Emphasizing* the need for strong and effective measures for the protection of human rights defenders,

1. *Calls upon* all States to promote and give full effect to 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;

2. *Welcomes* the reports of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2001/94, A/56/341, E/CN.4/2002/106 and Add.1-2, A/57/182 and E/CN.4/2003/104 and Add.1-4);

3. *Condemns* all human rights violations committed against persons engaged in promoting and defending human rights and fundamental freedoms around the world and urges States to take all appropriate action, consistent with the Declaration and all other relevant human rights instruments, to eliminate such human rights violations;

4. *Calls upon* all States to take all necessary measures to ensure the protection of human rights defenders;

5. *Emphasizes* the importance of combating impunity and urges in this regard States to take appropriate measures to address the question of impunity for threats, attacks and acts of intimidation against human rights defenders;

6. *Urges* all Governments to cooperate with and assist the Special Representative in the performance of her tasks and to furnish all information for the fulfilment of her mandate upon request;

7. *Calls upon* Governments to give serious consideration to responding favourably to the Special Representative's requests to visit their countries and urges them to enter into a constructive dialogue with the Special Representative with respect to the follow-up to her recommendations, so as to enable her to fulfil her mandate even more effectively;

8. *Urges* those Governments that have not yet responded to the communications transmitted to them by the Special Representative to answer without further delay;

9. *Invites* Governments to consider translating the Declaration into national languages and encourages them to disseminate it widely;

10. *Decides* to extend the mandate of the Special Representative of the Secretary-General on human right defenders for a further three years and requests the Special Representative to continue to report on her activities to the General Assembly and to the Commission in accordance with her mandate;

11. *Requests* the Secretary-General to provide the Special Representative with all necessary human, material and financial resources in order to enable her to continue to carry out her mandate effectively, including through country visits;

12. *Requests* all concerned United Nations agencies and organizations, within their mandates, to provide all possible assistance and support to the Special Representative in the implementation of her programme of activities;

13. *Decides* to consider this question at its sixtieth session, under the same agenda item;

14. *Recommends* the following draft decision to the Economic and Social Council for adoption:

“The Economic and Social Council, taking note of Commission on Human Rights resolution 2003/... of ... April 2003, approves the Commission’s decision to extend the mandate of the Special Representative of the Secretary-General on human rights defenders for a further three years, and approves the Commission’s request that the Special Representative continue to report on her activities to the General Assembly and to the Commission.”

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