



General Assembly

Distr.
LIMITED

A/HRC/11/L.10
11 August 2009

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Eleventh session
Agenda item 1
Organizational and procedural matters
2-18 June 2009

**DRAFT REPORT OF THE HUMAN RIGHTS COUNCIL
ON ITS ELEVENTH SESSION**

Vice-President and Rapporteur: Mr. Elchin Amirbayov (Azerbaijan)

CONTENTS

<i>Chapter</i>	<i>Paragraphs</i>	<i>Page</i>
Part One: Resolutions and decisions		5
I. Resolutions adopted by the Council at its eleventh session		5
II. Decisions adopted by the Council at its eleventh session		5
Part Two: Summary of proceedings		6
I. Organizational and procedural matters	1 - 36	6
A. Opening and duration of the session	1 - 5	6
B. Attendance	6	6
C. Agenda and programme of work of the session	7	6
D. Organization of work	8 - 15	6
E. Meetings and documentation	16 - 22	8
F. Visits	23 - 26	8
G. Panel discussion on the work format of panels	27 - 29	9
H. Selection and appointment of mandate holders	30 - 31	9
I. Adoption of the report of the session and the annual report	32 - 36	9
II. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General	37 - 42	11
A. Update by the United Nations High Commissioner for Human Rights	37 - 40	11
B. Reports of the Office of the United Nations High Commissioner for Human Rights and the Secretary-General	41 - 42	12
III. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development	43 - 140	13
A. Interactive dialogue with special procedures	43 - 84	13
B. Panels	85 - 97	22

CONTENTS (*continued*)

<i>Chapter</i>	<i>Paragraphs</i>	<i>Page</i>
III. (<i>continued</i>)		
C. General debate on agenda item 3	98 - 99	25
D. Consideration of and action on draft proposals	100 - 140	27
IV. Human rights situations that require the Council's attention	141 - 160	35
A. General debate on agenda item 4	141 - 143	35
B. Interactive dialogue with special procedures	144 - 147	36
C. Consideration of and action on draft proposals	148 - 160	37
V. Human rights bodies and mechanisms	161 - 167	40
A. Complaint procedure	161 - 162	40
B. General debate on agenda item 5	163	40
C. Consideration of and action on draft proposals	164 - 167	40
VI. Universal periodic review	168 - 746	42
A. Consideration of universal periodic review outcomes	170 - 721	42
B. General debate on agenda item 6	722 - 725	177
C. Consideration of and action on draft proposals	726 - 746	178
VII. Human rights situation in Palestine and other occupied Arab territories	747 - 751	182
A. Follow-up to Human Rights Council resolution S-9/1	747 - 750	182
B. General debate on agenda item 7	751	182
VIII. Follow-up to and implementation of the Vienna Declaration and Programme of Action	752 - 755	184
A. General debate on agenda item 8	752 - 753	184
B. Consideration of and action on draft proposals	754 - 755	185

CONTENTS (*continued*)

<i>Chapter</i>	<i>Paragraphs</i>	<i>Page</i>
IX. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action	756 - 768	186
A. Interactive dialogue with special procedures	756 - 759	186
B. General debate on agenda item 9	760 - 761	186
C. Consideration of and action on draft proposals	762 - 768	187
X. Technical assistance and capacity-building	769 - 774	189
A. Interactive dialogue with special procedures	769 - 773	189
B. General debate on agenda item 10	774	190
Annexes		
I. Attendance		191
II. Administrative and programme budget implications of resolutions adopted by the Council at its eleventh session		196
III. Agenda		204
IV. List of documents issued for the eleventh session of the Human Rights Council		205
V. List of special procedures mandate holders appointed by the Council at its eleventh session		221

Part One: Resolutions and decisions

[To be added in the final report]

I. Resolutions adopted by the Council at its eleventh session

[To be added in the final report]

II. Decisions adopted by the Council at its eleventh session

[To be added in the final report]

Part Two: Summary of proceedings

I. Organizational and procedural matters

A. Opening and duration of the session

1. The Human Rights Council held its eleventh session at the United Nations Office at Geneva from 2 to 18 June 2009. The President of the Council opened the session.
2. At its 12th meeting, on 8 June 2009, the Council observed one minute of silence for the victims of the Air France flight 447 accident.
3. At the 13th meeting, on 9 June 2009, the President made a statement in relation to his visits to Brazil and Bahrain.
4. In accordance with rule 8 (b) of the rules of procedure of the Council, as contained in part VII of the annex to Council resolution 5/1, the organizational meeting of the eleventh session was held on 15 May 2009.
5. The eleventh session consisted of 29 meetings over 13 days (see paragraph 16 below).

B. Attendance

6. The session was attended by representatives of States Members of the Council, observer States of the Council, observers for non-Member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations (see annex I).

C. Agenda and programme of work of the session

7. At its 1st meeting, on 2 June 2009, the Council adopted the agenda and programme of work of the eleventh session.

D. Organization of work

8. At the 1st meeting, on 2 June 2009, the President outlined the modalities for the interactive dialogue with mandate holders of special procedures under agenda item 3, which would be as follows: 10 minutes for the presentation by the mandate holder of the main report, with a

further 2 minutes to present each additional report; 5 minutes for concerned countries, if any, and States Members of the Council; 3 minutes for statements by observer States of the Council and other observers, including United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations; and 5 minutes for concluding remarks by the mandate holder.

9. At the 6th meeting, on 4 June 2009, the President outlined the modalities for the full-day discussion on women's human rights, which would be 7 minutes for panellists, 3 minutes for States Members of the Council and 2 minutes for observer States and other observers.

10. At the 8th meeting, on 4 June 2009, the President outlined the modalities for the general debate on the update by the United Nations High Commissioner of the activities of her Office, which would be 3 minutes for Member States and 2 minutes for observer States and other observers.

11. At the 10th meeting, on 5 June 2009, the President outlined the modalities for the general debate on reports of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Secretary-General, which would be 3 minutes for States Members of the Council and 2 minutes for observer States and other observers.

12. At the 11th meeting, on 8 June 2009, the President outlined the modalities for the general debate on agenda item 4, which would be 3 minutes for States Members of the Council and 2 minutes for observer States and other observers.

13. At the 13th meeting, on 9 June 2009, the President outlined the modalities for the general debate on agenda item 5, which would be 3 minutes for States Members of the Council and 2 minutes for observer States and other observers.

14. At the 14th meeting, on 9 June 2009, the President outlined the modalities for the consideration of the outcomes of the universal periodic review under agenda item 6, which would be 20 minutes for the State concerned to present its views; up to 20 minutes for States Members of the Council, observer States and United Nations agencies to express their views on the outcome of the review and whenever necessary, and in order to accommodate the maximum

number of speakers; 2 minutes for States Members and observer States; and up to 20 minutes for stakeholders to make general comments on the outcome of the review, of which 2 minutes would be given to each speaker.

15. At the 19th meeting, on 12 June 2009, the President outlined the modalities for the general debate on agenda item 6, which would be 3 minutes for States Members of the Council and 2 minutes for observer States and other observers.

E. Meetings and documentation

16. The Council held 29 fully serviced meetings during its eleventh session.

17. The text of the resolutions and decisions adopted by the Council is contained in Part One of the present report.

18. Annex I contains the list of attendance.

19. Annex II contains the estimated administrative and programme budget implications of Council resolutions and decisions.

20. Annex III contains the agenda of the Council, as included in section V of the annex to Council resolution 5/1.

21. Annex IV contains the list of documents issued for the eleventh session of the Council.

22. Annex V contains the list of special procedures mandate holders appointed by the Council at its eleventh session.

F. Visits

23. At the 2nd meeting, on 2 June 2009, the Minister for Disaster Management and Human Rights of Sri Lanka, Mahinda Samarasinghe, delivered a statement to the Council.

24. At the 8th meeting, on 4 June 2009, the Minister for Justice, National Cohesion and Constitutional Affairs of Kenya, Mutula Kilonzo, delivered a statement to the Council.

25. At the 21st meeting, on 15 June 2009, the President of Brazil, Luiz Inácio Lula da Silva, made a statement to the Council.

26. At the 24th meeting, on 16 June 2009, the Vice-President of Nigeria, Goodluck Ebele Jonathan, made a statement to the Council.

G. Panel discussion on the work format of panels

27. At its 20th meeting, on 12 June 2009, the Council held a panel discussion on the work format of panels. The President made introductory remarks for the panel discussion.

28. During the ensuing discussion at the same meeting, the following made statements:

(a) Representatives of States Members of the Council: Brazil, Canada, China, Czech Republic¹ (on behalf of the European Union), India, Indonesia, Mexico, Nigeria, Pakistan, Philippines, Senegal, Switzerland;

(b) Representatives of the following observer States: Algeria, United States of America;

(c) Observer for a non-governmental organization: Arab Commission for Human Rights.

29. Also at the same meeting, the President made concluding remarks for the discussion.

H. Selection and appointment of mandate holders

30. At its 28th meeting, on 18 June 2009, the Council appointed mandate holders in accordance with Council resolutions 5/1 and 6/36 (see annex V).

31. At the same meeting, the representative of India made a statement in relation to the appointment of mandate holders. The statement is available on the extranet of the Council.

I. Adoption of the report of the session and the annual report

32. At the 29th meeting, on 18 June 2009, the Rapporteur and Vice-President of the Council made a statement in connection with the draft report of the Council (A/HRC/11/L.10) and the annual report of the third year of the Council.

¹ Observer of the Council speaking on behalf of Member States and observer States.

33. At the same meeting the Council adopted the draft reports ad referendum and decided to entrust the Rapporteur with their finalization.

34. Also at the same meeting, the representative of Uganda and the observer for Amnesty International made general remarks in relation to the session.

35. At the same meeting, the representatives of Egypt and the Sudan made statements in exercise of the right of reply.

36. Also at the same meeting, the President of the Council made a closing statement.

II. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

A. Update by the United Nations High Commissioner for Human Rights

37. At the 8th meeting, on 4 June 2009, the United Nations High Commissioner for Human Rights made a statement providing an update of the activities of her Office.

38. At the same meeting, the representatives of Afghanistan, Chad, Colombia, the Democratic Republic of the Congo, Iraq, Israel, Nepal, Pakistan, Somalia, Sri Lanka and the Sudan made statements as concerned countries, and the representative of Palestine made a statement as a concerned party.

39. During the ensuing general debate at the same meeting, and at the 9th meeting, on 5 June 2009, the following made statements:

(a) Representatives of States Members of the Council: Argentina, Azerbaijan, Brazil, Canada, Chile, China, Cuba (on behalf of the Non-Aligned Movement), Czech Republic¹ (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Egypt (on behalf of the Group of African States), France, Germany, India, Indonesia, Japan, Jordan, Malaysia, Mexico, Nigeria, Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Qatar, Republic of Korea, Russian Federation, Slovenia, Switzerland, United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Denmark, Ireland, Kazakhstan, Maldives, Morocco, Norway, Turkey, United States of America;

(c) Observers for the following non-governmental organizations: Amnesty International, Arab Commission for Human Rights, Asia Forum for Human Rights and Development, Asia Pacific Forum on Women, Law and Development, Asian Legal Resource Centre, Cairo Institute for Human Rights Studies, Canadian HIV/AIDS Legal Network, Colombian Commission of Jurists, Commission to Study the Organization of Peace, France Libertés: Fondation Danielle Mitterrand, Human Rights Council of Australia, Indian Council of South America, Indian

Movement Tupaj Amaru, International Institute for Non-Aligned Studies, International Movement against All Forms of Discrimination and Racism (also on behalf of the Lutheran World Federation and Pax Romana), Nord-Sud XXI.

40. At the 10th meeting, on 5 June 2009, statements in exercise of the right of reply were made by the representatives of Nepal and Sri Lanka.

B. Reports of the Office of the United Nations High Commissioner for Human Rights and the Secretary-General

41. At the 10th meeting, on 5 June 2009, the Deputy High Commissioner for Human Rights presented thematic reports prepared by the Office of the High Commissioner and the Secretary-General.

42. At the same meeting, and at the 11th meeting, on 8 June 2009, the Council held a general debate on thematic reports presented by the Deputy High Commissioner (see paragraphs 98-99).

III. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

A. Interactive dialogue with special procedures

Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises

43. At the 1st meeting, on 2 June 2009, the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises, John Ruggie, presented his reports (A/HRC/11/13 and Add.1).

44. During the ensuing interactive dialogue at the same meeting, and at the 2nd meeting on the same day, the following made statements and asked the Special Representative questions:

(a) Representatives of States Members of the Council: Argentina, Brazil, Canada, China, Czech Republic¹ (on behalf of the European Union), Egypt (on behalf of the Group of African States), France, Ghana, India, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Switzerland, United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Denmark, Finland, Norway, Sweden, United States of America;

(c) Observer for an intergovernmental organization: European Commission;

(d) Observer for a national human rights institution: International Coordinating Committee of National Human Rights Institutions;

(e) Observers for the following non-governmental organizations: Amnesty International, Europe Third World Centre (also on behalf of Mouvement contre le racisme et pour l'amitié entre les peuples and the Women's International League for Peace and Freedom), Human Rights Advocates, International Federation of Human Rights Leagues, Nord-Sud XXI.

45. At the 2nd meeting, on 2 June 2009, the Special Representative answered questions and made his concluding remarks.

Special Rapporteur on the human rights of migrants

46. At the 1st meeting, on 2 June 2009, the Special Rapporteur on the human rights of migrants, Jorge A. Bustamante, presented his reports (A/HRC/11/7 and Add.1-3).

47. At the same meeting, the representatives of Guatemala and Mexico made statements as concerned countries.

48. During the ensuing interactive dialogue at the same meeting, and at the 2nd meeting on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Argentina, Azerbaijan, Brazil, China, Czech Republic¹ (on behalf of the European Union), Egypt (on behalf of the Group of African States), Indonesia, Philippines, Russian Federation, Senegal;

(b) Representatives of the following observer States: Algeria, Costa Rica, Ecuador, Spain, Thailand, Turkey;

(c) Observer for a national human rights institution: National Human Rights Commission of Mexico;

(d) Observers for the following non-governmental organizations: Amnesty International, Arab Commission for Human Rights, Human Rights Watch, International Commission of Jurists.

49. At the 2nd meeting, on 2 June 2009, the Special Rapporteur answered questions and made his concluding remarks.

50. Also at the same meeting, a statement in exercise of the right of reply was made by the representative of Thailand.

Special Rapporteur on the right to education

51. At the 1st meeting, on 2 June 2009, the Special Rapporteur on the right to education, Vernor Muñoz Villalobos, presented his reports (A/HRC/11/8 and Add.1-3).

52. At the same meeting, the representatives of Guatemala and Malaysia made statements as concerned countries.

53. During the ensuing interactive dialogue at the same meeting, and at the 2nd meeting on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Argentina, Brazil, China, Czech Republic¹ (on behalf of the European Union), Djibouti, Egypt (on behalf of the Group of African States), Indonesia, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Switzerland, United Arab Emirates¹ (on behalf of the Group of Arab States);

(b) Representatives of the following observer States: Algeria, Costa Rica, Morocco, Portugal, Thailand, Yemen;

(c) Observer for Palestine;

(d) Observer for a national human rights institution: Human Rights Commission of Malaysia;

(e) Observers for the following non-governmental organizations: Arab Commission for Human Rights, Friends World Committee for Consultation (Quakers), General Federation of Iraqi Women.

54. At the 2nd meeting, on 2 June 2009, the Special Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on the independence of judges and lawyers

55. At the 2nd meeting, on 2 June 2009, the Special Rapporteur on the independence of judges and lawyers, Leandro Despouy, presented his reports (A/HRC/11/41 and Add.1-3).

56. At the same meeting, the representatives of Guatemala and the Russian Federation made statements as concerned countries.

57. During the ensuing interactive dialogue at the same meeting, and at the 3rd and 4th meetings, on 3 June 2009, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Argentina, Azerbaijan, Brazil, Cuba, Czech Republic¹ (on behalf of the European Union), Indonesia, Italy, Jordan, Mexico, Nigeria, Pakistan, Switzerland, United Arab Emirates¹ (on behalf of the Group of Arab States);

(b) Representatives of the following observer States: Austria, Colombia, Hungary, Maldives, New Zealand, Sudan, United States of America, Venezuela (Bolivarian Republic of);

(c) Observers for the following non-governmental organizations: Amnesty International, Asian Legal Resource Centre, International Commission of Jurists (also on behalf of Centro de Derechos Humanos Miguel Agustín Pro Juárez, Human Rights Watch and the World Organization against Torture), Lawyers Rights Watch Canada, Society for Threatened Peoples, Union of Arab Jurists.

58. At the 4th meeting, on 3 June 2009, the Special Rapporteur answered questions and made his concluding remarks.

59. At the 6th meeting, on 4 June 2009, a statement in exercise of the right of reply was made by the representative of Mexico.

60. At the 10th meeting, on 5 June 2009, a statement in exercise of the right of reply was made by the representative of Colombia.

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

61. At the 2nd meeting, on 2 June 2009, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue Lewy, presented his reports (A/HRC/11/4 and Add.1-3).

62. At the same meeting, the representatives of Honduras and Maldives made statements as concerned countries.

63. During the ensuing interactive dialogue at the same meeting, and at the 3rd and 4th meetings, on 3 June 2009, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Argentina, Azerbaijan, Brazil, Canada, Chile, Cuba, Czech Republic¹ (on behalf of the European Union), Egypt (also on behalf of the Group of African States), France, India, Indonesia, Italy, Jordan, Malaysia, Mexico, Netherlands, Nigeria, Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Slovenia, South Africa, Switzerland, United Arab Emirates¹ (on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Belgium, Colombia, Denmark, Greece, Luxembourg, Morocco, New Zealand, Norway, Peru, Sri Lanka, Sudan, Sweden, Thailand, Turkey, United States of America, Venezuela (Bolivarian Republic of), Yemen;

(c) Observers for the following non-governmental organizations: Amnesty International, Asian Legal Resource Centre, Canadian HIV/AIDS Legal Network, Human Rights Council of Australia, Reporters without Borders.

64. At the 4th meeting, on 3 June 2009, the Special Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

65. At the 2nd meeting, on 2 June 2009, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, presented his reports (A/HRC/11/12 and Add.1 and 2).

66. During the ensuing interactive dialogue at the same meeting, and at the 3rd and 4th meetings, on 3 June 2009, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Brazil, China, Cuba, Czech Republic¹ (on behalf of the European Union), Djibouti, Egypt (on behalf of the Group of

African States), India, Indonesia, Mexico, Nigeria, Pakistan, Philippines, Russian Federation, Switzerland, United Arab Emirates¹ (on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Australia, Colombia, Luxembourg, Morocco, Norway, Sri Lanka, Thailand, United States of America, Yemen;

(c) Observer for Palestine;

(d) Observer for an intergovernmental organization: European Commission;

(e) Observers for the following non-governmental organizations: Action Canada for Population and Development, Association for World Citizens, Conectas Direitos Humanos.

67. At the 4th meeting, on 3 June 2009, the Special Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on extrajudicial, summary or arbitrary executions

68. At the 4th meeting, on 3 June 2009, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, presented his reports (A/HRC/11/2 and Add.1-8).

69. At the same meeting, the representatives of Afghanistan, Brazil, Kenya and the United States of America made statements as concerned countries.²

70. During the ensuing interactive dialogue at the 5th meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Canada, Czech Republic¹ (on behalf of the European Union), India, Netherlands, Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Russian Federation, Switzerland, United Kingdom of Great Britain and Northern Ireland;

² For the written response of Guatemala to the report of the Special Rapporteur on the follow-up to his mission to Guatemala (A/HRC/11/2/Add.7) see A/HRC/11/G/3.

(b) Representatives of the following observer States: Australia, Austria, Colombia, Denmark, Iran (Islamic Republic of), Norway, Sri Lanka, Sweden;

(c) Observers for national human rights institutions: Afghanistan Independent Human Rights Commission, Commission on Human Rights of the Philippines, Kenya National Commission on Human Rights;

(d) Observers for the following non-governmental organizations: Amnesty International, Arab Commission for Human Rights, Asian Legal Resource Centre, Commonwealth Human Rights Initiative, Conectas Direitos Humanos, General Federation of Iraqi Women, International Human Rights Association of American Minorities (also on behalf of the World Muslim Congress), Society for Threatened Peoples, Union of Arab Jurists.

71. At the same meeting, the Special Rapporteur answered questions and made his concluding remarks.

72. At the 10th meeting, on 5 June 2009, a statement in exercise of the right of reply was made by the representative of Brazil.

Special Rapporteur on violence against women, its causes and consequences

73. At the 4th meeting, on 3 June 2009, the Special Rapporteur on violence against women, its causes and consequences, Yakin Ertürk, presented her reports (A/HRC/11/6 and Add.1-6).

74. At the same meeting, the representatives of the Republic of Moldova, Saudi Arabia and Tajikistan made statements as concerned countries.

75. During the ensuing interactive dialogue at the 5th meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Brazil, Burkina Faso, Canada, Cuba, Czech Republic¹ (on behalf of the European Union), Djibouti, Egypt, Indonesia, Italy, Japan, Nigeria, Pakistan (on behalf of the Organization of the Islamic Conference), Republic of Korea, Russian Federation, Senegal, Slovenia, Switzerland, United Arab Emirates¹ (on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Belgium, Colombia, Denmark, Finland, Iceland, Maldives, New Zealand, Norway, Sweden, Thailand, Turkey, United States of America;

(c) Observer for Palestine;

(d) Observer for the Holy See;

(e) Observers for the following non-governmental organizations: Amnesty International, Arab Commission for Human Rights, Centro de Derechos Humanos Miguel Agustín Pro Juárez (also on behalf of the Asia Pacific Forum on Women, Law and Development and the World Organization against Torture), General Federation of Iraqi Women.

76. At the 6th meeting, on 4 June 2009, the Special Rapporteur answered questions and made her concluding remarks.

77. At the same meeting, a statement in exercise of the right of reply was made by the representative of Mexico.

Independent expert on the question of human rights and extreme poverty

78. At the 9th meeting, on 5 June 2009, the independent expert on the question of human rights and extreme poverty, María Magdalena Sepúlveda Carmona, presented her reports (A/HRC/11/9 and Add.1).

79. At the same meeting, the representative of Ecuador made a statement as a concerned country.

80. During the ensuing interactive dialogue at the same meeting, and at the 10th meeting, on the same day, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Bangladesh, Brazil, Chile, China, Cuba, Czech Republic¹ (on behalf of the European Union), Djibouti, Egypt, France, Ghana, India, Mexico, Nigeria, Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Russian Federation, Senegal, United Arab Emirates¹ (on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland, Zambia;

(b) Representatives of the following observer States: Algeria, Morocco, Peru, Tunisia, Turkey, United States of America, Venezuela (Bolivarian Republic of), Yemen;

(c) Observer for Palestine;

(d) Observer for a national human rights institution: Defensoria del Pueblo de Ecuador;

(e) Observers for the following non-governmental organizations: Arab Commission for Human Rights, Colombian Commission of Jurists, Franciscans International, Indian Movement Tupaj Amaru, International Human Rights Association of American Minorities (also on behalf of the International Association of Schools of Social Work), International Movement ATD Fourth World, Nord-Sud XXI.

81. At the 10th meeting, on the same day, the independent expert answered questions and made her concluding remarks.

Independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights

82. At the 9th meeting, on 5 June 2009, the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights, Cephias Lumina, presented his report (A/HRC/11/10).

83. During the ensuing interactive dialogue at the same meeting, and at the 10th meeting, on the same day, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Bangladesh, Brazil, Cameroon, China, Cuba, Egypt, Ghana, Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Russian Federation, United Arab Emirates¹ (on behalf of the Group of Arab States), Zambia;

(b) Representatives of the following observer States: Algeria, Ecuador, Norway, United States of America;

(c) Observers for the following non-governmental organizations: Arab Commission for Human Rights, Europe Third World Centre (also on behalf of the African Association of Education for Development, Mouvement contre le racisme et pour l'amitié entre les peuples and the Women's International League for Peace and Freedom), Nord-Sud XXI.

84..

At the 10th meeting, on the same day, the independent expert answered questions and made his concluding remarks.

B. Panels

Discussion on women's human rights

85. On 4 June 2009, the Council held a full-day discussion on women's human rights in accordance with Council resolution 6/30. The Council divided the discussion into two panel discussions: the first panel discussion was held at the 6th and 7th meetings, on 4 June 2009; the second panel discussion was held at the 7th and 8th meetings, on the same day.

86. At the 6th meeting, the High Commissioner made introductory remarks for the first panel. At the same meeting, the following panellists of the first panel made statements: Rama Yade, Leandro Despouy, Frank La Rue Lewy, Michael O'Flaherty, Pramila Patten, Philip Alston and Yakin Ertürk.

87. During the ensuing panel discussion for the first panel, at the 6th and 7th meetings, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Argentina, Azerbaijan, Bahrain, Bosnia and Herzegovina, Chile (on behalf of the Group of Latin American and Caribbean States), China, Czech Republic¹ (on behalf of the European Union), Germany, India, Indonesia, Mexico, Nigeria, Paraguay¹ (also on behalf of Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Uruguay and Venezuela (Bolivarian Republic of)), Philippines (on behalf of the Association of Southeast Asian Nations), Russian Federation, Slovenia, South Africa, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Algeria, Colombia, Iceland, Kazakhstan, Lithuania, Luxembourg, Norway, Serbia, Turkey, United Arab Emirates, Yemen;

(c) Observers for national human rights institutions: Equality and Human Rights Commission of Great Britain, National Human Rights Commission of Malaysia;

(d) Observers for the following non-governmental organizations: Amnesty International, Cairo Institute for Human Rights Studies, Equality Now, Women's International Democratic Federation.

88. At the 7th meeting, the following panellists of the first panel answered questions and made comments: Leandro Despouy, Frank La Rue Lewy, Michael O'Flaherty, Pramila Patten, Philip Alston and Yakin Ertürk.

89. At the same meeting, Mr. Despouy and Ms. Patten answered questions and made their concluding remarks.

90. At the 7th meeting, the following panellists of the second panel made statements: Maha Abu-Dayyeh Shamas, Ratna Kapur and Marianne Mollmann.

91. During the ensuing panel discussion for the second panel, at the 7th and 8th meetings, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Brazil, Canada (also on behalf of Australia and New Zealand), Chile, Cuba, Egypt, Italy, Netherlands, Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Senegal;

(b) Representatives of the following observer States: Austria, Congo, Croatia, Iran (Islamic Republic of), Morocco, Nepal, Sri Lanka, Sweden, Thailand, Tunisia, United States of America, Venezuela (Bolivarian Republic of), Viet Nam;

(c) Observers for intergovernmental organizations: European Commission, International Organization of la Francophonie;

(d) Observers for the following non-governmental organizations: Center for Women's Global Leadership (also on behalf of the Asian Forum for Human Rights and Development, the

Canadian HIV/AIDS Legal Network and the Centre for Reproductive Rights), Interfaith International (also on behalf of Union de l'action feminine), International Federation of Human Rights, Worldwide Organization for Women.

92. At the 7th meeting, the following panellists of the second panel answered questions and made comments: Maha Abu-Dayyeh Shamas, Ratna Kapur, Marianne Mollmann, Michael O'Flaherty and Pramila Patten.

93. At the 8th meeting, Ms. Patten answered questions, then the President of the Council made concluding remarks on the discussion on women's human rights.

Panel on human rights and climate change

94. At the 22nd meeting, on 15 June 2009, the Council held a panel discussion on human rights and climate change, in accordance with Council resolution 10/4. The Deputy High Commissioner made opening remarks for the panel. At the same meeting, the following panellists made statements: Feng Gao, Atiq Rahman, Dalindybo Shabalala, Raquel Rolnik and John Knox.

95. During the ensuing panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Sponsor States of Council resolution 10/4: Maldives (also on behalf of Timor-Leste and the Pacific small island developing States of Fiji, Kiribati, Marshall Islands, Micronesia (Federated State of), Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu);

(b) Representatives of States Members of the Council: Azerbaijan, Bangladesh, Bolivia (Plurinational State of), Brazil, Canada, China, Cuba, Czech Republic¹ (on behalf of the European Union), Germany, India, Indonesia, Mauritius, Mexico, Pakistan, Philippines, Russian Federation, Slovenia, Switzerland, United Kingdom of Great Britain and Northern Ireland, Uruguay;

(c) Representatives of the following observer States: Algeria, Australia, Bhutan, Chad, Costa Rica, Finland, Israel, Monaco, Morocco, New Zealand, Thailand, Turkey, United Arab Emirates, United States of America;

(d) Observer for an intergovernmental organization: European Commission;

(e) Observers for non-governmental organizations: Civicus-World Alliance for Citizen Participation, Friedrich Ebert Foundation, Nord-Sud XXI, Worldwide Organization for Women (also on behalf of the International Council of Women, the Pan Pacific and South East Asia Women's Association and the World Circle of the Consensus).

96. At the same meeting, the following panellists answered questions and made comments: Atiq Rahman, Raquel Rolnik and John Knox.

97. Also at the same meeting, the following panellists answered questions and made their concluding remarks: Feng Gao, Atiq Rahman, Dalindyebo Shabalala, Raquel Rolnik and John Knox.

C. General debate on agenda item 3

98. At the 10th meeting, on 5 June 2009, and at the 11th meeting, on 8 June 2009, the Council held a general debate on thematic reports under agenda item 3, during which the following made statements:

(a) Representatives of States Members of the Council: Bolivia (Plurinational State of), Brazil, Chile (on behalf of the Group of Latin American and Caribbean States), Czech Republic¹ (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Iceland, Georgia, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Egypt (also on behalf of the Group of African States), Germany, Netherlands, Pakistan, Philippines (also on behalf of Argentina, Bolivia (Plurinational State of), Chile, Colombia, the Dominican Republic, Ecuador, Egypt, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Paraguay, Peru, Rwanda, Sri Lanka, Turkey, Uganda and Uruguay), Russian Federation;

(b) Representatives of the following observer States: Algeria, Turkey, United States of America;

(c) Observer for United Nations entities, specialized agencies and related organizations: World Trade Organization;

(d) Observer for a national human rights institution: International Coordinating Committee of National Human Rights Institutions;

(e) Observers for the following non-governmental organizations: Al-Hakim Foundation, Amnesty International, Arab Commission for Human Rights, Asian Forum for Human Rights and Development, Cairo Institution for Human Rights Studies (also on behalf of the Asian Legal Resource Centre), Centro de Derechos Humanos Miguel Agustín Pro Juárez, Commission to Study the Organization of Peace, European Union of Public Relations, Federación de Asociaciones para la Promoción y Defensa de los Derechos Humanos, Femmes Africa Solidarité, France Libertés: Fondation Danielle Mitterrand, Franciscans International (also on behalf of the Baha'i International Community, Dominicans for Justice and Peace, Federation européenne des femmes actives au foyer, the International Council of Women and International Movement ATD Fourth World), Friends World Committee for Consultation (also on behalf of the Human Rights Council of Australia), General Federation of Iraqi Women, Hawa Society for Women, Helsinki Foundation for Human Rights, Human Rights Advocates, Indian Council of South America, Interfaith International, International Association against Torture (also on behalf of the American Association of Jurists), International Educational Development, International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Non-Aligned Studies, International Institute for Peace, Liberation, Mbororo Social and Cultural Development Association, Nord-Sud XXI, Permanent Assembly for Human Rights, Society Studies Centre, Union de l'action féminine, Union of Arab Jurists, United Nations Watch, Women's International League for Peace and Freedom, World Muslim Congress.

99. At the 11th meeting, on 8 June 2009, statements in exercise of the right of reply were made by the representatives of Argentina, Iraq, Morocco and Sri Lanka.

D. Consideration of and action on draft proposals

Open-ended working group on an optional protocol to the Convention on the Rights of the Child to provide a communications procedure

100. At the 27th meeting, on 17 June 2009, the representative of Slovakia introduced draft resolution A/HRC/11/L.3, sponsored by Slovakia and co-sponsored by Austria, Belarus, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Chile, Colombia, Costa Rica, Croatia, Cyprus, Denmark, the Dominican Republic, Ecuador, Egypt, Finland, France, Germany, Guatemala, Honduras, Italy, Kazakhstan, Kenya, Lebanon, Liechtenstein, Lithuania, Malta, Mexico, Montenegro, the Netherlands, Nicaragua, Panama, Peru, Portugal, Slovenia, Spain, Thailand, the former Yugoslav Republic of Macedonia, Ukraine and Uruguay. Subsequently, Azerbaijan, Iceland, Luxembourg, Maldives, Paraguay, the Republic of Korea, Romania, Senegal, Serbia and Sri Lanka joined the sponsors.

101. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution (see annex II).

102. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chap. I, resolution 11/1).

Accelerating efforts to eliminate all forms of violence against women

103. At the 27th meeting, on 17 June 2009, the representative of Canada introduced draft resolution A/HRC/11/L.5, sponsored by Canada and co-sponsored by Albania, Armenia, Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, the Netherlands, New Zealand, Norway, Panama, Peru, the Philippines, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay. Subsequently, Andorra, Azerbaijan, Congo, Hungary, Jordan, Kenya, Morocco, Palestine, the Republic of Korea, Romania, Rwanda, Senegal, Serbia, South Africa, Thailand and Ukraine joined the sponsors.

104. At the same meeting, the representative of Canada orally revised the draft resolution by deleting paragraph 7 and modifying paragraphs 3, 9 and 12.

105. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution (see annex II).

106. At the same meeting, the representatives of Egypt and Saudi Arabia made statements in explanation of vote before the vote.

107. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chap. I, resolution 11/2).

Trafficking in persons, especially women and children

108. At the 27th meeting, on 17 June 2009, the representatives of Germany and the Philippines introduced draft resolution A/HRC/11/L.6, sponsored by the Philippines and Germany and co-sponsored by Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Egypt, El Salvador, Estonia, Finland, France, Greece, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lithuania, Luxembourg, Maldives, Mexico, Monaco, Montenegro, the Netherlands, Nigeria, Norway, Panama, Peru, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, Uruguay and Viet Nam. Subsequently, Albania, Australia, Azerbaijan, Benin, Brazil, Burkina Faso, Congo, Côte d'Ivoire, Guatemala, Maldives, Malta, Morocco, Nicaragua, the Republic of Korea, the Republic of Moldova, Senegal, Venezuela (Bolivarian Republic of), Zambia and Zimbabwe joined the sponsors.

109. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution (see annex II).

110. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chap. I, resolution 11/3).

Promotion of the right of peoples to peace

111. At the 27th meeting, on 17 June 2009, the representative of Cuba introduced draft resolution A/HRC/11/L.7, sponsored by Cuba and co-sponsored by Algeria, Belarus, Bolivia (Plurinational State of), China, Honduras, Nicaragua, Nigeria, Panama, Sri Lanka, Uruguay, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Iran (Islamic Republic of) joined the sponsors.

112. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution (see annex II).

113. At the same meeting, the representative of Germany, on behalf of States Members of the European Union that are members of the Council, made a statement in explanation of vote before the vote.

114. Also at the same meeting, at the request of the representative of Germany, on behalf of States Members of the European Union that are members of the Council, a recorded vote was taken on draft resolution A/HRC/11/L.7. The draft resolution was adopted by 32 votes in favour, 13 against, with 1 abstention. The voting was as follows:

In favour: Angola, Argentina, Azerbaijan, Bahrain, Bolivia (Plurinational State of), Brazil, Burkina Faso, Cameroon, Chile, China, Cuba, Djibouti, Egypt, Gabon, Ghana, Indonesia, Jordan, Madagascar, Malaysia, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Uruguay, Zambia;

Against: Bosnia and Herzegovina, Canada, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland;

Abstaining: India.

115. For the text as adopted, see part one, chapter I, resolution 11/4.

The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights

116. At the 27th meeting, on 17 June 2009, the representative of Cuba introduced draft resolution A/HRC/11/L.9, sponsored by Cuba and co-sponsored by Algeria, Bolivia (Plurinational State of), the Dominican Republic, Ecuador, Honduras, Iran (Islamic Republic of), Nicaragua, the Philippines, Sri Lanka, the Syrian Arab Republic, Uruguay, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Belarus, China and Senegal joined the sponsors.

117. At the same meeting, the representative of Germany, on behalf of States Members of the European Union that are members of the Council, made a statement in explanation of vote before the vote.

118. Also at the same meeting, at the request of the representative of Germany, on behalf of States Members of the European Union that are members of the Council, a recorded vote was taken on draft resolution A/HRC/11/L.9. The draft resolution was adopted by 31 votes in favour, 13 against, with 2 abstentions. The voting was as follows:

In favour: Angola, Argentina, Azerbaijan, Bahrain, Bolivia (Plurinational State of), Brazil, Burkina Faso, Cameroon, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Madagascar, Malaysia, Mauritius, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Uruguay, Zambia;

Against: Bosnia and Herzegovina, Canada, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland;

Abstaining: Chile, Mexico.

119. For the text as adopted, see part one, chapter I, resolution 11/5.

The right to education: follow-up to Human Rights Council resolution 8/4

120. At the 27th meeting, on 17 June 2009, the representative of Portugal introduced draft resolution A/HRC/11/L.12, sponsored by Portugal and co-sponsored by Albania, Argentina, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Chile, Denmark, the Dominican Republic, Ecuador, Estonia, France, Germany, Greece, Honduras, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Maldives, Malta, Mexico, Monaco, Montenegro, Morocco, the Netherlands, Nicaragua, Norway, Panama, Peru, Poland, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Andorra, Finland, Guatemala, Iceland, Israel, Japan, Mauritius, Pakistan, the Republic of Moldova, the Russian Federation, Senegal, Timor-Leste, Ukraine and the United Kingdom of Great Britain and Northern Ireland joined the sponsors.

121. At the same meeting, the representative of Portugal orally revised the draft resolution by modifying paragraph 10.

122. Also at the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chap. I, resolution 11/6).

Guidelines for the alternative care of children

123. At the 27th meeting, on 17 June 2009, the representative of Brazil introduced draft resolution A/HRC/11/L.13, sponsored by Brazil and co-sponsored by Angola, Argentina, Austria, Belarus, Bolivia (Plurinational State of), Chad, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, Egypt, Guatemala, Honduras, Italy, Lebanon, Mexico, Monaco, Morocco, the Netherlands, New Zealand, Nicaragua, Palestine, Panama, Peru, the Philippines, Portugal, the Russian Federation, Slovakia, Somalia, Switzerland, Ukraine and Uruguay. Subsequently, Cuba, Equatorial Guinea, Ghana, Greece, Nigeria, South Africa, Turkey and Venezuela (Bolivarian Republic of) joined the sponsors.

124. At the same meeting, the representative of Brazil orally revised the draft resolution by modifying paragraph 2.

125. Also at the same meeting, the representatives of China and Germany, on behalf of States Members of the European Union that are members of the Council, made general comments in relation to the draft resolution.

126. At the same meeting, the representative of Canada made a statement in explanation of vote before the vote.

127. Also at the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chap. I, resolution 11/7).

128. At the 29th meeting, on 18 June 2009, the representative of Japan made a statement in explanation of vote after the vote.

129. At the same meeting, the representatives of Finland and the United States of America made general remarks in relation to the adopted resolution.

Preventable maternal mortality and morbidity and human rights

130. At the 27th meeting, on 17 June 2009, the representative of Colombia introduced draft resolution A/HRC/11/L.16/Rev.1, sponsored by Colombia and New Zealand and co-sponsored by Australia, Austria, Belgium, Bolivia (Plurinational State of), Brazil, Canada, Chile, Congo, Croatia, Cyprus, the Czech Republic, the Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Ireland, Israel, Italy, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mexico, Monaco, the Netherlands, Nicaragua, Norway, Panama, Peru, Poland, Portugal, Romania, Rwanda, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay. Subsequently, Andorra, Cameroon, Costa Rica, Cuba, Equatorial Guinea, Hungary, Iceland, Jordan, Latvia, Mauritius, Morocco, Senegal, Serbia, Singapore, Slovakia and South Africa joined the sponsors.

131. At the same meeting, the representatives of Chile and Egypt made general comments in relation to the draft resolution.

132. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution (see annex II).

133. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chap. I, resolution 11/8).

The human rights of migrants in detention centres

134. At the 29th meeting, on 18 June 2009, the President informed the Council that the draft resolution A/HRC/11/L.4 has been moved under agenda item 3.

135. At the same meeting, the representative of Egypt (on behalf of the Group of African States) introduced draft resolution A/HRC/11/L.4, sponsored by Egypt (on behalf of the Group of African States) and co-sponsored by Brazil, Cuba, Haiti and Pakistan. Subsequently, Bolivia (Plurinational State of), Ecuador, Honduras, Indonesia, Mexico, Nicaragua, Uruguay and Venezuela (Bolivarian Republic of) joined the sponsors.

136. Also at the same meeting, the representative of Egypt (on behalf of the Group of African States) orally revised the draft resolution.

137. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution (see annex II).

138. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chap. I, resolution 10/9).

Draft guiding principles on extreme poverty and human rights

139. At the 29th meeting, on 18 June 2009, the representative of France (also on behalf of Albania, Belgium, Chile, Morocco, Peru, the Philippines, Romania and Senegal) made a statement in relation to draft resolution A/HRC/11/L.14, sponsored by France and co-sponsored by Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Costa Rica,

Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, Germany, Greece, Guatemala, Honduras, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Monaco, Morocco, the Netherlands, Nicaragua, Norway, Panama, Peru, the Philippines, Portugal, Romania, Senegal, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia and Uruguay.

140. At the same meeting, at the request of the representative of France, the draft resolution was deferred for consideration by the Council at its twelfth session.

IV. Human rights situations that require the Council's attention

A. General debate on agenda item 4

141. At its 11th and 12th meetings, on 8 June 2009, and its 13th meeting, on 9 June 2009, the Council held a general debate on agenda item 4, during which the following made statements:

(a) Representatives of States Members of the Council: Argentina, Canada, Cuba, Czech Republic¹ (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Montenegro and the former Yugoslav Republic of Macedonia), France, Germany, Italy, Japan, Netherlands, Switzerland, United Arab Emirates¹ (on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Australia, Belgium, Ireland, Israel, Libyan Arab Jamahiriya, Sudan, Sweden, United States of America;

(c) Observers for the following non-governmental organizations: Amnesty International, Arab Commission for Human Rights, Asamblea Permanente por los Derechos Humanos, Asian Forum for Human Rights and Development, Asian Legal Resource Centre, Association for World Education (also on behalf of the World Union for Progressive Judaism), Baha'i International Community, Cairo Institute for Human Rights Studies, Centre Europe Tiers Monde (also on behalf of Mouvement contre le racisme et pour l'amitié entre les peuples), Centrist Democratic International, Cercle de recherche sur les droits et les devoirs de la personne humaine, Charitable Institute for Protecting Social Victims, Colombian Commission of Jurists, Commission to Study the Organization of Peace, European Union for Public Relations, Federación de Asociaciones para la Promoción y Defensa de los Derechos Humanos, France Libertés: Fondation Danielle Mitterand, Franciscans International (also on behalf of Dominicans for Justice and Peace and Pax Romana), General Federation of Iraqi Women, Hawa Society for Women, Helsinki Foundation for Human Rights, Human Rights Council of Australia, Human Rights Watch, Interfaith International, International Educational Development, International Federation of Human Rights Leagues, International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Peace, Lawyers Rights Watch Canada (also on behalf of Nord-Sud XXI), Liberation, Mbororo Social and Cultural Development Association, MINBYUN - Lawyers for a Democratic Society,

Mouvement contre le racisme et pour l'amitié entre les peuples (also on behalf of Centre Europe Tiers Monde and the Women's International League for Peace and Freedom), Nord-Sud XXI, Organization for Defending Victims of Violence, Pax Romana, Society for Threatened Peoples, Society Studies Centre, Union de l'action féminine, Union of Arab Jurists, United Nations Watch, World Muslim Congress.

142. At the 12th meeting, on 8 June 2009, statements in exercise of the right of reply were made by the representatives of China, the Democratic People's Republic of Korea, Iran (Islamic Republic of), Israel, Japan, Myanmar, Sri Lanka, the Syrian Arab Republic and Zimbabwe.

143. At the same meeting, statements in exercise of a second right of reply were made by the representatives of the Democratic People's Republic of Korea, Iran (Islamic Republic of), Japan and the Syrian Arab Republic.

B. Interactive dialogue with special procedures

144. At the 23rd meeting, on 16 June 2009, the Special Rapporteur on the situation of human rights in the Sudan, Sima Samar, presented her reports (A/HRC/11/14 and Add.1).

145. At the same meeting, the representative of the Sudan made a statement as the concerned country.

146. During the ensuing interactive dialogue at the 24th meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Bahrain, Canada, China, Czech Republic¹ (on behalf of the European Union), Egypt (on behalf of the Group of African States), Japan, Malaysia, Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Qatar, Saudi Arabia, Slovenia, Switzerland, United Arab Emirates¹ (on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Algeria, Australia, Costa Rica, Democratic People's Republic of Korea, Lebanon, New Zealand, Norway, Sweden, Syrian Arab Republic, United States of America, Yemen;

(c) Observer for an intergovernmental organization: League of Arab States;

(d) Observers for the following non-governmental organizations: Al Zubair Charity Foundation, Amnesty International, Cairo Institute for Human Rights Studies, Hawa Society for Women, Human Rights Watch, International Federation of Human Rights Leagues, Society Studies Centre.

147. At the 24th meeting, on 16 June 2009, the Special Rapporteur answered questions and made her concluding remarks.

C. Consideration of and action on draft proposals

Situation of human rights in the Sudan

148. At the 29th meeting, on 18 June 2009, the representative of Egypt (on behalf of the Group of African States) introduced draft resolution A/HRC/11/L.17, sponsored by Egypt (on behalf of the Group of African States, with the exception of Uganda).

149. At the same meeting, the representative of Egypt (on behalf of co-sponsors) orally revised the draft resolution.

150. Also at the same meeting, the representative of Germany (on behalf of States Members of the European Union that are members of the Council) introduced amendment A/HRC/11/L.19 to the draft resolution A/HRC/11/L.17. Amendment A/HRC/11/L.19 was sponsored by the Czech Republic, on behalf of the European Union, and co-sponsored by Canada, Norway, Switzerland and the United States of America. Subsequently, Australia and Japan joined the sponsors.

151. At the same meeting, the representatives of Egypt and the Russian Federation made general comments in relation to the draft resolution and the amendment.

152. Also at the same meeting, the representative of the Sudan made a statement as the concerned country.

153. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft amendment A/HRC/11/L.19 (see annex II).

154. At the same meeting, the representative of Brazil made a statement in explanation of vote before the vote in relation to amendment A/HRC/11/L.19.

155. Also at the same meeting, at the request of the representative of Egypt, a recorded vote was taken on amendment A/HRC/11/L.19. The amendment was adopted by 20 votes in favour, 19 against, with 8 abstentions. The voting was as follows:

In favour: Argentina, Bosnia and Herzegovina, Brazil, Canada, Chile, France, Germany, Italy, Japan, Mauritius, Mexico, Netherlands, Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Zambia;

Against: Angola, Bahrain, Bangladesh, Cameroon, China, Cuba, Djibouti, Egypt, Gabon, Indonesia, Jordan, Madagascar, Malaysia, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, South Africa;

Abstaining: Azerbaijan, Bolivia (Plurinational State of), Burkina Faso, Ghana, India, Nicaragua, Nigeria, Senegal.

156. At the same meeting, the representative of Egypt made a statement withdrawing sponsorship to draft resolution A/HRC/11/L.17 as amended and calling for a vote on draft resolution A/HRC/11/L.17 as orally revised and amended.

157. Also at the same meeting, at the request of the representative of Egypt, a recorded vote was taken on draft resolution A/HRC/11/L.17 as orally revised and amended. The draft resolution, as orally revised and amended, was adopted by 20 votes in favour, 18 against, with 9 abstentions. The voting was as follows:

In favour: Argentina, Bosnia and Herzegovina, Brazil, Canada, Chile, France, Germany, Italy, Japan, Mauritius, Mexico, Netherlands, Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Zambia;

Against: Azerbaijan, Bahrain, Bangladesh, Cameroon, China, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, South Africa;

Abstaining: Angola, Bolivia (Plurinational State of), Burkina Faso, Gabon, Ghana, India, Madagascar, Nicaragua, Senegal.

158. Subsequently, the former Yugoslav Republic of Macedonia joined the sponsors for draft resolution A/HRC/11/L.17 as orally revised and amended. For the text as adopted, see part one, chapter I, resolution 11/10.

159. At the same meeting, the representative of Zambia made a statement in explanation of vote after the vote.

160. Also at the same meeting, the representatives of the Sudan and the United States of America made general remarks in relation to the adopted resolution.

V. Human rights bodies and mechanisms

A. Complaint procedure

161. At its 12th meeting, on 8 June 2009, and its 27th meeting, on 17 June 2009, the Council held two closed meetings of the complaint procedure.

162. At the 28th meeting, on 18 June 2009, the President made a statement on the outcome of the meetings, stating that the Human Rights Council had, in closed meetings, decided to discontinue consideration of the human rights situation in the Democratic Republic of the Congo under the complaint procedure established pursuant to Council resolution 5/1.

B. General debate on agenda item 5

163. At its 13th meeting, on 9 June 2009, the Council held a general debate on agenda item 5, during which the following made statements:

(a) Representatives of States Members of the Council: Bahrain, Brazil, Canada, China, Czech Republic¹ (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Nigeria;

(b) Representatives of the following observer States: United States of America;

(c) Observers for the following non-governmental organizations: Amnesty International, Arab Commission for Human Rights, Commission to Study the Organization of Peace, Conectas Direitos Humanos, Human Rights Council of Australia (also on behalf of the Asian Legal Resource Centre, the Baha'i International Community and the Cairo Institute for Human Rights Studies), Indian Council of Education, International Institute for Non-Aligned Studies, International Service for Human Rights.

C. Consideration of and action on draft proposals

System of special procedures

164. At the 29th meeting, on 18 June 2009, the representative of Cuba introduced draft resolution A/HRC/11/L.8, sponsored by Cuba (on behalf of the Non-Aligned Movement) and co-sponsored by China and the Russian Federation.

165. At the same meeting, the representative of Cuba orally revised the draft resolution by modifying the title, the fourth preambular paragraph, paragraphs 1 and 2, and adding a new paragraph 3.

166. Also at the same meeting, the representatives of Canada, Germany (on behalf of States Members of the European Union that are members of the Council) and Switzerland made general comments in relation to the draft resolution.

167. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chap. I, resolution 11/11).

VI. Universal periodic review

168. At the 14th meeting, on 9 June 2009, the President made a statement in relation to the status of documentation of the fourth session of the Working Group on the Universal Periodic Review.

169. Pursuant to General Assembly resolution 60/251, Council resolution 5/1 and the President's statements (PRST/8/1 and PRST/9/2) on modalities and practices for the universal periodic review process, the Council considered the outcome of the reviews conducted during the fourth session of the Working Group on the Universal Periodic Review, held from 2 to 13 February 2009.

A. Consideration of universal periodic review outcomes

170. In accordance with paragraph 4.3 of President's statement PRST/8/1, the section below contains a summary of the views expressed on the outcome by States under review, Member and observer States of the Council, as well as general comments made by other relevant stakeholders before the adoption of the outcome by the plenary.

Germany

171. The review of Germany was held on 2 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Germany in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/DEU/1);

(b) The compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/4/DEU/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/DEU/3).

172. At its 14th meeting, on 9 June 2009, the Council considered and adopted the outcome of the review on Germany (see sect. C below).

173. The outcome of the review on Germany comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/15), the views of Germany concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/15/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

174. The Permanent Representative of Germany to the United Nations Office at Geneva presented the additional views of Germany to the recommendations made during the working group review on 2 February 2009. The full text of the German comments to the 44 clustered recommendations is contained in the addendum to the report of the Working Group (A/HRC/11/15/Add.1).

175. The Permanent Representative indicated that the answers of Germany reflect the very positive interest the country had taken in the creation and conduct of the universal periodic review as well as the open and constructive spirit in which it had approached the recommendations. The review had received considerable attention in Germany at all levels, including Parliament, and discussion on the issues raised would certainly continue.

176. A total of 35 of the 44 clusters of recommendations were accepted, most of which without reservations or restrictions. Germany regretted not to be yet in a position to provide a definite answer on the signing and ratification of the new Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, in view of the fact that it was an issue still under consideration. In that regard, the Permanent Representative noted that the recommendations that could not be accepted related to issues that had been and were the subject of ongoing and intense debate among all stakeholders in Germany, and the relevant recommendations were considered to be a valuable addition to that debate.

177. Germany indicated that all recommendations had been subjected to careful scrutiny by the relevant authorities at the federal level, and had been considered in the light of both international obligations and national laws, as well as to their added value for the protection and promotion of

human rights in Germany. As was already the case with the national report, the answers to the recommendations had been the subject of consultations with civil society organizations and the national human rights institution of Germany. The delegate thanked them for their engagement, constructive criticism and devotion to human rights. He underlined that throughout the review process, from the summary of the stakeholder's input to the current consultations, it had again been demonstrated how essential the free participation of active, lively and varied civil society organizations was to the functioning of a human rights culture. Germany owed them its respect and full support, both at home and in the Council.

178. Turning to the substance of its answers to the recommendations, Germany noted that many recommendations referred to the specific areas of human rights of migrants, questions of racism, xenophobia and related intolerance, as well as minority issues. Almost all related recommendations had been accepted. Germany remained fully committed to effectively combating all instances of racism, racial discrimination and related phenomena. In this context, Germany looked forward to the visit in the country of the Special Rapporteur, Githu Muigai.

179. Although Germany was currently not in a position to accept the call for the creation of a centralized statistic database on racist and xenophobic incidents as contained in recommendation 16, it looked forward to pursuing an open dialogue on the need and feasibility of such a mechanism. The Permanent Representative added that, despite its decision not to participate in the recent Durban Review Conference, Germany would continue to engage itself fully in the international fight against racism and all forms of discrimination. Germany also remained committed to protecting the human rights of all migrants, minorities and religious groups. Germany saw no contradiction between this commitment and its well-known stand on the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and existing limitations to the open display of religious beliefs by teachers and civil servants while on duty. The first instance was due to the full protection of the relevant rights in other conventions, while the second was rooted in nothing else but the need to weigh the positive and negative freedom of belief against each other and to retain the State's neutrality in matters of belief.

180. The Permanent Representative also drew the attention of the Council to the answer to recommendation 30, where Germany not only fully embraced the recommendation, but also provided basic data and information relating to the factual situation in the country.

2. Views expressed by Member and observer States of the Council on the review outcome

181. Qatar saluted Germany's efforts to respond positively to the recommendations, particularly with regard to better integration of Muslims in society and the full enjoyment by Muslims of their human rights, such as freedom of religion and non-discrimination. It noted that Germany had taken positive measures in countering discrimination on the basis of religion. It encouraged Germany to implement the recommendations concerning combating discrimination, in particular vis-à-vis ethnic and religious minorities. Qatar welcomed developments, in line with its recommendation, with regard to the punishment of perpetrators of acts of violence on the grounds of racial discrimination, particularly against Muslims. It also noted the measures taken by Germany to ensure compliance with international standards, such as protection of freedom of religion, for example of Islam, adding that this showed the political will to allow foreigners and above all Muslims to enjoy their rights fully. It hoped for further improvements in this regard.

182. Algeria highlighted the increase in racist incidents, particularly against Muslims, Sinti, Roma and asylum-seekers of African origin. It said it would follow with great interest the implementation of its recommendation to follow up on the recommendations of the Committee on the Elimination of Racial Discrimination. It expressed interest in measures to prevent racially motivated offences, guarantee equality in the right to suitable housing, lift obstacles for asylum-seekers to educate their children and make ethnically, racially or religiously motivated hatred an aggravating circumstance in criminal cases. Noting Germany's commitment to combating racism, Algeria had recommended that it contribute actively to the Durban Review Conference preparations. Given Germany's contribution to the preparatory process, Algeria regretted its boycott of the Conference and called on it to join the consensus on the outcome document. It regretted that Germany had not accepted the recommendations with regard to migrant workers and accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

183. The Russian Federation thanked Germany for its detailed and substantive replies to the recommendations made. It noted Germany's constructive approach to the universal periodic review, which was displayed in particular by the fact that Germany had agreed fully to 70 per cent of the recommendations, including two from the Russian Federation. It looked forward to the report on their implementation during the next cycle of the review. It highlighted Germany's agreement with the recommendation to intensify efforts to combat racism, racial discrimination, xenophobia and related intolerance. It trusted that appropriate steps in this regard would include the adoption of a final decision on Germany's accession to the outcome document of the Durban Review Conference.

184. Saudi Arabia commended Germany's acceptance of recommendation 15 and the commitment to continue implementing the national plan of action to eliminate xenophobia and Islamophobia. It cited the integration into German society of 3.4 million Muslims and the protection of their rights as proof of Germany's interest in implementing its national plan of action to eliminate racism and racial discrimination. Saudi Arabia said that Germany had reaffirmed its commitment to cooperate with the international community, commended it for its tireless efforts to protect human rights, especially minority rights, and called on it to continue doing so.

185. The Islamic Republic of Iran reiterated its serious concerns at the growing racism and persistent discrimination on the grounds of race, ethnic origin, gender, religion and belief; ill-treatment by law-enforcement officials; the dramatic increase in racist violence against minorities; and the Government's poor strategy to counter this phenomenon. It said that the Government had failed to deal sufficiently with race-related incidents and discrimination against Muslim, Sinti/Roma and other communities. It noted that no concrete response had been given on the absence of a definition of racial discrimination in domestic legislation and recommended that a clear and comprehensive definition be adopted thereon. No clear response had been provided in relation to ensuring that relevant criminal law provisions were effectively implemented in case of racially motivated offences. The Islamic Republic of Iran expressed concern that some Muslim women had been denied positions as training teachers and civil servants and been threatened with disciplinary action for wearing the headscarf, contravening

freedom of religion and expression. It also noted that adherence to certain religious organizations or beliefs constituted one of the main grounds for disqualifying individuals from employment in the public service.

186. Sweden noted that a recommendation relating to the human rights aspects in the fight against terrorism had been accepted. It expressed hope that it would also include how legislation was applied with regard to searches of private computers. It welcomed the fact that recommendations with a view to promote integration further and ensure that all persons enjoy the right to education, regardless of their background, enjoyed the support of Germany.

187. The United States of America commended Germany for its recent actions to extend permanent residence to those granted asylum. It also commended it for its efforts to better integrate members of immigrant communities into mainstream society. It noted, however, that discrimination and hostility towards some racial and religious minority groups remained a problem. It thus applauded the creation of the national plan of action against racism and commended Germany for its ongoing efforts to combat racism, xenophobia and intolerance.

188. Chad noted with satisfaction that Germany had accepted most of the recommendations made, which clearly showed the importance Germany attaches to the universal periodic review. It noted that Germany assisted poor countries in combating poverty by financing development projects, of which Chad was one of the beneficiaries.

3. General comments made by other relevant stakeholders

189. The German Institute for Human Rights welcomed Germany's acceptance of most of the recommendations, of which it would closely monitor the implementation. It sought stronger commitment concerning the ratification of all core human rights treaties and the withdrawal of reservations, particularly concerning the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and lifting reservations to the Convention on the Rights of the Child. It said the universal periodic review procedure needed to be further developed, particularly relating to the interactive dialogue and adoption of recommendations. Given the importance of human rights, Governments could not simply disregard recommendations and should operate under the presumption that any rejection should

be treated as an exception, deserving an explanation. It added that the review should be seen in conjunction with other human rights mechanisms. Those recommendations based on treaty body or special procedures findings deserved additional attention. It added that a consultation process was initiated by the Government of Germany regarding adoption of recommendations and this should be a regular part of the review process. Governments should share whether, how and when such consultations had taken place.

190. The Charitable Institute for the Protection of Social Victims drew the attention of the Council to cases of human rights violations in Germany on the pretext of the war on terror. It noted that the adoption of secrecy policies by the Government and the grave violation of the rights of detainees suspected of terrorism were just a few examples of these extraordinary measures. It expressed concern at Germany's adoption of double-standard policies in the war on terror, and considered that a confession from a suspect of terrorism obtained as a result of torture was a blatant violation of human rights, in particular in view of the fact that the German law would not in normal circumstances accept those confessions as credible evidence.

191. The Organization for Defending Victims of Violence noted that German teachers wearing the hijab were discriminated against on the basis of their gender and religion, while exceptions were made for Christians and western cultural traditions. Another alarming issue was the increase of attacks by neo-Nazi criminal groups against migrants and minorities. It expressed concern about the conditions of the migrant population and called for more sensitivity towards them. It called on the Council to request Germany to increase its commitment to human rights and to pay attention to the neglect of freedom of expression and belief, which amounted to discrimination.

192. The Iranian Elite Research Center expressed concern at the neglect of the freedom of belief and religion. It noted that this issue in some German States had resulted in legal restrictions for Muslims, particularly women who faced religious and gender discrimination. The banning of religious clothes in some State-run schools violated the fundamental rights of Muslim women. The Center called upon Germany to review and re-evaluate laws banning the wearing of religious signs and insignia in some States, so that the freedom of religion and belief of people would not be violated. It also called on the Government to take to Muslims the same non-discriminatory approach it takes to other religions.

193. The Arab Commission for Human Rights expressed concern at Germany's refusal to accept the recommendation to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, noting that its argument remained unchanged since, at the time when the Convention was negotiated in 1990, regarding the Durban Review Conference, it noted Germany's commitments to continue its fight against racism, and underlined the statements that democratic countries had enormous responsibility for the universal acceptance of the outcome document, particularly paragraph 66, which stated that the Holocaust should never be forgotten.

194. Amnesty International welcomed Germany's acceptance of the majority of recommendations, including the upcoming ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. It saw Germany's contribution to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights as a strong commitment to consider its ratification in due course as announced in the national human rights plan. It welcomed the acceptance of the recommendation to fully respect provisions of international human rights instruments, including the International Covenant on Civil and Political Rights and the Convention against Torture. Despite Germany's assertion that it had always acted in accordance with these, Amnesty International expressed concern about the continued reliance on inherently unenforceable diplomatic assurances and the failure to introduce measures to prevent future renditions through its territory, including air space. It regretted that Germany had declined recommendations to strengthen efforts to prevent ill-treatment by law enforcement officials and to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

195. The Canadian HIV/AIDS Legal Network commended Germany for accepting recommendations to take further initiatives to combat hate crimes based on sexual orientation, strengthen measures to counter discriminatory attitudes, and include sexual orientation and gender identity in public education and equality programmes. It commended Germany for accepting recommendation 22 on the proposal to change the law governing gender registration of transgender people, granting them the right to maintain their existing marriages. However, concerns remained that the proposed law still contained intrusive and unnecessary restrictions, for example, requiring transgender people to undergo sterilization and hormone treatment to be able to change their official documentation. It recommended that the new law should conform to

the Yogyakarta principles on sexual orientation and gender identity. It also recommended that the Government should consult with transgender people to ensure that the new law conformed to their needs.

196. The World Council of Churches commended Germany for having accepted 75 per cent of the recommendations, but noted that a higher rate could have been met. It expressed concern on issues relating to migration and discrimination against migrants. It regretted that migrants did not have all their rights guaranteed, in particular irregular migrants, whose rights to education, health and access to justice were hindered. The right of migrants to live with their families did not exist in the legal framework and the Government of Germany was part of the hard-line faction in the European Union seeking to further restrict this right. Even those living in Germany for years with legal status were threatened with expulsion because of a bureaucratic deadline. The ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families would help improve their rights. It regretted the lack of political will to withdraw Germany's reservation to the Convention on the Rights of the Child, saying that the argument that the federal system would not allow withdrawal of the reservation without the consent of the federal states was a pretext. It encouraged the Government to unconditionally ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights soon and to declare officially its support for the outcome document of the Durban Review Conference, possibly during the debate on item 9 at the current Council session.

4. Concluding remarks of the State under review

197. In his concluding remarks, the Permanent Representative wholeheartedly thanked the OHCHR for its hard work and the resources it was putting at the disposal of the universal periodic review, the Conference Services for their excellent and often overtime work, and the President for his kind and very able stewardship.

Djibouti

198. The review of Djibouti was held on 2 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Djibouti, in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/DJI/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/DJI/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/DJI/3).

199. At its 14th meeting, on 9 June 2009, the Council considered and adopted the outcome of the review of Djibouti (see sect. C below).

200. The outcome of the review on Djibouti comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/16), the views of Djibouti concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

201. Djibouti extended the apologies of the Minister for Justice in charge of human rights, who was unable to attend the consideration of the outcome of his country at the plenary session of the Council.

202. In relation to the freedom of expression, Djibouti referred to article 1 of its Constitution, which stated that each and every person had the right to express and disseminate freely his or her opinions by word, pen or image. These rights were limited by the stipulations of the law and in respect of the honour of others. Organic law number two concerning freedom of the press and communication authorized every person in Djibouti to create and use freely the media of his or her choice to express their thought and to communicate to any others and have access to the expression of the thoughts of others. In addition to the public press bodies, there was private press as well as international press and no restriction or censorship thereof.

203. The Government had also taken appropriate measures to improve the status of journalists. Djibouti hosted the Association of Journalists of Eastern and Central Africa and the Pen Club, an association for the defence and promotion of freedom of expression.

204. In the areas of social dialogue, freedom of association and trade union rights, Djibouti was convinced of the need to create conditions to promote the emergence of a positive environment for collective negotiations and the establishment of a framework of true tripartism. With this aim in mind, the Djibouti labour code provided for the establishment of several tripartite or joint bodies: the National Council for Labour, Employment and Professional Training; the National Joint Commission for Collective Agreements and Pay Agreements; and the National Commission for Security and Labour Health.

205. Article 15 of the Djibouti Constitution guaranteed freedom of association. The modalities were detailed in a law of 1901.

206. Concerning trade union freedoms, the legislation provided the necessary guarantees to trade unions to organize themselves freely. In the new labour code, two provisions had been the subject of comments by International Labour Organization (ILO) monitoring bodies. Djibouti had committed itself to comply with ILO Convention No. 87.

207. Djibouti noted that, during the review, many delegations had taken the floor and that the recommendations covered a wide range of areas dealing with integration of women; combating female genital mutilation; the right to education; access to health; the protection of children; the ratification of international instruments; the fight against unemployment and the establishment of programmes to combat poverty; the strengthening of the judicial system and access to justice; the establishment of a schedule to address the backlog encountered in the submission of reports to treaty bodies; the establishment of a programme of cooperation and capacity-building with OHCHR; and the strengthening of efforts to establish regional assemblies to help regional communities.

208. Djibouti had accepted the overwhelming majority of recommendations, although it rejected a small number because they were either incompatible with provisions of domestic legislation or did not correspond to the reality in the country.

209. The delegation of Djibouti, as soon as it returned from the universal periodic review Working Group, organized a workshop involving all concerned stakeholders, including civil society. Four main pillars have been defined: strengthening the capacities of national bodies dealing with periodic reports and the implementation of international conventions; strengthening

the capacities of the national human rights commission and civil society to raise awareness for the promotion and protection of fundamental human rights; the development of training modules aimed at staff and justice auxiliaries, namely, judges, lawyers, penitentiary wardens, law enforcement agencies and policemen; and the continuing of a policy of ratifying human rights treaties and the submission of reports to treaty bodies.

210. With the support of the United Nations system, Djibouti organized, in March 2009, a four-day workshop on drafting and techniques for the submission of reports to treaty bodies. Shortly after, an initial report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women was drawn up, endorsed and sent to the competent bodies.

211. A wide-ranging programme of functional literacy had been established and benefited thousands of young women. The Ministry for the Promotion of Women, Family Well-being and Social Affairs planned to strengthen and continue these programmes. It had also established post-literacy programmes, whereby 400 girls were currently being trained in professional and vocational courses.

212. In response to the universal periodic review recommendations, the Ministry had adopted a master plan and a strategic framework for the period 2009-2013, which will make it possible to speed up the institutionalization of gender issues and strengthen the empowerment of women by the emergence of entrepreneurs among women.

213. On 18 April 2009, a workshop on the national study on poverty and disparities involving children had been held. The objective of the study was to propose a fact-based systematic analysis on the impact of poverty and disparities on children.

214. In order to respond to recommendations 9 and 11 on juvenile justice, the Government was working on reforming provisions on juvenile delinquency. The draft text, which incorporated articles of the Convention on the Rights of the Child, provided for the introduction of true justice for minors through a juvenile judge, a court for children and a chamber of appeals for children.

215. With regard to access to health, including in rural areas, the Government had adopted, on 2 June 2009, a national charter for the promotion of health, aimed at reducing the current gaps and at offering citizens equal opportunities to optimize their potential in the health sphere.

216. The fight against poverty had been discussed and considered in a national seminar on Government action, held from 9 to 18 May 2009. The seminar, which was chaired by the President of the Republic, had also involved actors from civil society.

217. With regard to unemployment, an assessment had revealed that the main obstacle was the mismatch between the qualifications of young people and the demands of the market. The Government had defined priority actions for the promotion of employment and development of vocational training.

218. The Council of Ministers had also adopted a bill allowing it to become a party to the Convention on the Rights of Persons with Disabilities, which will soon be considered by the National Assembly. Measures had been taken to deposit with the Secretary-General the instruments of ratification of the International Convention on the Elimination of All Forms of Racial Discrimination.

2. Views expressed by Member and observer States of the Council on the review outcome

219. Qatar welcomed the spirit of cooperation and openness demonstrated by Djibouti in relation to the recommendations and observations made by delegations during the review in February. It welcomed in particular the acceptance by Djibouti of 37 recommendations. Qatar stressed the progress made in Djibouti in the area of human rights, in particular regarding the right to education and the rights of the child.

220. Algeria welcomed the establishment of a national human rights institution in line with the Paris Principles. It acknowledged the efforts made in the areas of education, health care, the protection of women and children and poverty eradication. Algeria reiterated its recommendation that OHCHR provide the necessary technical assistance requested by Djibouti to meet its human rights commitments, particularly to overcome the current delay in submitting its reports to treaty bodies.

221. Cuba congratulated Djibouti on its efforts, saying it was particularly meritorious given the fact that Djibouti was fighting for the well-being of its people under the difficult conditions imposed by the existing economic world order, aggravated by the impact of the current global financial crisis. It noted with satisfaction that Djibouti continued taking positive steps to implement the recommendations.

222. The United Arab Emirates noted with satisfaction that Djibouti had accepted most of the recommendations made during the session of the Working Group, and had decided to involve civil society in their implementation. The United Arab Emirates considered that Djibouti was going in the right direction in the area of human rights and appreciated the efforts that it was making.

223. Egypt commended Djibouti for the efforts made, noting that these were fraught with challenges and constraints, but that they had no doubt Djibouti would overcome these. Noting that Djibouti had voluntarily accepted the majority of the recommendations, it encouraged the Government to further its efforts, while welcoming the attention paid to the areas of education, health, poverty reduction and strengthening of the judicial system and the national human rights architecture.

224. Bahrain noted with appreciation the steps taken by Djibouti to implement a number of recommendations contained in the report of the Working Group. The measures taken showed Djibouti's willingness to give new impetus to human rights and to cooperate with human rights mechanisms. Bahrain noted in particular the measures to promote the right to education, especially for children.

225. Saudi Arabia welcomed the acceptance of most of the recommendations, in particular recommendation 17 on continuing efforts to increase the number of primary and secondary schools and to strengthen higher education. Despite the obstacles encountered, Djibouti had achieved progress in the promotion and protection of human rights, having set up a ministry for the promotion and protection of the rights of women, and enacted laws to strengthen the right to education so that children between 6 and 16 years of age could benefit from free education.

226. Indonesia commended Djibouti for its ongoing work and constructive strategies to reduce illiteracy and to promote the education of girls between the ages of 6 and 16, saying that this

would empower girls and women in society. It also commended it for the incorporation of ratified international norms and human rights instruments into national legislation. It welcomed the initiatives aiming at increasing the participation of women in the political and social sphere, especially with regard to the national commitments to the Millennium Development Goals.

227. Morocco noted that Djibouti had accepted 37 recommendations and reiterated its call to the international community to support Djibouti in its efforts to promote human rights, in particular in the area of the harmonization of domestic legislation and related institutional reform. Djibouti should be encouraged to make specific technical assistance requests to relevant agencies and international institutions, including OHCHR, in order to develop and promote the Millennium Development Goals.

228. Yemen said that the presentation and report made by Djibouti during the universal periodic review clearly illustrated its achievements and challenges. The acceptance of a large number of recommendations was a further indication of the importance given by the country to many of the issues raised and of the moral commitment to promote and protect human rights. It encouraged Djibouti to persevere in its efforts.

229. Senegal welcomed the efforts made and policies put in place by Djibouti to promote the social condition of its citizens, in particular through programmes to reduce unemployment and the promotion of the rights to housing, education and health. It noted that the measures taken by the authorities in various areas showed the determination of Djibouti to overcome the constraints faced and to attain its objectives in the area of human rights. Senegal called on the international community to express more solidarity for Djibouti.

230. Nigeria was impressed by Djibouti's initiative to take measures to strengthen its capacity in the administration of justice; establish a juvenile justice system; train judicial and law enforcement officers dealing with juvenile cases; and develop and strengthen legislative measures to ensure prompt investigation and prosecution of sexual offences against children.

231. Burkina Faso encouraged Djibouti to pursue its efforts to implement the recommendations made during the review. It noted with satisfaction the action already taken to this end. Burkina Faso expressed its solidarity with Djibouti in its efforts to implement strategies for the realization of human rights.

3. General comments made by other relevant stakeholders

232. The Organisation pour la communication en Afrique et de promotion de la coopération économique internationale, in a joint statement with the Indian Council of South America, the International Human Rights Association of American minorities and the Organization for defending victims of violence, welcomed Djibouti's particular attention to the rights of the child and women. It encouraged Djibouti to continue its efforts to reduce illiteracy, which remained very high among women. It recommended that Djibouti should continue its efforts to elaborate a plan of action for the implementation of the recommendations made by the Committee on the Rights of the Child, and reminded Djibouti of the importance of ratifying other human rights instruments.

233. The Rencontre africaine pour la défense des droits de l'homme stressed that, after many years of political instability, Djibouti had committed itself to building a State based on the rule of law thanks to its adherence to international human rights instruments. It recommended that Djibouti should establish a national programme to promote women's rights and rehabilitate victims of poverty and sexual mutilation, and to establish a framework to promote freedom of the press.

234. The Arab Commission for Human Rights congratulated Djibouti for having accepted several recommendations, but regretted that, in certain paragraphs, the report did not identify more clearly which recommendations had been accepted and which had been rejected. In that regard, it noted a contradiction between the rejection of recommendation 59 (e), and the apparent endorsement of recommendation 7 of paragraph 68, thus creating a conflict of interpretation.

235. The Cercle de recherche sur les droits et les devoirs de la personne humaine expressed its willingness to work in collaboration with Djibouti to ensure that its commitments were realized, in particular in the area of harmonization of domestic legislation with international standards.

236. The Al-Hakim Foundation urged Djibouti to reform effectively the judiciary, which was reportedly under the influence of the executive, with courts failing to respect fair trial standards, particularly in political cases not tried in public. It further noted reports of political and tribal intervention in the selection of judges and judicial officers, and the application of tribal laws to cases, including murder and rape, where fines were determined as blood money to be offered to

the family or tribe of the victim. It said that, although the Constitution and the law provided for the creation of trade unions, workers associations and political parties, in some instances the Government had imposed some restrictions, noting for example that the labour code stipulated that the Government must give prior authorization to the creation of trade federations and unions.

237. The Cairo Institute encouraged Djibouti to enhance its collaboration with all international human rights instruments and mechanisms, notably by extending a standing invitation to the special procedures mandate holders by ensuring treaty body reporting, and by publicly speaking out in favour of the International Criminal Court, to which it is a State party. It called on the Government to bring an immediate end to the continued harassment of human rights activists such as the President of the Ligue djiboutienne des droits de l'homme, to create an enabling environment for the independent media by repealing the current press law and passing new legislation, that eliminates criminal sanctions for press offences among other provisions, and to guarantee freedom of the media as stipulated in the numerous regional and international treaties ratified by Djibouti. It called on the Government to refrain from harassment, arbitrary arrest and detention of trade unionists and to expand the space available to free and independent activism.

4. Concluding remarks of the State under review

238. In its concluding remarks, Djibouti reiterated that there was no persecution of trade unionists in Djibouti. The press was free; journalists worked in an environment that allowed them to move about and participate in the formulation of policy and to give their views on issues.

239. Djibouti reaffirmed its deep gratitude to the States and representatives of civil society, who in their statements had expressed their interest in the human rights situation in Djibouti.

240. Before the adoption of the outcome of the review, and in compliance with paragraph 32 of Council resolution 5/1, Switzerland invited Djibouti to clarify the status of the eight recommendations listed in paragraph 68 and for which responses were to be provided by Djibouti during the plenary session. The representative of Djibouti confirmed that the concerned noted recommendations were being carefully considered and reviewed by the authorities and that substantive responses would be provided in the future.

Canada

241. The review of Canada was held on 3 February 2009, in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Canada in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/CAN/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/CAN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/CAN/3).

242. At its 14th meeting, on 9 June 2009, the Council considered and adopted the outcome of the review on Canada (see section C below).

243. The outcome of the review on Canada comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/17), the views of Canada concerning the recommendations and/or conclusions, and its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/17/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

244. The Permanent Representative of Canada to the United Nations Office at Geneva indicated that Canada had submitted a written response that addressed the 68 recommendations contained in the Working Group report as well as other recommendations submitted in writing by States that were unable to speak at the review owing to time constraints.

245. As outlined in its response, Canada accepted 32 recommendations, accepted in part 22 recommendations, and did not accept 14 recommendations. Canada also made a number of voluntary commitments in the response. To inform its response to these recommendations, Canada held meetings with non-governmental organizations and Aboriginal representatives, and

also conducted online consultations through a web portal. Canada worked with all the actors involved in the implementation of the recommendations or on which the recommendations would have an impact to prepare its national response for the plenary session. Interest in the follow-up to the review had been strong, from Governments to civil society organizations and Parliamentarians. Two parliamentary committees were examining the results of the universal periodic review of Canada. In support to these ongoing discussions, the Government of Canada committed to submit the outcome of the review of Canada to its Parliament.

246. Canada elaborated on some issues addressed in its written responses. Regarding Aboriginal peoples, new funding had been allocated to support training to improve labour market outcomes for Aboriginal people and to address First Nations on-reserve housing, as well as infrastructure needs. Canada continued to support practical partnership approaches with Aboriginal organizations and provincial and territorial governments on the delivery of First Nations and Inuit health programme and child and family services. On 11 June 2008, the Prime Minister of Canada had offered a historic statement of apology to former students of Indian residential schools. A truth and reconciliation commission had been established in 2008 and Canada committed to considering its future recommendations.

247. Governments in Canada were working to advance equality for women and to ensure the protection of their rights, including by exploring ways to facilitate women's labour force participation and economic security, improve the lives of Inuit, Métis and First Nations women, both on and off reserve, and address violence against women. Domestic violence courts had been established in many jurisdictions. Canada committed to identifying the causes of violence against Aboriginal women and developing appropriate responses, in consultation with Aboriginal and civil society organizations. Governments were working together to strengthen preventative measures and improve the response of the criminal justice system to violence against all women, including Aboriginal women.

248. Governments in Canada were taking measures to respond to the social and economic needs of Canadians. Provincial and territorial governments had policies and programmes aimed at reducing poverty; four had implemented poverty reduction strategies. As a result of these measures, in the past decade, low-income rates for seniors, women, and children had fallen

considerably. The Government of Canada committed to continuing to find ways to build on efforts to address poverty and housing issues, in collaboration with provinces and territories.

249. Canada was committed to taking decisive steps to eliminate racism and to address any and all issues of discrimination facing Canada's diverse racial, ethnic, cultural and religious communities. "A Canada for All", Canada's plan of action against racism, addressed racial discrimination in a coordinated manner across 20 federal departments and agencies.

250. Canada monitored the implementation of its legislation, programmes and services related to the protection of victims of trafficking. Canada pursued a multipronged approach to protect children from all form of sexual exploitation, including a comprehensive legal framework to deter exploitation and to hold offenders accountable; the development of tools and strategies for law enforcement agencies; and support for community-based projects that foster prevention and support victims.

251. Federal, provincial and territorial governments worked both individually and collaboratively to enhance implementation of international human rights treaties to which Canada was a party. Canada recognized that there may be opportunities to improve existing processes and therefore committed to considering options for enhancing mechanisms and procedures related to the implementation of international human rights obligations.

2. Views expressed by Member and observer States of the Council on the review outcome

252. Making reference to the recommendations accepted, rejected and or partially accepted by Canada, Algeria indicated that it had expected more openness and consistency from Canada in the universal periodic review exercise. Algeria referred to the persistent refusal of Canada to join the consensus on the institution-building package of the Council and its refusal to systematically denounce violations committed by an occupying Power in a particular region of the world. Algeria noted Canada's rejection of recommendation 61, which took up a recommendation from the Committee on the Elimination of All Forms of Racial Discrimination regarding awareness-raising intended to protect certain groups associated with terrorism and to amend anti-terrorist law. Algeria indicated it would have liked Canada to take the opportunity to announce its support for the final document of the Durban Review Conference. Algeria noted the

refusal of Canada to adhere to various international human rights instruments while it had made similar recommendations in the context of the universal periodic review to other countries.

253. Cuba noted that, in the course of the review of Canada, around 68 recommendations had been formulated. It highlighted those asking Canada to ratify international conventions to which it was not yet a party and to intensify efforts to combat racism, racial discrimination and xenophobia, particularly against First Nations, as an essential component to democracy. It noted that Canada had accepted a number of recommendations, but regretted that it continued to refuse to comply fully with and implement the United Nations Declaration on the Rights of Indigenous Peoples, one of Cuba's recommendations. Cuba also regretted that Canada dissociated itself from international efforts to combat racism, racial discrimination and xenophobia and urged it to join the activities to implement the Durban Declaration and Programme of Action, as well as the outcome document of the Review Conference. Cuba indicated it missed the time when Canada took a pro-third-world approach, committed to the noblest causes, always on the side of the weakest, and awaited its return.

254. The Russian Federation regretted that the recommendations that it made to Canada had not been implemented. It recommended that Canada not isolate itself from international cooperation with respect to work on combating racism, racial discrimination, xenophobia and related intolerance and that it consider the possibility of accepting the final document of the Durban Review Conference. The Russian Federation also stressed the importance of a nationwide strategy to combat poverty, particularly in the context of the current global financial and economic crisis and of the desirability to pay special attention to the situation of representatives of indigenous peoples, who were experiencing the greatest difficulties.

255. The Islamic Republic of Iran made reference to concerns raised by the treaty bodies and in stakeholders' submissions, including on continued cases of violation of human rights in Canada, as well as the growing discriminatory treatment of indigenous people, aboriginal women, migrants, Muslims, Arabs and Afro-Canadians. Iran noted that, since September 2001, Canada's Muslim and Arab communities had continuously felt victimized. It made reference to concerns about serious acts of violence against Aboriginal women and urged Canada to examine its failure to investigate cases of missing and murdered Aboriginal women. Iran also noted that Canada placed barriers to refugee and migrant family reunification, and recommended that Canada

address the root causes of various forms of discriminations in the country, ensure effective access to justice, establish means of redress and protection of the rights of ethnic minorities and indigenous people and Aboriginals, and revisit its decision with regard to the United Nations Declaration on the Rights of Indigenous Peoples.

256. Sweden welcomed this opportunity to participate formally in the universal periodic review dialogue on Canada, and made two comments. Firstly, Sweden noted that the recommendations on the issue of violence against women, including indigenous women, including its own recommendation posted on the extranet, enjoyed the support of the Government of Canada. Secondly, concerning the issue of violence against children, Sweden noted that the recommendations made on this issue enjoyed the Government's support and encouraged Canada to include a prohibition of corporal punishment.

257. The United States of America appreciated Canada's efforts to settle Aboriginal land claims, with a view to accelerating the process. It also welcomed the attention paid to recommendations to review the effectiveness of its anti-trafficking laws and to coordinate law enforcement efforts among national, provincial and State authorities, and requested more information in this regard. It commended Canada's acknowledgement of civil society concerns and appreciated its efforts to build on these constructive relationships, consulting them on universal periodic review follow-up activities. It noted that Canada had been a model member of the Council, demonstrating deep commitment to the protection and promotion of human rights.

258. Chad noted with satisfaction the acceptance of most of the recommendations made by Canada.

3. General comments made by other relevant stakeholders

259. The Canadian Human Rights Commission wished to see the universal periodic review process move the dialogue forwards with regard to the Declaration on the Rights of Indigenous Peoples and the acceleration of Canada's ratification of the Convention on the Rights of Persons with Disabilities. The Commission commended Canada for its acceptance of a number of recommendations. For those not accepted, it encouraged Canada to develop practical strategies to reach the objectives they were designed to achieve. It also called on Canada to establish a

national mechanism to implement and report on its international commitments, which should include human rights commissions and countrywide civil society. The Commission promised to follow Canada's implementation of the outcome document with great interest.

260. The Charitable Institute for Protecting Social Victims commented on the prevention of violence against women. It emphasized the importance of assessing the complex issue of the effects of violence and abuse on women and on society. It called for closer attention to be paid to negligence in promoting and protecting women's rights and to the causes of neglect in investigating the condition of women threatened with violence and abuse by their husbands.

261. The Organization for Defending Victims of Violence expressed concern over the violence or excessive force that the Canadian police use against people. While expressing grave concern at the application of these forms of violence by the Canadian police, the Organization deemed the use of Taser stun guns as a policy contrary to all international human rights instruments and guidelines and called upon the Council to consider this issue in its review on Canada.

262. The Iranian Elite Research Center referred to the human rights issues of the Muslim, indigenous and African-Canadian citizens of Canada and the increase in Islamophobia in the country. It noted that, following the September 11 attacks, the Muslim community had been under constant pressure and was subjected to various forms of prejudice. It expressed concern about the conditions of migrants and the excessive violence of police and security forces. The Center invited the Council to call upon Canada to observe all its human rights commitments.

263. The Indian Council of South America, in a joint statement with the Organisation pour la communication en Afrique et de promotion de la coopération économique internationale and the International Organization of Indigenous Resource Development, referred to complaints received about the use of the term "aboriginal" in the universal periodic review of Canada. It raised the need to address unresolved issues, issue an apology in general, create a truth and reconciliation commission for all indigenous peoples and adopt the Declaration on the Rights of Indigenous Peoples. Reference was made to recommendation 61 and to the need for States to be careful that they do not stereotype individuals or groups to conveniently identify them as terrorists so that accusations of terrorism did not become a convenient excuse for the use of force and arms against non-violent and peaceful resistance.

264. Rencontre africaine pour la défense des droits de l'homme made reference to Canada's enormous difficulties regarding people of African descent living in Canada. It exhorted Canada to set up a programme for the implementation of the Durban Programme of Action and to promote real integration of indigenous women and black women and other minorities in Canada's economic tissue. It congratulated Canada on its contribution to combating poverty in developing countries and on its adoption, in 2004, of a law to enable Canadian enterprises to communicate medical patents to combat AIDS in developing countries.

265. The International Organization of Indigenous Resource Development noted that Canada could not or did not accept the recommendations on ILO Convention 169, the lifting of reservations, with regard to the Convention on the Rights of the Child, on indigenous children and the United Nations Declaration on the Rights of Indigenous Peoples. It supported Canada's commitment to submit the universal periodic review outcome to the Parliament and highlighted the need for a permanent domestic mechanism related to the implementation of international human rights obligations generally and specifically for indigenous peoples. It underscored Canada's commitment to considering recommendations of the truth and reconciliation commission, though this would not in itself ensure justice and respect.

266. The World Association for the School as an Instrument of Peace (on behalf of three other organizations), the Arab Commission for Human Rights, the International Federation of Human Rights Leagues and Amnesty International were scheduled to speak within the 20-minute segment for non-governmental organizations, but were not allowed to do so because the meeting was running late. At its 15th meeting, on 10 June, the President of the Council decided, on an exceptional basis, that, although not delivered during the proceedings, summaries of the statements of the above-mentioned organizations would be reflected in the present report.

267. A joint written statement by the World Association for the School as an Instrument of Peace with Action Canada for Population and Development, the Canadian HIV/AIDS Legal Network and the International Organization of Indigenous Resource Development welcomed the Government's acknowledgement of the importance of the issue of missing and murdered Aboriginals. With reference to recommendations 33 to 38 and recommendations 45, 47 to 49, 50 and 54, the World Association for the School as an Instrument of Peace considered Canada's

responses insufficient. It reiterated comments that Canada's failure to accept recommendation 17 contradicted the 2006 election promise to close the gap in quality of life standards between indigenous peoples and the rest of Canada. It expressed its disappointment with Canada's refusal of recommendation 52, to endorse the United Nations Declaration on the Rights of Indigenous Peoples. Regarding recommendation 57, it considered that consultations on the Migrant Workers Convention had been inadequate.

268. In its written statement, the Arab Commission for Human Rights saluted the acceptance of recommendation 2. It regretted the rejection of recommendation 5 on the ratification of the International Convention on the Rights of Migrant Workers, and recommendation 21, especially its second part, urging Canada to contribute to global efforts in the fight against racism, racial discrimination, xenophobia and related intolerance. It was especially concerned over the argument that the Review Conference had elicited manifestations of intolerance and anti-Semitism. It invited Canada to reconsider its position on the Durban Review Conference and to join the Outcome Document, ensuring its universal acceptance. It recommended that Canada ratify the 1960 Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

269. In its written statement, the International Federation of Human Rights Leagues regretted Canada's decision not to accept fully or partially 28 recommendations. It referred to the refusal of Canada to endorse the Declaration on the Rights of Indigenous Peoples, and regretted that consultations with civil society had not been serious, and indicated that the choice of recommendations accepted had not been done in a transparent manner. It regretted Canada's refusal to recognize the justiciability of economic, social and cultural rights and to adhere to the Optional Protocol to the International Covenant on the Economic, Social and Cultural Rights. It expressed concern at the refusal to accept recommendations relating to Canadian citizens facing the death penalty abroad.

270. In its written statement, Amnesty International welcomed Canada's acceptance of many recommendations, although it had expected a more ambitious response from Canada. It was disappointed that Canada had rejected recommendations relating to the ratification of international human rights instruments and to declaring support for the United Nations Declaration on the Rights of Indigenous Peoples. It welcomed the commitment of Canada to

submitting the outcome of its review to the Parliament and urged that provincial and territorial legislatures do the same, and that the Government move quickly to develop a new approach to the implementation of Canada's international human rights obligations.

4. Concluding remarks of the State under review

271. Canada expressed appreciation to the Troika members, and the delegations and organizations that contributed to the process. Canada viewed the universal periodic review as a four-year cycle centred on the country under review. Having completed the preparations for its review and the review itself, Canada was looking ahead to the implementation phase. Implementing the recommendations accepted and its voluntary commitments would require sustained engagement by all orders of government.

272. Canada had been an early and committed proponent of the universal periodic review as one of the most important innovations of the Council. Canada remained committed to working to strengthen this dynamic new mechanism as it developed and to improving the protection of human rights for all people across Canada.

Bangladesh

273. The review of Bangladesh was held on 3 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Bangladesh in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/BGD/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/BGD/2); and

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/BGD/3).

274. At its 15th meeting, on 10 June 2009, the Council considered and adopted the outcome of the review on Bangladesh (see section C below).

275. The outcome of the review on Bangladesh comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/18), the views of Bangladesh concerning the

recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/18/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

276. The Chargé d'affaires of the Permanent Mission of Bangladesh to the United Nations Office at Geneva indicated that the fact that the Minister for Foreign Affairs, on her first visit since the new Government took office, had headed the Bangladesh delegation during its review held on 3 February 2009 reflected the importance that the Government attached to this new human rights mechanism. The conduct of the review had been a productive and rewarding experience for Bangladesh, obliging it to have a deeper look into its human rights situation and to identify possible areas requiring more attention. It had offered an opportunity to engage all relevant Government agencies and civil society in the human rights discourse within the country.

277. The interactive dialogue in the Working Group had been very productive. Bangladesh had learned how its situation and efforts had been perceived by the international community. It noted with great satisfaction that there had been positive recognition of the efforts made, with some accomplishments regarded as examples of best practice. Despite its many achievements, Bangladesh was aware that there were a number of shortcomings and room for improvement. Several delegates referred to Bangladesh's deficits. Most of the questions and recommendations presented were challenging, yet constructive. Bangladesh considered them carefully and consulted with Government departments before finalizing its response to the recommendations, which was available as a public document.

278. Bangladesh had accepted almost all recommendations, with action already initiated to implement some of them. One or two could not be accepted as they were in conflict with Bangladesh's Constitution, legal provisions or deeply-held social values. In a few cases, explanations had also been provided to better understand the context of human rights protection and Bangladesh hoped the Council would understand and appreciate this approach. Bangladesh stated that its commitment to the promotion of human rights was not limited to these recommendations. It was convinced that it needed to continuously pursue higher norms and

standards, be it in the area of human rights or in socio-economic development. It also referred to its institutional framework in addressing all human rights challenges, including its democratic polity, vibrant civil society and newly established national human rights commission.

279. Bangladesh explained that most of its human rights challenges were rooted in poverty and underdevelopment. As a result, the Government had given priority attention to the alleviation of poverty through a range of home-grown ideas and policies, such as microcredit, non-formal education and social safety net programmes. Bangladesh would continue to strive for further progress and was confident that there would be significant progress to report in its pursuit of human rights by the next review.

2. Views expressed by member and observer States of the Council on the review outcome

280. Pakistan noted that the presentation of the national report by the Minister for Foreign Affairs of Bangladesh was a manifestation of the priority that the newly elected Government attached to human rights. The acceptance of almost all recommendations was further proof of this commitment. Pakistan stated that the recommendations not taken on board by Bangladesh were clearly those that neither fell under the rubric of international human rights standards nor conformed to its national laws, commitments and values. It commended this stance. Pakistan appreciated the actions initiated for implementing the recommendations made.

281. Venezuela (Bolivarian Republic of) was pleased with Bangladesh's open and cooperative presentation, which had allowed positive interaction on its achievements and challenges. It thanked Bangladesh for its replies, particularly on the implementation of the strategy to reduce poverty in remote regions and positively valued the development programmes favouring vulnerable groups, especially women in situations of poverty. Venezuela recognized the efforts and political will of Bangladesh for human rights.

282. Qatar noted that Bangladesh seriously endeavoured to promote and protect human rights through its Millennium Development Goal plans, especially on education. Bangladesh's achievements and considerable efforts to address challenges faced in the fields of good governance, economic and social development, human rights, poverty alleviation and women's

rights were also noted. Qatar also called on OHCHR and other bodies to provide assistance to Bangladesh, including technical advice, to address the challenges it faces, including environment and climate change that had an impact on human rights.

283. Cuba recognized that Bangladesh had accepted the majority of recommendations and highlighted the fact that its efforts to implement them were praiseworthy. It noted that these efforts had been made in a situation exacerbated by the current international financial and economic crisis. It noted that Bangladesh continued to promote education and women's rights. Cuba recognized the actions implemented to combat poverty and hunger and to meet basic needs, such as food, housing, education and health, and encouraged Bangladesh to continue these efforts.

284. Belarus regretted that it had not been able to speak during the review of Bangladesh. It supported a number of the recommendations accepted by Bangladesh, including those on the rights of women and children, education and health care and of continuing effective measures to eradicate poverty. Belarus expressed satisfaction that Bangladesh had agreed to all the recommendations relating to the vulnerable categories of citizens and expressed its conviction that Bangladesh would take just as serious an approach to the implementation of the recommendations as it did for the preparation of its review.

285. Bahrain noted that Bangladesh had taken numerous measures to promote and protect human rights, showing that Bangladesh was fully willing to give new impetus to its human rights movement and to fully cooperate with United Nations bodies. Bahrain welcomed the fact that Bangladesh was combating violence against women, having set up a commission to provide medical, legal and police assistance, and homes for women in need. It greatly appreciated Bangladesh's efforts to end hunger and violence against children in close cooperation with non-governmental organizations and civil society.

286. China thanked Bangladesh for presenting the efforts made and the achievements reached and for its frank account of the difficulties and challenges that it faced. China welcomed the active measures taken by Bangladesh to implement the accepted recommendations. China hoped

that the international community would provide the necessary economic and technical assistance to help Bangladesh. China expressed its sincere sympathy to Bangladesh because it had recently suffered from violent tropical storms.

287. Algeria greatly appreciated the acceptance by Bangladesh of 40 of the 42 recommendations submitted to it and understood the explanations for the recommendations rejected. Algeria commended Bangladesh for its commitments and efforts to address the impact of climate change on human rights and for its achievements and commitment to poverty reduction, particularly among women, and called on the international community to assist Bangladesh in combating poverty.

288. Egypt noted that Bangladesh had succeeded in its review process to share its experiences and good practices in the elimination of poverty, ensuring food security, attaining the right to education and political participation. Egypt encouraged the international community to extend assistance to Bangladesh based on its needs assessment for further advancing all human rights. Egypt also commended Bangladesh for upholding its sovereign right to implement its laws based on the universally agreed human rights norms and standards, especially in relation to the death penalty.

289. Saudi Arabia noted that Bangladesh intended to continue the efforts under way to promote human rights. Saudi Arabia welcomed those made to combat poverty and noted its ambitious national programmes for the poorer segments of the population, especially women and children. It highlighted the fact that Bangladesh provided clear and transparent information on the challenges faced and required support from the international community.

290. The United Arab Emirates welcomed the voluntary commitments of Bangladesh made during the universal periodic review process. It commended the Government for the efforts made in the promotion and protection of human rights, especially those of children. It expressed its appreciation to other initiatives taken, including for disabled persons. The United Arab Emirates was confident in Bangladesh's capacity to face its challenges and hoped that the Council would support Bangladesh in its reforms.

291. Kazakhstan appreciated Bangladesh's consultation with civil society in the preparation of the review and encouraged continued consultation in its follow-up and implementation.

Kazakhstan would appreciate Bangladesh's consideration of acceding to the core treaties to which it was not a party. It noted progress in the field of education, particularly for girls, and steps for improving the role of women in society. It stressed the need to further strengthen the national human rights commission. Kazakhstan expected the finalization of the national document on eradication of child labour and encouraged Bangladesh to address problems faced by children.

3. General comments made by other relevant stakeholders

292. The Asian Forum for Human Rights and Development, in a joint statement, welcomed the recent decision of the Government to establish tribunals for the trial of those responsible under the International Crimes Act of 1973. It expressed dismay that, despite the announced policy of "zero tolerance" of extrajudicial killings, such killings had allegedly continued without any substantive efforts to investigate or take appropriate action. It reported on cases of violence against women since January 2009. It urged the Government to make concrete, measurable and time-bound commitments to address these human rights violations, including investigations into ongoing and past human rights abuses, including war crimes, extrajudicial killings, torture and arbitrary detention, and cases of violence against women, minorities and indigenous people, and to provide adequate reparation to victims and families. A call was made for a road map for the repeal of discriminatory laws, with particular emphasis on those affecting religious minorities, workers and persons with disabilities, as well as juvenile justice and gender-based personal laws. It strongly urged the Government to take concrete steps for the full implementation of the peace accord in the Chittagong Hill Tracts.

293. The Asian Legal Resource Centre welcomed the attention given to the human rights situation in Bangladesh thanks to the universal periodic review process. It noted grave violations during the review period. Concerning recommendations 10, 20 and 26, the Centre said that Bangladesh had promised to address the culture of impunity. It challenged Bangladesh to produce evidence of cases in which State agents had been held responsible for torture or extrajudicial killings. Bangladesh should repeal the Joint Drive Indemnity Act of 2003 and article 46 of the Constitution, which provided blanket impunity to State agents involved in violations. Concerning recommendations 11 and 25 and despite claims that the judiciary had

been separated from the executive, it noted that the Government had amended its code of criminal procedure of 1898 to allow “executive magistrates” to take control of any trial they deemed fit, which, in practice, was an obstruction to judicial independence. The Centre was deeply disappointed that Bangladesh had not accepted recommendation 12 and indicated that Bangladesh must ensure visits of three special rapporteurs, as a priority, and extend invitations to all other mandates.

294. Action Canada for Population and Development requested that Bangladesh incorporate into its law enforcement training programme issues of the transgender community. Acknowledging Bangladesh’s acceptance of recommendations 6 and 7 of the universal periodic review, it requested that the Government create a special gender and sexual minority cell within the national human rights commission. With regard to recommendation 18 on vulnerable groups, it called upon Bangladesh to regard men and women attracted to the same sex living in poverty, intersex, *Hijra* and *Kothi* as special groups and bring them into safety net packages. On recommendation 23 on the setting up of a national plan of action against sexual abuse, it requested that Bangladesh take into consideration the particular vulnerabilities of intersex and “effeminate” children, the violence they faced in schools and the traumatic effects this violence had on their lives.

295. The International Work Group for Indigenous Affairs raised concerns about the situation of indigenous peoples in the Chittagong Hill Tracts. It noted that the Government of Bangladesh had expressed its sincere intention to implement fully the Chittagong Hill Tracts peace accord. It referred to recommendation 34 and the particular importance of resolving the land disputes with effectiveness and justice by amending the Land Dispute Commission Act of 2001 and by having the land disputes resolution commission resume its work and by initiating a viable process of voluntary relocation of government-sponsored Bengali settlers from the Chittagong Hill Tracts. It was also important to expedite the withdrawal of hundreds of temporary military camps, and to facilitate normal civil administration by transferring all the agreed subjects and functions to the Hill District Councils with immediate effect, taking all the necessary steps to ensure the full functioning of the Chittagong Hill Tracts Regional Council.

296. The International Human Rights Association of American Minorities noted that the 2008 elections were promising and the establishment of the human rights commission offered some

hope. It considered that the continuation and expansion of poverty alleviation programmes would allow more people to be lifted out of poverty. Despite progress made in the field of human rights, the Association noted that corruption was still commonplace, that torture, extrajudicial killings and custodial deaths were still being reported, and that equality between men and women had not yet been fully realized. It encouraged Bangladesh to ratify the treaties, as recommended in the review report. It spoke of the need to bring to a halt custodial deaths and torture of people in custody and to take further steps towards ending all forms of violence against women and eradicating child labour.

4. Concluding remarks of the State under review

297. Bangladesh thanked all participants and conveyed particular thanks to those who had expressed their support and solidarity following the recent cyclone that had devastated a part of its country.

298. Bangladesh believed that, although the universal periodic review was primarily an intergovernmental process, civil society had an important role to play. As Bangladesh consulted national non-governmental organizations during its preparatory process, it would have been happy to hear more voices of national organizations on the outcome of the review, and expressed the hope that the Council would try to facilitate participation of mainstream national non-governmental organizations in deliberations on country human rights situations. Bangladesh stated that it was committed to continue involving its civil society and working with them.

299. Bangladesh was a small country, with a vast population, resource-starved and disaster-prone, for which reasons fully guaranteeing human rights protection was a daunting challenge, so expectations had to be realistic. Although there might be some instances of human rights violations, there was an adequate and effective institutional framework to deal with them. However, Bangladesh would continue to strive for further improvements.

300. Careful note had been taken of all observations, suggestions and comments made, and they would be referred faithfully back to the Government, which would give them due consideration and take practical measures within the parameters of the Constitution and in line with the expectations of its people.

301. Bangladesh viewed the universal periodic review as a continuous process to improve the human rights situation. The second part of the process was starting with the implementation of accepted recommendations.

Russian Federation

302. The review of the Russian Federation was held on 4 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by the Russian Federation in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/RUS/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/RUS/2); and

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/RUS/3).

303. At its 15th meeting, on 10 June 2009, the Council considered and adopted the outcome of the review on the Russian Federation (see section C below).

304. The outcome of the review comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/19), the views of the Russian Federation concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/19/Add.1/Rev.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

305. The Russian Federation stated that it had evaluated how the many recommendations made complied with its existing policies and efforts related to strengthening democratic State institutions, developing civil society organizations, ensuring supremacy of the law and the respect for human rights and fundamental freedoms, family traditions and political equality.

306. With great satisfaction, it announced that the Government was prepared to fully approve approximately 40 clusters of recommendations, amounting to 70 per cent, while expressing partial agreement with some of the remaining ones.

307. The Russian Federation was particularly prepared to implement recommendations regarding the continuation of the policy to protect the liberty and dignity of human beings, freedoms of thought, conscience and religion, the realization of economic, social and cultural rights, the strengthening of national institutions in the area of human rights, the development of international cooperation in this field and ensuring active participation in the Council's work. Even in the context of the international financial crisis, it did not intend to lower the level of social protection for its citizens.

308. The Russian Federation would continue its work to accede gradually to international human rights instruments, taking into account the financial implications and requirements for changes in law and practice. It intended to speed up work to ratify the Convention on the Rights of Persons with Disabilities. The State Council for the Disabled had adopted a set of decisions to prepare for the ratification of the Convention and to create an accessible environment. This included modernizing the education system for disabled children to help them integrate into society.

309. The delegation noted that Russia regularly hosted Council special procedures. After three visits in recent years, it planned to organize another two in 2009.

310. On combating manifestations of extremism and racism, it stated that the majority of recommendations were useful and would be taken into account in practical work. There was no need, however, to establish new organizational structures to achieve this goal, as existing State bodies, including the Ministry of Internal Affairs and Public Prosecutor's Office, would be used.

311. Judicial reform would continue, aiming to strengthen confidence in the administration of justice, enhance the quality and effectiveness of judicial review of court cases and the level of enforcement of decisions, and ensure the independence of judges. A new draft of the federal law on the administration of justice was being prepared, together with the development and implementation of procedures for prejudicial consideration of disputes. The State Duma of the

Federal Assembly had approved the introduction of amendments in the federal constitutional law on the country's judicial system, which provided, particularly, for the establishment of juvenile courts.

312. Further steps were planned to develop qualitatively the penitentiary system and improve conditions of detention. The President had issued an order to amend laws providing for alternative criminal sanctions that did not involve the deprivation of liberty.

313. The Russian Federation accepted all recommendations relating to interaction with non-governmental organizations and the protection of human rights defenders and journalists. It said the Presidential Council for its promotion of the development of civil society institutes and for human rights would continue to dialogue constructively with non-governmental organizations to progressively develop legislation governing their activities, taking into account international standards. Possible legal amendments were being considered to regulate matters of, inter alia, taxation of non-governmental organizations and their interaction with State bodies.

314. Further measures were also envisioned to ensure the independence of mass media outlets and to develop a legal basis for their operation, particularly given the development of new technologies. A draft federal law had already been adopted in the first reading on guarantees of equality for parliamentary parties in reporting by State mass media.

315. The delegation stated that the Russian Federation, as one of the most multi-ethnic of States, would continue to protect the rights and freedoms of minorities and ethnic groups actively. Recommendations would be duly taken into account in the realization of concept papers for State national policy, national educational policy and the plan to implement priority areas in the general education system. It would continue to monitor the issue of mother-tongue education.

316. The Russian Federation would also continue to expand and strengthen international cooperation in human rights promotion and protection, developing non-confrontational dialogue on an equal footing in the interests of all States Members of the Council and in constructive interaction with OHCHR.

2. Views expressed by Member and observer States of the Council on the review outcome

317. Pakistan welcomed the Russian Federation's detailed comments, prepared through wide consultation with stakeholders, reflecting the importance it attached to the universal periodic review from the very beginning. Pakistan was encouraged by Russia's acceptance of the majority of the recommendations, including those made by Pakistan; this reflected Russia's constructive attitude to human rights promotion and protection. It noted steps enumerated to reform different sectors, particularly the justice system. It wished Russia well in implementing the recommendations.

318. Venezuela (Bolivarian Republic of) commended the Russian Federation for its inclusive approach to the universal periodic review, including the wide consultations carried out in preparing the national report, which reflected the contributions of all sectors of society. It welcomed the acceptance of recommendations and replies, particularly to a question asked by Venezuela regarding the implementation, scope and expected results of the national priority plan in the area of health. It commended the country for its reduction in child mortality and the expansion of immunization campaigns. Venezuela recognized the efforts of the Russian Federation and its resolve to promote and protect human rights.

319. Qatar appreciated the Russian Federation's openness towards the review process and its acceptance of recommendations made by Qatar, including that of redoubling efforts to improve the condition of detainees in prisons and to ratify the Convention on the Rights of Persons with Disabilities and Convention for the Protection of All Persons from Enforced Disappearance. It highlighted Russia's determination to combat racial discrimination and intolerance. Qatar encouraged Russia to implement the recommendations made and wished it full success in promoting human rights.

320. Algeria noted the Russian Federation's favourable response to 70 per cent of the recommendations, and its efforts to combat racism, racial discrimination, xenophobia and related intolerance at the national and international levels through the role it played in the success of the Durban Review Conference. It noted Russia's determination to continue improving the situation

of detainees and children without parental care. Algeria had encouraged Russia to continue efforts to deepen international cooperation in the area of human rights by promoting constructive dialogue in the interest of all regional groups within the Council.

321. Uzbekistan welcomed the Russian Federation's constructive approach to the universal periodic review and its broad spectrum of work to promote and protect human rights and fundamental freedoms. It also welcomed Russia's cooperation with the Council, the treaty bodies and other international organizations, as well as its consistent measures relating to human rights promotion and protection, allowing its effective and transparent participation in every stage of the review process. It noted with satisfaction Russia's achievements in the protection of women's and children's rights, social welfare, health care, right to education, freedom of religion and conscience and others.

322. Cuba commended the Russian Federation for its efforts, successes and clearly defined objectives and priorities in promoting and protecting human rights. It welcomed its acceptance of the recommendations made by Cuba, noting that the right to health had been strengthened through the implementation of a national plan and that the country guaranteed accessibility and the free provision of pre-school education, general basic education and vocational training in State and municipal education centres. Cuba commended Russia for its efforts to combat poverty in the framework of the socio-economic development programme and the results achieved. Cuba encouraged full implementation of the accepted recommendations.

323. Belarus welcomed the constructive and responsible attitude of the Russian Federation to the universal periodic review. Belarus had recommended that, despite the economic crisis, Russia should continue implementing programmes to protect economic and social rights. It noted with satisfaction that expenditure for the development of human rights institutions was not to be reduced, and that Russia was actively implementing its recommendations at the national and regional levels, particularly in the Commonwealth of Independent States. Noting Russia's active participation in the work of the international academic centre in Minsk regarding migration and human trafficking, it counted on further effective work in these areas.

324. Sri Lanka paid tribute to the Russian Federation's role in the institutional-building process of the Council, the universal periodic review and the Durban Review Conference. It recognized

Russia's historic contribution to the area of human rights and the difficulties it had faced.

Sri Lanka commended the Russian Federation for safeguarding human rights, strengthening the individual, strengthening society while not weakening the State or the nation.

325. China noted the Russian Federation's acceptance of the majority of recommendations and commended it for its constructive, open, practical and responsible attitude. The measures on the protection of the rights of disabled persons and on judicial reform were inspiring. China believed that Russia's next review report would be even more impressive and, through concrete actions, would demonstrate its solemn commitment to human rights.

326. Egypt commended the Russian Federation for its achievements on the path of consolidating its democratic system, while overcoming the economic and social challenges to the establishment of stability and prosperity. It expressed appreciation for Russia's efforts to achieve greater social security and the overall effective realization of all economic, social and cultural rights through the integration of a human rights approach in its national strategies and programmes. Egypt commended Russia for its constructive approach and openness throughout the review process, demonstrating its commitment to cooperating with the Council and the other human rights mechanisms.

327. Saudi Arabia commended the Russian Federation for its acceptance of the majority of recommendations and paid tribute to its efforts to implement them. It highlighted Russia's political will to deal positively with human rights mechanisms and to promote and protect human rights effectively by upgrading laws and establishing mechanisms. It commended Russia's determination to implement further judicial reforms and strengthen anti-corruption mechanisms.

328. The United Arab Emirates valued the responsible approach of the Russian Federation in the preparation of its national report and during the interactive dialogue, which was held in accordance with relevant General Assembly and Council resolutions. It expressed satisfaction for Russia's human rights achievements.

3. General comments made by other relevant stakeholders

329. The Indian Council of South America commended the Russian Federation for its continued reforms in its transition to a democratic State, and its contribution during the Durban Review Conference. It urged Russia to continue combating racism, addressing extremism and improving

the integrity of its justice system. It noted Russia's dialogue with indigenous peoples to address their rights and concerns. It called for the implementation of the recommendations of the Committee on the Elimination of Racial Discrimination, improving the situation of indigenous peoples and ensuring full respect for their rights. Noting Russia's abstention on the Declaration on the Rights of Indigenous Peoples, it asked that it work towards accepting its provisions, allowing indigenous peoples in Russia to enjoy all the rights therein.

330. Rencontre africaine pour la défense des droits de l'homme noted the rise of ethnic tensions, racial hatred and violence, the proliferation of young neo-Nazi groups and racist and xenophobic declarations in the media and on the Internet, including by public officials. It urged the implementation of the recommendations of the Committee on the Elimination of Racial Discrimination. It called for a lasting political solution to the conflict in Chechnya and Southern Ossetia. Democracy, respect for fundamental rights and freedoms and the rule of law had to be fully respected in accordance with Russia's international commitments. It commended Russia for its contribution to the Council and to Durban and encouraged it to accept the visits of special procedures mechanisms.

331. The Canadian HIV/AIDS Legal Network welcomed the acceptance of recommendations on sexual orientation and gender identity. It noted, however, numerous restrictions against lesbians, gays, bisexuals and transgender people with regard to freedom of expression and peaceful assembly. Peaceful events to promote respect for such people had been banned and people subjected to arrests and violence. It urged the Government to ensure the holding of such events with adequate police protection. Noting a rise in hate crimes, it said that discrimination on the grounds of sexual orientation and gender identity should be prohibited, that such bias should be an aggravating factor, and that perpetrators should be vigorously prosecuted and punished. Noting Russia's indication that training was provided to prison guards and law enforcement officials on the needs of minorities, including on the grounds of sexual orientation and gender identity, it sought elaboration and clarification.

332. Human Rights Watch noted the many concerns about the hostile and deteriorating environment for civil society and the restrictive 2006 law on non-governmental organizations, providing for excessive Government interference and unreasonable bureaucratic requirements. It had hoped that Russia would commit to specific steps to ensure civil society operation without

undue Government interference, particularly since President Medvedev had initiated a process to review the law. It urged the Government to revise the law substantially and to condemn attacks on human rights defenders and journalists, ensuring that such crimes were investigated and prosecuted. Ongoing abuses in Chechnya and the broader North Caucasus and persisting impunity were other areas of concern. Russia was urged by its peers to establish meaningful accountability mechanisms and to implement fully the more than 100 rulings of the European Court finding it responsible for serious violations in Chechnya, and to ratify Protocol No. 14 to the European Convention. It regretted that the concerns had been ignored. Russia's failure to grant access to special procedures, particularly on torture, was also raised. Noting that 10 special procedures had pending requests to visit Russia, it regretted Russia's decision not to issue invitations and agree on dates.

333. The International Work Group for Indigenous Affairs highlighted the situation of 40 ethnic groups in the North, Siberia and the Far East of Russia, which traditionally use and inhabit about two thirds of Russia's land mass, where most natural resources such as oil, gas, timber, gold and diamonds, are extracted. It noted the concern of the Committee on the Elimination of Racial Discrimination about their situation and its recommendations that Russia seek their consent and give primary consideration to their special needs prior to granting licences to private companies, and to ensure their priority rights to territories of traditional nature use and to natural resources. The Committee had urged Russia to withdraw support for the Evenkiiskaya dam, which would displace thousands of indigenous Evenks, and from other similar large-scale projects.

Welcoming the announcement of a national plan to implement the recommendations and that a first interim report would be presented by end of year, the Work Group hoped that the plan would address the above-mentioned concerns, noting, however, that the indigenous umbrella organization, RAIPON, had no information on the existence of such a plan. The Work Group sought clarification on the status and timeline of the document, its title and availability. It urged actively consultation with and participation of indigenous organizations in the implementation process.

334. The International Commission of Jurists regretted Russia's last-minute responses to the recommendations, but called for their prompt and effective implementation. It urged effective investigation, accountability and redress for human rights violations, including acts of torture, ill-treatment, secret and other arbitrary detention and enforced disappearances in the

North Caucasus. The lack of effective investigation of the law enforcement response to the Dubrovka theatre siege and the attack on Beslan School No. 1 should be urgently addressed. It expressed serious concern at the harassment of lawyers, journalists and other human rights defenders, and particularly at the murder, in January 2009, of Stanislav Markelov and Anastasia Baburova. These should be promptly and effectively investigated. It also cited threats and attacks against applicants to the European Court of Human Rights, particularly those from the North Caucasus. The Government should prevent such obstruction of applications to the Court against victims, their families and legal representatives. It regretted that the threat to the independence of lawyers posed by the proposed amendments to the 2002 federal law on legal practice and the bar, which would grant the State registration agency power to initiate court action to remove lawyers' licences, had not been addressed. It called for the withdrawal of the amendments. Also unaddressed was the practice of informal transfers of suspects from Russia to other members of the Shanghai Cooperation Organization, contrary to the non-refoulement obligation. The Commission asked Russia to invite the special rapporteurs on torture, executions, independence of judges and lawyers and the Working Group on enforced disappearances.

4. Concluding remarks of the State under review

335. The Russian Federation noted that accession to the second Optional Protocol to the International Covenant on Civil and Political Rights concerning the abolition of the death penalty would depend on the prevailing view in Russian society on abolition. It noted, however, that the death penalty had been de facto abolished since August 1996 and, since 1999, all prior death sentences had been commuted to life or 25 years of imprisonment.

336. It said that the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families required an in-depth study to determine the concordance of specific provisions with Russian legislation. With regard to the ratification of ILO Convention No. 169, it stated that current legislation in Russia on indigenous peoples was more progressive and better reflected the particular characteristics of the local situation.

337. The question of ratifying the Rome Statute of the International Criminal Court was being considered, guided by the notion that the decision to accede was the prerogative of the State and made in the State's own interests. Many factors would be considered, including the initial results of the activities of the Court and outcome of the work to define the crime of aggression.

338. A draft law on the ratification of Protocol No. 14 was under consideration by the State Duma of the Federal Assembly. The preparation for ratification of the European Charter for Regional or Minority Languages was being carried out in the framework of a State inter-agency working group that, together with the Charter secretariat, aimed to find modalities for the implementation of the Charter that would take into account Russian realities and the unique cultural and linguistic diversity of its people.

339. The delegation thanked the non-governmental organizations for their comments and referred to two meetings with civil society representatives held in the Ministry of Justice and covered by the mass media. After the universal periodic review, Russia planned to convene a working group on the preparation and presentation of the national report and on further steps for implementing the recommendations accepted.

340. Prior to the adoption of the outcome, Germany, on behalf of the European Union, stated that it was in favour of the adoption of the outcome of the review of the Russian Federation on the understanding that the formulation in paragraph 86 of the Working Group report would mean that the recommendations referred to in paragraph 54 did not enjoy Russia's support. It considered the assessment contained in paragraph 86 factually incorrect, but respected the freedom of the Russian Federation to reject any recommendation made during the interactive dialogue of the Working Group.

341. The Russian Federation was of the view that it was not appropriate to discuss substantive issues at this stage and that its position had been clearly set forth in paragraph 86 of the Working Group report, which had been adopted by consensus.

Nigeria

342. The review of Nigeria was held on 9 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Nigeria in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/NGA/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/NGA/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/NGA/3).

343. At its 18th meeting, on 11 June 2009, the Council considered and adopted the outcome of the review on Nigeria (see sect. C below).

344. The outcome of the review on Nigeria comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/26), the views of Nigeria concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

345. The head of delegation recalled that Nigeria had engaged in the universal periodic review process with the utmost openness and transparency and had benefited immensely from all views expressed on that occasion. Nigeria stated that the 32 clusters of recommendations made by the Working Group had been carefully considered with the active collaboration of relevant stakeholders. In February 2009, Nigeria had already accepted 30 of the 32 clusters of recommendations and had taken note of recommendations 12 and 13. The implementation of some recommendations was already ongoing before they were made and new legislation was ongoing. Although Nigeria was determined to work assiduously towards the implementation of the recommendations, the delegation stated that constitutional and legal implications had prevented Nigeria from giving immediate effect to some of them.

346. A substantial number of recommendations were, however, being implemented, such as the one on accession to human rights instruments, as demonstrated by the signature in January 2009 of a series of international instruments by the President of Nigeria and the recent ratification through a bill passed by the National Assembly on the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

347. Nigeria recalled that its Constitution protected minority rights, in addition to the comprehensive application of the constitutional federal character principle following the establishment of the federal character commission regarding the distribution of national

resources and political appointments among the six geopolitical zones. The delegation stated that Nigeria was proud of its great ethnic, religious and cultural diversity. All Nigerian languages were spoken in Government-owned broadcast stations, and private and public initiatives promoted cultural and linguistic rights without any constraints.

348. Nigeria also continuously addressed the specific challenges of certain areas of the country with greater determination, such as in the Delta Region, with several actions such as the establishment of the Ministry for Niger Delta in 2009. Recently, Nigeria had offered amnesty to all involved in agitational activities in the Niger Delta in the logic of peace and in furtherance of dialogue.

349. The delegation stated that economic, social and cultural rights had been included in the Constitution and that successive Governments had taken initiatives aimed at their realization, such as the establishment and strengthening of pro-poor initiatives at the national, State and local levels. Nigeria had also strengthened its national poverty eradication programme aimed at creating jobs, with a particular focus on the rural areas.

350. In addition to a self-imposed moratorium on executions, Nigeria had established a national committee on the review of the death penalty, whose outcome would determine the Government's decision on this issue, subject to due process of the amendment to the 1999 Constitution of Nigeria.

351. The delegation stated that the universal periodic review would, in the years to come, be a very effective mechanism for the enhancement of human rights. Nigeria considered its recent re-election in the Council as an indication of the premium that the international community had placed on Nigeria's commitment. Nigeria was determined to honour all its commitments and asked for the support of the Council and OHCHR. Lastly, Nigeria paid tribute to the Council for electing a Nigerian President and for the support given to him, and ensured it would continue to cooperate and support the Council.

2. Views expressed by Member and observer States of the Council on the review outcome

352. Pakistan indicated that Nigeria's commitment to promote and protect human rights was explicit both by the steps taken at home and the active role played by the delegation in Geneva.

Pakistan commended Nigeria for its determination to institutionalize and enhance the enjoyment of human rights and fundamental freedoms. It took particular note of the recent ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities and of other planned activities under consideration of the Parliament, including the review of the status and role of the national human rights commission in accordance with the Paris Principles, the restructuring of the administration of justice and police and prison reforms.

353. Venezuela (Bolivarian Republic of) noted that Nigeria had given a clear demonstration of its commitment to the promotion and protection of human rights by openly cooperating during the universal periodic review. It welcomed its constructive approach to the review by providing answers to questions raised, including those asked by Venezuela on the extent of the latest education programmes and its short-term expectations. Venezuela highlighted Nigeria's important and valuable efforts for the effective promotion and protection of human rights, and the Government's commitment and political will to achieve the objectives set out in this field.

354. Qatar highly appreciated Nigeria's responses to most of the review recommendations and the measures taken to translate them into tangible accomplishments on the ground. Nigeria had enhanced its efforts to disseminate a human rights culture and to combat human trafficking and corruption in order to achieve social and economic development. Qatar called on the competent United Nations institutions to provide Nigeria with the support it may need in its efforts to promote and protect human rights.

355. Belarus noted that, during the review, it had made a number of recommendations aimed at further promoting important categories of human rights. In this regard, Belarus had recommended that Nigeria continue its efforts to combat trafficking in persons, in particular women and children; take measures for the further development of primary and secondary education; and foster the strengthening of the national health system. Belarus noted with satisfaction that Nigeria had accepted these recommendations and indicated its willingness to implement them. Nigeria had expressed its resolve to implement a whole range of recommendations aimed at strengthening the national system for the promotion and protection of human rights.

356. China indicated that, during the review process, Nigeria had adopted a positive and open posture in presenting its efforts and achievements in promoting and protecting human rights, and had spoken frankly about the difficulties and challenges it faced in this regard. It appreciated the fact that Nigeria had actively implemented the recommendations it had accepted and hoped that it would make even greater progress in ensuring judicial independence, improving education quality and realizing the Millennium Development Goals. It was convinced that Nigeria would continue to overcome its difficulties and make progress in the field of human rights, and appealed to the international community to show full understanding for the practical difficulties and challenges facing Nigeria, and to support the Government in its efforts to protect human rights.

357. Algeria stressed Nigeria's commitment to promote and protect women's rights and human rights in general, which was reflected not only domestically through the steps it had taken or intended to take to implement accepted recommendations, but also through its constructive role in the Council. Algeria was encouraged by Nigeria's acceptance of its recommendation to continue incorporating the provisions of the Convention on the Elimination of All Forms of Discrimination against Women into its domestic law. Algeria noted Nigeria's will to improve its performance in the fields of education, health and poverty reduction, which reflected its determination to fulfil human rights. It referred to Nigeria's respect of human rights in access to justice and law enforcement. Algeria added that possibilities in terms of technical assistance in these areas were significant.

358. Egypt highlighted the important progress made by Nigeria towards the attainment of the Millennium Development Goals and the priority given to the promotion and protection of human rights. It referred to the national plan of action and the seven-point agenda defining the Government's priorities in several areas, including the development of human capital, food security, functional education and the rule of law. Egypt welcomed Nigeria's cooperation with OHCHR and the international human rights mechanisms.

359. Saudi Arabia noted that Nigeria had voluntarily committed to the recommendations made. It said that the review was an opportunity for Nigeria to conduct broad national consultations regarding human rights issues, which reaffirmed the positive interaction of the country with

international human rights mechanisms. It commended Nigeria for the important legal and institutional strides taken by Nigeria to promote and protect human rights even further.

360. Kazakhstan believed that the review was a good opportunity for Nigeria to comprehensively assess the human rights situation in the country. During the interactive dialogue, Kazakhstan had learned of the challenges facing Nigeria with regard to preserving social coherence and in areas such as the rights of children, women and vulnerable groups, as well as education and health. It had also learned about the Government's commitments and plans to address these challenges. Kazakhstan greatly appreciated the Government's acceptance of most of the recommendations and believed that the ones that had not been accepted would be taken into account.

361. Bahrain commended the positive steps taken by Nigeria to implement a number of review recommendations. The universal periodic review had demonstrated the importance that Nigeria attached to the promotion and protection of human rights at the internal and international levels. Bahrain welcomed Nigeria's initiatives, taken in cooperation with different stakeholders, to design, implement and assess programmes aiming at saving, rehabilitating and integrating victims of human trafficking. Bahrain commended Nigeria for its efforts to fight all forms of human rights violations.

362. The United States of America welcomed the adoption of Nigeria's national plan of action on the promotion and protection of human rights. It noted that torture and abuse of detainees by security forces, lengthy pre-trial detention and poor prison conditions were severe problems in Nigeria. It supported the recommendations that Nigeria make efforts to end impunity for the perpetrators of human rights violations. It also supported the recommendations to ensure the independence of the national human rights commission. The United States of America hoped that the recently created Ministry for the Niger Delta had sufficient capacity and Government support to address the problems of violence and crime in the region. It supported the recommendation that consultations with minority groups in the Delta be undertaken.

363. Senegal welcomed Nigeria's continued efforts to promote and protect human rights. Despite important progress, the authorities had reaffirmed their commitment to pursue reforms to improve the human rights situation in the country. Senegal welcomed the adoption of the

national plan of action for the promotion and protection of human rights, the implementation of which would be a clear opportunity to make further significant progress. It noted that the attainment of the objectives set out in the plan and the implementation of the review recommendations would be easier if Nigeria could benefit from the support of the international community.

3. General comments made by other relevant stakeholders

364. Amnesty International welcomed Nigeria's engagement with the universal periodic review and its commitment to cooperate in every aspect of the work of the Council. It also welcomed Nigeria's statement according to which it continued to exercise a self-imposed moratorium on the death penalty, but expressed concern at recent legislative amendments in several States in Nigeria to extend the scope of the death penalty to include crimes related to kidnapping. Amnesty International welcomed the announcement by Nigeria to support most of the review recommendations and urged early implementation in particular of recommendations related to women's rights; access to justice; the fight against impunity; discrimination on the basis of gender and sexual orientation; the independence of the human rights commission; and on a formal moratorium on the death penalty.

365. The Canadian HIV/AIDS Legal Network stated that the delegation of Nigeria had recalled that the rights enshrined in the Constitution applied to all people, including those who considered themselves gay. It referred to the proposed same sex prohibition bill of 2006 and the same gender prohibition bill of 2008, noting that, if approved, the bill would seriously restrict essential freedoms and HIV-prevention services, as well as the activities of human rights defenders. Reference was also made to harassment and publications in the media inciting and promoting hatred against sexual minorities. The Network asked Nigeria to repeal criminal provisions against consensual same-sex conduct, and to ensure that the human rights of lesbian, gay, bisexual and transgender individuals and human rights defenders were not violated; to reject any attempt to create discriminatory new laws; and eliminate all existing legislation that discriminated on the basis of sexual orientation.

366. While referring to claims by Nigeria reflected in paragraph 6 of the Working Group report, Conectas Direitos Humanos believed that Nigeria had failed to implement reforms that did not require substantial financial resources or additional capacity, citing as an example the

recommendations in paragraphs 103-1 and 103-8. Conectas regretted that there were no recommendations related to the right of housing, noting that Nigeria had failed to agree to a visit by the Special Rapporteur on adequate housing. Conectas stressed that, under international law, a country's domestic regime was no excuse for failure to implement its international obligations.

367. While taking note of the commitments made by Nigeria concerning the implementation of the universal periodic review recommendations, Cercle de recherche sur les droits et les devoirs de la personne humaine noted the numerous difficulties involved in exercising human rights in Nigeria. It expressed concern about interreligious violence and the security problems in the Niger Delta.

368. Interfaith International, in a joint statement with the Al-Hakim Foundation, indicated that the acceptance of 30 recommendations had to be given effect through the adoption of political and legislative measures. It expressed its hope that Nigeria would take the necessary measures to rehabilitate the victims from the Ogoni minority. It encouraged Nigeria to establish a national dialogue framework for the development of a code of conduct and ethics for transnational corporations, and also urged it to foster intercultural and interreligious dialogue to combat religious intolerance against women in the northern provinces, as well as inter-community violence.

369. The International Human Rights Association of American Minorities congratulated Nigeria on the establishment of its national human rights commission, and expressed the hope that the authorities would do their utmost to ensure that the commission was independent, free and impartial. It also called on Nigeria to end as soon as possible the use of the death penalty. The Association also noted the worrying trend towards incarcerating suspected criminals without charge or trial, and indicated that it was essential that access to justice be granted to all in Nigeria. It indicated that there was significant evidence that extrajudicial executions and torture were still being carried out by the security forces, and called on Nigeria to implement procedures, and when necessary legislation, to put an end to those practices.

370. The Arab Commission for Human Rights invited Nigeria to accept and implement recommendation 1 relating to the ratification of international instruments, in particular those related to the Optional Protocol to the Convention against Torture and the International

Covenant on Economic, Social and Cultural Rights. It also invited Nigeria to implement recommendation 14 with regard to the adoption of legislation to address extrajudicial executions and acts of torture committed by the police. The Commission encouraged it to accept and implement recommendation 24 on the fight against corruption. Nigeria should pay special attention to the follow-up mechanism and submit reports on progress made in the implementation of recommendations and voluntary commitments, with the participation of civil society, to the Council at its fourteenth regular session.

371. The Islamic Human Rights Commission made reference to recommendations 30 and 31, and indicated that the policies of Nigeria, as well as many trials, were not compatible with the standards of fairness and due process, including those defined by Sharia law and the Nigerian Constitution itself. The Commission expressed concern at the current general practice adopted by Nigeria in Sokoto, noting that it was not proportionate to their stated aim and position that Nigeria should launch a transparent, comprehensive and impartial inquiry and uphold the principle of fair trial, which should not contravene Nigeria's international obligations to guarantee individuals the right to equality before the law.

4. Concluding remarks of the State under review

372. The delegation highlighted the fact that the National Assembly was supportive and committed to the reform initiatives undertaken by the Government to improve the protection and promotion of human rights, and would adopt the legislation backing them.

373. The delegation stated that its commitments to the promotion and protection of human rights were irreversible. In Nigeria, individuals, institutions and public and private entities, as well as the State itself, were subject to publicly promulgated laws. These laws were equally enforced, independently adjudicated and consistent with international human rights standards. Nigeria commended all delegations for their constructive engagement in the universal periodic review process and was looking forward for its next review.

Cameroon

374. The review of Cameroon was held on 5 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Cameroon in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/CMR/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/CMR/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/CMR/3).

375. At its 16th meeting, on 10 June 2009, the Council considered and adopted the outcome of the review on Cameroon (see sect. C below).

376. The outcome of the review on Cameroon comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/21), the views of Cameroon concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/21/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

377. The Minister Delegate at the Ministry of External Relations in charge of Commonwealth Affairs expressed the profound gratitude of the people and Government of Cameroon to all countries that supported the renewal of their mandate in the Council. The Minister Delegate reaffirmed the commitment of Cameroon during the election and reiterated its determination to work further in the interest and advancement of human rights in Cameroon through, inter alia, the implementation of the road map that had been given to the country.

378. The Minister Delegate renewed the appreciation of Cameroon for the effective start and the conduct of the universal periodic review mechanism, which was in line with Cameroon's view of the Council, which must constantly be guided by the quest for objectivity, cooperation and constructive dialogue.

379. The Minister Delegate expressed gratitude to all countries that assisted Cameroon on 5 February 2009 during the universal periodic review. He indicated that their observations, comments and recommendations would continue to guide the Government to pursue its action to promote and protect all human rights in Cameroon.

380. In the course of Working Group discussions, 54 recommendations were made, 40 of which Cameroon accepted, 7 it rejected, while 7 were subject to further consideration, leading Cameroon to accept 1, reject 2 and continue consideration of 4. A total of 41 recommendations received the consent of the Cameroonian authorities. The Government would work within the limit of available possibilities and with the cooperation of the international community to implement them. The four recommendations under consideration related to the ratification of the Treaty of Rome establishing the International Criminal Court, the adoption of a law on specific cases of HIV/AIDS, the adoption of suspensive effects to decisions on deportation and measures related to non-refoulement, and accession to the Optional Protocol to the Convention against Torture.

381. The Minister Delegate indicated that nine recommendations had not been supported by Cameroon. With regard to the decriminalization of homosexuality, he stated that the penalization of homosexuality was not, according to the legal order of Cameroon, contrary to the provisions of article 12 of the Universal Declaration of Human Rights and article 26 of the International Covenant on Civil and Political Rights. Homosexual persons were not denied their rights or any benefit because of their presumed sexual orientation. The practice was, however, contrary to both prevailing legislation and what the democratic society of Cameroon still regarded as immoral.

382. The Minister Delegate also underlined the fact that the legislation of Cameroon was in line with the relevant provisions of articles 26 (2) of the Universal Declaration and article 29 (7) of the African Charter on Human and People's Rights, which constitute guarantees that can be invoked by every democratic society according to its moral characteristics. On the one hand, these provisions allowed the State to restrict a right or freedom in order to satisfy the just requirements of morality, public order and general well-being in a democratic society, and on the other required individuals to ensure in their own relations with society the preservation and strengthening of positive African cultural values. For the culture of Cameroon, homosexuality

was not permitted by society; the legislator had merely ensured the affirmation of this sociological value. The Government, however, ensured that all rights of citizens were respected without any discrimination.

383. Cameroon welcomed the creation of an independent monitoring body to organize elections (ELECAM), which represented an important step forward in its democratic process and was an additional guarantee of transparency and fairness in electoral processes. The composition of the body was consistent with the decree that established it, according to which its members were to be persons of varied ethnic, cultural and professional origin and known for their independence, moral rectitude, intellectual honesty, patriotism, neutrality and impartiality. The President of the Republic had taken steps to guarantee the full and complete independence of the body.

384. At the current stage of the universal periodic review process, Cameroon would like to be able to count on international cooperation, convinced that, with the support of the United Nations and other partners, it would succeed in implementing in a satisfactory manner the recommendations that had been accepted with a view to improving the general situation of human rights in Cameroon. Cameroon was aware that the promotion and protection of human rights were important not only for development but were also a factor essential to stability and peace in society.

2. Views expressed by member and observer States of the Council on the review outcome

385. Algeria thanked Cameroon for the additional information given on the follow-up to recommendations made at the fourth session of the universal periodic review. It welcomed Cameroon's decision to accede to the Optional Protocols to the Convention on the Rights of the Child and to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, expressing the hope that this example would be followed by other countries, in particular, developed countries. Algeria also noted Cameroon's intention to continue its efforts to ensure the conformity of conditions of detention to international standards and to increase the effectiveness of the plan of action to improve the judicial system to combat corruption in a more effective manner. Lastly, Algeria reiterated its invitation to the international community, in particular OHCHR, to provide the technical assistance requested by Cameroon to those ends.

386. Belarus noted the constructive and responsible approach shown by Cameroon during the universal periodic review. During the review, Belarus had recommended measures to further protect and promote social and economic rights of citizens, improve the quality of education and strengthen the independence and authority of the judicial system, and noted with satisfaction that Cameroon had agreed to these and other recommendations. It commended Cameroon's intention to accede to other human rights instruments. Belarus supported the recommendation to improve national legislation in the area of women's rights and ensuring gender equality.

387. China indicated that it had been honoured to be one of the Troika members for the review of Cameroon. It expressed its great appreciation for Cameroon's comprehensive and constructive dialogue with Council Members. It noted that Cameroon had given a detailed reply to the various issues raised during the deliberations, including questions asked by China. China was confident that, with the support of the international community, Cameroon would overcome its difficulties and make new progress in the field of human rights.

388. Morocco thanked Cameroon for its constructive engagement in the universal periodic review, its efforts in the field of human rights and the measures taken in that regard. Morocco also congratulated Cameroon on having accepted the majority of recommendations made, especially the one related to difficulties encountered in the reform of the penal code. Morocco reiterated its appeal to make sure that all necessary assistance is given to Cameroon in reforming its penal code, including financial and human resources to support the country in its tasks. Any assistance should be given in close cooperation with the country in order to guarantee the best result possible. Lastly, Morocco encouraged Cameroon to continue its efforts in the implementation of the recommendations that it had accepted and to keep the Council informed with regard to their implementation.

389. Senegal noted that Cameroon had accepted the majority of the recommendations made and appreciated its commitment to continue its efforts on the promotion and protection of human rights, in particular the establishment of a national commission on human rights and freedom, as well as the launching of a ratification process for several international instruments in human rights. Senegal encouraged Cameroon to implement the different recommendations that it had accepted and called upon the international community to provide any assistance needed.

390. Nigeria commended Cameroon for its open and constructive spirit with which it approached the review process and hoped that it would implement the recommendations made. It appreciated Cameroon's acceptance of its recommendations, which were aimed at strengthening measures and mechanisms in the administration of justice, investments in prison infrastructure and the overall enjoyment of civil and political rights.

391. The United States of America appreciated the dedication to human rights that the Government of Cameroon had demonstrated during the universal periodic review process and hoped that this dedication would be translated into action. The United States shared the concerns regarding the independence of ELECAM, including the lack of representatives of the opposition appointed to it, and reports of vote rigging in the last election. It supported the recommendation that Cameroon should take measures to ensure the independence of ELECAM. It also joined the concerns expressed by a number of delegations regarding the independence of the press, including the closure of media outlets and the imprisonments of journalists. It encouraged the Government to accept and speedily implement the recommendation of a special law that would take into consideration the land rights of the "pygmy" communities.

392. Djibouti congratulated Cameroon on having accepted 75 per cent of the recommendations made, which very clearly showed the attachment of the country to the universal principles of human rights. Djibouti called upon the international community to provide Cameroon with all the necessary aid and technical assistance for it to implement the different recommendations. Djibouti encouraged Cameroon to continue to give full attention to the situation of human rights and to continue its efforts to reach the Millennium Development Goals.

393. Burkina Faso congratulated Cameroon on its cooperation and commitment to the promotion and protection of human rights in spite of the challenges of development needs. It noted that Cameroon had made tangible progress in the promotion and protection of human rights. Burkina Faso welcomed Cameroon's spirit of dialogue in the framework of the universal periodic review and the firm will of the country's authorities to meet their human rights obligations. It noted that the majority of recommendations had been accepted by Cameroon and this would strengthen the institutional framework for the promotion and protection of human rights in the country.

394. Chad welcomed the delegation of Cameroon and noted that the country had accepted the majority of recommendations, in spite of the lack of resources necessary to implement them.

3. General comments made by other relevant stakeholders

395. The Canadian HIV/AIDS Legal Network noted that an issue of concern raised during the review of Cameroon related to the criminalization of consensual same-sex conduct under article 347 of the penal code, and indicated that such provisions were a violation of established international human rights law. The delegate stated that the law continued to be the source of numerous incidents of harassment, abuse, arbitrary arrest and unlawful detention and continued to pose a threat to public health. The Network asked Cameroon to ensure that the human rights of lesbian, gay, bisexual and transgender individuals and human rights defenders were not violated and to repeal article 347 of its penal code.

396. Franciscans International welcomed the fact that recommendations on the rights of the child had been accepted, but noted that there were still many obstacles to the full realization of children's rights. As stated in recommendations 19, 55 and 76, the situation of children in the street was of concern, as were the child victims of exploitation and rape, children of divorced couples and children with handicaps. These recommendations offered an opportunity to assess programmes implemented and to adapt them to new challenges. It appreciated Cameroon's commitment to free primary education and to closing the gap between girls and boys in primary education. It noted the challenges to its implementation, however, particularly in rural areas. It highlighted the fact that Cameroon should ratify the Convention on the Rights of Persons with Disabilities and the Protocol thereto, following recommendation 76.

397. The International Federation of Acat welcomed the replies of Cameroon and congratulated the country on its commitment to accelerate the reform of the judicial system to ensure fair proceedings. It recalled that 85 per cent of persons detained in the prisons of Douala and Yaoundé were preventively detained and joined the concern on the absolute necessity to ensure the respect of the rights of those deprived of their liberty. It welcomed the remarks regarding the necessity of improving detention conditions and supported the recommendations that there be a judicial reform to eradicate corruption. It also welcomed the measures taken, in particular the

creation of a national anti-corruption commission, and joined the concerns regarding torture in prisons. Lastly, it supported that recommendations that Cameroon should prosecute and sanction those responsible for violence and inhuman and degrading treatment.

398. In a joint statement, Cercle de recherche sur les droits et les devoirs de la personne humaine and Organisation pour la communication en Afrique et de promotion de la coopération économique internationale welcomed the decree, signed in 2008, providing for compensation for the homeless, and requested further information on the time frame for the decree to come into effect. They also noted the dysfunction of the national commission for human rights and freedoms and asked the Government to give its assurances on the measures taken in order to provide the commission with the necessary resources to carry out its missions.

399. Rencontre africaine pour la défense des droits de l'homme noted Cameroon's acceptance of the recommendations referred to in paragraphs 22 and 23 on judicial reform and the independence of judges, highlighting the fact that the Cameroonian justice system had a lot of failings. It reported on the killing of more than 110 people by security forces in February 2008 during demonstrations against the increased cost of living. Clarifications in that regard were requested from the authorities. It encouraged Cameroon to respect the independence and freedom of the media and the rights of political parties.

4. Concluding remarks of the State under review

400. The Minister Delegate thanked all speakers for their support and encouragement and reiterated the commitment of Cameroon to fulfil its obligations, not just as a member of the international community but also as a member of the Council itself. Concerning a number of issues that had been raised, Cameroon was in an ongoing process of reform, particularly in the area of the judiciary, where much had been done but much remained to do. Cameroon believed that the promotion and protection of human rights were an integral part of its development process. It was certain that, at the next round, a number of the issues raised would have been resolved. Cameroon was open at all times to comments from all in terms of what could be done to improve the human rights situation in the country. The Minister Delegate expressed the readiness of Cameroon to cooperate with all instances promoting human rights - the

United Nations, African or regional bodies - with the assurance that this confluence of cooperation would definitely make the work easier for the country, given that the political will was there.

Cuba

401. The review of Cuba was held on 5 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Cuba in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/CUB/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/CUB/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/CUB/3).

402. At its 16th meeting, on 10 June 2009, the Council considered and adopted the outcome of the review on Cuba (see section C below).

403. The outcome of the review on Cuba comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/22), the views of Cuba concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also written additional information submitted by Cuba).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

404. Cuba regretted that the process of adoption of several of the reports at the session had been affected by the artificial obstacles in their translation presented by the Conference Services Division, stating that it welcomed and supported the draft decision being put forward to attempt to resolve this issue.

405. Cuba thanked the countries that supported its re-election to the Council, which it saw as a token of the international community's recognition of its efforts and achievements in the promotion and protection of human rights.

406. Cuba stressed that, in its national capacity and as the President of the Non-Aligned Movement, it had contributed to the establishment of the universal periodic review mechanism, and had undertaken the exercise with full responsibility, participating openly and transparently in the dialogue with all States. This exercise had allowed Cuba to put forward its experience and good practices, as well as the challenges it faced. It allowed Cuba to listen to the opinions of many delegations.

407. After 20 years of unjust anti-Cuban manipulation of human rights, Cuba saw the results of the universal periodic review as an important victory for its people, showing that, in the context of an objective exercise of universal participation where it was not possible to exert pressure, the truth about Cuba could not be silenced. The international community clearly confirmed its condemnation of the blockade imposed by the United States of America on Cuba. Several delegations had been explicit in their solidarity with the Cuban people in their historical demand that an end be put to that genocidal policy.

408. Several delegations had recognized the example of people's participation, inclusion and social justice that was part of the political, economic and social system chosen by the Cuban people. The success of Cuba in the area of economic, social and cultural rights, including its excellent health and education systems, were praised.

409. Cuba's international cooperation in health and education were referred to as paradigms of international solidarity. The "Yes I can" literacy programme and the "Milagro Operation" were mentioned on several occasions as good practices.

410. Cuba stated that the report adopted by the Working Group objectively reflected the results of the process; 60 delegations spoke and 89 recommendations had been made. Cuba fully accepted 60 recommendations and provided additional information and comments on the 17 others in writing. Cuba objected to a few recommendations because of their incompatibility with the exercise of the right to self-determination; some of them showed a lack of information and knowledge about Cuba's very rich and diverse reality.

411. Cuba had carefully reviewed the report of the Working Group and the recommendations made. It said it was working to put the recommendations into practice, according to its possibilities, and that the inter-institutional working group established to coordinate consultations in preparation of the national report was still active, with the objective of following up and implementing the recommendations as necessary, by carrying out consultations and guaranteeing the broad participation of civil society.

412. Cuba stated that, in the midst of the difficult conditions in the country, where the impact of the blockade had been compounded by the effects of the world financial crisis, the Government had continued to deepen its revolutionary transformation. Cuba had continued to develop and perfect its programmes in health, education, social security, protection for the elderly, persons with disabilities and the most vulnerable. Cuba had continued to promote equality, including programmes to empower women. Despite the difficulties, Cuba had continued its housing construction plan and was taking measures to increase agricultural production and ensure greater food security.

413. Cuba also stressed that it continued to offer its assistance for the realization of human rights elsewhere. It noted that, as at 5 May 2009, 50,747 professionals had provided cooperation services in 96 different countries and 4 overseas territories; of these, 75.8 per cent worked in the health sector. Cuba had recently inaugurated three new ophthalmologic centres in Latin America and the Caribbean, and the “Yes I can” literacy programme was under way in 25 countries.

414. Cuba noted it was party to 42 of the most important human rights treaties and had overcome the delays in presenting its periodic reports. It had submitted its reports to the Committee on the Rights of the Child and the Committee on the Elimination of Racial Discrimination, and had established a working group to prepare the report for the Committee against Torture. It reiterated its firm commitment to continue extending an invitation to visit the country to the Council special procedures that have been established on a non-discriminatory basis. It had already extended an invitation to the Special Rapporteur on the question of torture to visit the country in 2009, and had established a national working group to organize and coordinate the visit. The Cuban people preserved their sovereign capacity to invite, as it found

appropriate, other mandate holders. Cuba recalled that it was subjected to a policy of hostility and blockade by a foreign power and that this required changing priorities. Cuba also cooperated with different humanitarian organizations throughout the world.

415. Cuba explained that it had a broad and effective inter-institutional system, which included the participation of non-governmental organizations, to receive and respond to any individual or collective complaint or petition. This system also assessed the effectiveness of current policies and programmes and provided follow-up on recommendations it considered necessary to continue to perfect the enjoyment of human rights in Cuba.

2. Views expressed by Member and observer States of the Council on the review outcome

416. Pakistan thanked Cuba for its replies on recommendations made during the review, and welcomed the acceptance of its own recommendations. It welcomed Cuba's involvement in international cooperation and hoped that Cuba would be a model for countries with limited resources. Pakistan stressed that Cuba continued to uphold the principles of objectivity, impartiality and independence in its pursuit of the universal realization of human rights, and referred to Cuba's leading role in promoting the right to development and achieving the right balance between civil, political, economic, social and cultural rights.

417. Venezuela (Bolivarian Republic of) stated that the universal periodic review was an opportunity to see the progress made by the Cuban revolution, despite adverse conditions, and to tear away the veil on the demonization campaign that had existed for 50 years. It paid tribute to the Cuban revolution and its people for their spirit of cooperation in the area of human rights, with programmes in the areas of health, education, culture and sports, especially in the neediest countries. It stressed the efforts and successes made by Cuba for human rights on its territory, as demonstrated by the review.

418. Qatar stressed that Cuba had accepted 60 recommendations, including those made by Qatar, which demonstrated the commitment of Cuba to the universal periodic review process. It valued the efforts made in the field of economic, social and cultural rights, in particular the rights to work, education and health, and its policies and strategies on social and human development.

Qatar paid tribute to the effective role played by Cuba in the institution-building of the Council and in the Non-Aligned Movement. It wished Cuba success in overcoming challenges.

419. The Russian Federation stressed that the review of Cuba reflected the progress achieved and demonstrated the constructive and responsible approach of Cuba to international cooperation. Cuba remained a good example of respect for human rights, including economic, social and cultural rights. The Russian Federation paid tribute to the active role played by Cuba in the elaboration of the universal periodic review. It wished Cuba every success in the realization of its commitments and further progress in human rights, as would certainly be shown at the next cycle of the universal periodic review.

420. Bolivia (Plurinational State of) stressed that the international community recognized Cuba's achievements, despite it being a developing country subjected to an unjust economic blockade and suffering from climate change. Cuba demonstrated solidarity with many peoples; instead of criticizing those that had chosen their destiny, it made human rights a reality in practice. During the review, it had recommended that Cuba share its experience in the fields of health and education. It congratulated Cuba on its participative and transparent approach to the universal periodic review. It called for the end of the blockade by the United States of America.

421. Uzbekistan thanked Cuba for the detailed reply provided on the recommendations, for its active participation in the universal periodic review, and commended it for the measures taken in the field of human rights. The review clearly demonstrated the achievements made, particularly with regard to gender equality, the protection of women and children, social protection, health care, the right to education, religious freedom and economic, social and cultural rights. Uzbekistan was convinced that Cuba would continue its efforts to implement the recommendations and its international human rights obligations.

422. Belarus stressed the responsive and constructive approach of Cuba during the review, which was held while unlawful sanctions were imposed on it. Belarus had recommended that Cuba continue its efforts to counter such unilateral measures. Belarus paid tribute to Cuba for its role in the Non-Aligned Movement, in promoting human rights and in strengthening the Council.

It hoped that Cuba would continue to play its leading role in ending politicization of human rights issues. Belarus noted that Cuba had accepted its recommendation, as well as many others, which demonstrated Cuba's genuine interest in human rights.

423. Sri Lanka stated that Cuba's participation in the universal periodic review was a model. It paid tribute to Cuba's active role in the Council and the way in which it fought against attempts to use human rights selectively and hypocritically. Cuba discharged its responsibilities under conditions of extreme external hostility. Cuba was a model for the realization of economic, social and cultural rights. Its action was not limited to collective rights, as demonstrated by Operation Milagro and the "Yes I Can" literacy programme. Sri Lanka saluted Cuba's performance.

424. China stressed that Cuba was faced with enormous difficulties created by the embargo and had achieved outstanding achievements in the economic, political, social and cultural fields. Cuba had cooperated in a constructive manner with developing States and made important contributions to the human rights cause. A majority of States in the Working Group praised Cuba highly for its achievements. China noted that Cuba had replied to all questions raised during the review, including by China. China was convinced that Cuba would make every effort to attain the Millennium Development Goals.

425. Algeria stressed Cuba's constructive approach, as demonstrated by its acceptance of 60 recommendations. Algeria underlined Cuba's action for human rights, in particular the rights to development, food and peace, the promotion of cultural diversity, international cooperation and solidarity, and the right of peoples to self-determination. During the review, Algeria had welcomed Cuba's commitment to human rights, despite the economic blockade, and encouraged Cuba to share its experience in the areas of health, education and the right to food. Algeria paid tribute to Cuba for its progress in the area of human rights, social justice and democracy.

426. Egypt commended Cuba for its efforts and the significant advances in the area of economic, social and cultural rights. Cuba's achievements in the field of health care had been beneficial to many countries, especially in Africa, and the health assistance provided without condition indicated Cuba's belief in international solidarity. Cuba demonstrated through the

universal periodic review a high degree of professionalism and openness, and the huge number of recommendations accepted was testimony to its engagement with the Council and other bodies. Egypt thanked Cuba for its detailed replies to the recommendations.

3. General comments made by other relevant stakeholders

427. The Women International Democratic Federation noted that the recommendations made to Cuba about sharing its experiences in the fields of education, social work, health, cooperation and international solidarity were deserved. Cuba protected all human rights, cooperated with United Nations mechanisms and had achieved important results in gender equality and empowerment. Despite obstacles, most of them caused by the prolonged and genocidal blockade imposed by the United States of America, Cuba kept moving forward and represented an example of dignity, courage and strength for the world.

428. The Centre of Studies about Youth recalled that young people in Cuba were born under the brutal blockade imposed by the United States. It stressed that children and young people had been guaranteed free education and the continuation of their studies, were free to express their opinions and gather in various associations, had access to the public health system and had an automatic right to participate in the election process. It indicated that there were 20 members of Parliament who were less than 30 years of age.

429. The National Association of Cuban Economists pointed out that, despite the blockade, Cuba had the lowest infant mortality rate in the continent and a life expectancy rate exceeding that of developed countries, and that education up to the university level was guaranteed, as was full employment, shelter and food. Trade was systematically affected by the blockade and the tourist sector was threatened. Cuba shared its achievements with other peoples, aware that solidarity was the highest expression of the capacity of a people to exercise its will with dignity and respect.

430. The World Federation of Trade Unions stated that it had been in close contact with the true trade union movement in Cuba and congratulated Cuba for results in the enjoyment of human rights and for its political will to build a society for the welfare of all, which had

been achieved under a cruel blockade. Cuba contributed to the improvement of human rights through international solidarity and was committed to human rights, as was reflected in the 60 recommendations accepted.

431. Organización de solidaridad de los pueblos de África, Asia y America, in a joint statement with the Indian Movement Tupaj Amaru and the World Peace Council, noted that Cuba enjoyed extensive respect at the international level, having defended its self-determination and independence. It referred to Cuba's cooperation and solidarity with other peoples, unlike those who looted and destroyed the planet, referring to Operation Milagro. In the area of education, 3.5 million people had been taught to read in 24 countries.

432. The China NGO Network for International Exchanges noted Cuba's programme for social justice and equality. It welcomed Cuba's tireless efforts to improve the living standards of its people and its active participation in international cooperation on human rights. It welcomed the positive attitude of Cuba towards the universal periodic review and its cooperation with the Council. It recommended that Cuba take more concrete measures for the full implementation of its obligations and commitments, and continue to participate actively in international cooperation on human rights.

433. The China Society for Human Rights Studies welcomed the priority given by Cuba to human rights and its significant achievements, especially in the field of education, health and food, despite the unjust blockade. It encouraged Cuba to share its experience in the right to health, in particular the primary, maternal and childcare programmes and HIV/AIDS control programmes. It recommended that Cuba continue to participate in international cooperation on human rights and provide other developing countries with medical and educational assistance.

434. Centrist Democratic International and Freedom House noted that the ratification of two international covenants on human rights was still pending. They stated that there were hundreds of political prisoners and prisoners of conscience in Cuba, many of whom were sick and not receiving medical attention. They stated that 21 deaths in prison, more than 500 arbitrary arrests and 26 cases of imprisonment of human rights defenders had been reported, and that 2 individuals had been subjected to intimidation for having submitted reports for the universal periodic review.

435. The Indian Council of South America, also on behalf of the International Human Rights Association of American Minorities, praised Cuba's contribution to the issues of indigenous peoples and the right to food. While welcoming the ratification of the Convention for the Protection of All Persons from Enforced Disappearance and the invitation to the Special Rapporteur on torture, they called on Cuba to ratify the two international covenants on human rights and to invite other special procedures to visit the country.

436. Human Rights Watch and the International Federation for Human Rights regretted that Cuba had not explained the systematic violation of civil and political rights. They supported the recommendations that Cuba should adopt measures to guarantee the independence of the judiciary, condemned the repression of dissident activity and requested the immediate abrogation of laws used to restrict fundamental rights. They called for the liberation of political prisoners and an end to arbitrary detentions, and supported recommendations to establish guarantees for the protection of human rights defenders.

437. The Federation of Cuban Women noted advances in the situation of women, observing that gender equality was part of a democratic policy for social justice, which allowed women to participate in all social, political and economic arenas. It mentioned the guarantees for women in the areas of the right to work, land rights, sexual and reproductive rights, education and culture. It noted that this had been achieved despite the economic blockade.

4. Concluding remarks of the State under review

438. Cuba reaffirmed its commitment to continue to follow up on the results of the universal periodic review and the implementation of the recommendations it had accepted, with objectivity and rigour.

439. Cuba thanked all delegations that had recognized its efforts and achievements, and for their recommendations and constructive comments to continue to perfect its system, and thus improve the enjoyment of human rights for all.

440. Cuba thanked the majority of non-governmental organizations that participated in the debate. It regretted the dissonant voices of those that were mercenaries paid by the empire and voices of the defeated counter-revolution.

441. Cuba reiterated its commitment to cooperate with United Nations human rights machinery, especially the Council and its universal periodic review, and to continue working towards the promotion and protection of human rights through international cooperation and respectful dialogue.

Saudi Arabia

442. The review of Saudi Arabia was held on 10 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Saudi Arabia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/SAU/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/SAU/2); and

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/SAU/3).

443. At its 16th meeting, on 10 June 2009, the Council considered and adopted the outcome of the review of Saudi Arabia (see section C below).

444. The outcome of the review on Saudi Arabia comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/23 and A/HRC/11/23/Corr.1), the views of Saudi Arabia concerning the recommendations and/or conclusions, and its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/23/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

445. The delegation of Saudi Arabia was convinced that the universal periodic review mechanism had established common denominators for all States. It has helped to ensure

the universality of human rights through constructive dialogue and the exchange of best practices and experience, thereby promoting cooperation and mutual understanding.

446. This mechanism, however, had to take into consideration the particularities and the stages of development and evolution of societies. This effort required a profound understanding of each culture and its guiding values and principles, which, by their very nature, converge with the humanitarian principles that have made human rights universally acceptable to and recognized by all cultures and civilizations. The principle of transparency, which is a prerequisite for the effective functioning of this mechanism, had to be fully accepted and respected by all.

447. In keeping with Saudi Arabia's commitment to these principles, the custodian of the two holy mosques, King Abdullah bin Abdul Aziz Al Saud, launched an initiative calling for dialogue among the followers of religions and cultures, with a view to promoting mutual understanding among the world's predominant cultures, on the basis of the understanding that human civilization is homogeneous and that dialogue is a means to settle conflicts and disputes.

448. This initiative, if followed up at the international level, would establish a favourable environment in which human rights could develop and flourish and in which they could be applied on a purely humanitarian basis. Saudi Arabia observed that all people, without exception, were entitled to enjoy the principle of the universality of human rights. This applied even to proponents of extremist ideologies, whom Saudi Arabia was endeavouring to save from the consequences of their aberrant modes of thought through ad hoc counselling and rehabilitation programmes. This Saudi security project was a pilot experiment, the international circulation of which has been advocated in some recommendations.

449. The recommendations resulting from the universal periodic review dialogue were an expression of a sincere desire to offer advice and objective criticism. However, some of the recommendations might fail to achieve their goals because of a misunderstanding of the values and principles guiding each culture or an inaccurate appraisal of the real situation.

450. In consultation with the public and private bodies concerned, Saudi Arabia carefully studied the recommendations made during its review. Having considered whether their

acceptance would contribute to the development of the Saudi human rights environment, it had decided to accept most of the recommendations. The reasons for non-acceptance of a few recommendations are explained in document A/HRC/11/23/Add.1.

451. Being aware that the acceptance of recommendations entailed considerable endeavours for their implementation, Saudi Arabia would continue its efforts in keeping with its belief that the realization of human rights was an integral part of the obligations that Islamic sharia commanded Saudi Arabia to fulfil.

452. The ongoing development process and political will had taken the form of sustainable development programmes to promote and protect human rights. Reference was made to some examples illustrating what had been achieved during the period following the discussion of the report on Saudi Arabia on 6 February 2009.

453. In the judicial field, royal decrees had been promulgated calling for the establishment of a supreme council of the judiciary, a supreme court, a council of the administrative judiciary and a supreme administrative court. These developments fell within the new statutes of the judiciary, which strengthened the independence of the judicial authority, established specialized labour, criminal and commercial courts and recognized the principle of two levels of jurisdiction.

454. New statutes for municipal councils currently being formulated would take into consideration the experience gained from the current municipal council elections, expand the scope of participation by citizens in the management of local affairs and develop the electoral process.

455. The consultative council had also approved the Prevention of Human Trafficking Act, which met international standards for the prevention and punishment of human trafficking.

456. Regarding the expansion of participation by women, a woman had been appointed assistant mayor of the city of Jeddah, the second largest city in Saudi Arabia. Women had also been appointed as vice-ministers, university president, deputy ministers and deans of faculties, and the number of female counsellors in the consultative council has been increased from 6 to 12. Provision had been made for women to engage in all commercial and industrial and service activities without exception, in the same way as men.

457. Within the framework of the endeavours made to prevent violence against women and children, a national register had been established to record cases of domestic violence, and numerous courses had been held to train judges, public prosecutors and police officers to deal with such cases.

458. A directorate-general for the promotion and protection of the rights of expatriate workers had been established in the Ministry of Labour to provide such workers with urgent assistance, either directly or through telephone hotlines, and also to publish, in various languages, awareness-raising information concerning their rights and obligations. The State had guaranteed the 7 million expatriate workers in Saudi Arabia full freedom to make remittances to their families, thereby helping to greatly improve their families' living conditions and, at the same time, support their countries' economies. In 2008, workers' remittances totalled \$22 billion.

459. At the cultural and educational levels, universities and academic research institutions and chairs had been established in a number of fields, including human rights, the situation of women, extremist ideological rehabilitation and other fields related to human rights.

460. The promotion of human rights had to take into account social and cultural circumstances, which necessitated a gradual approach for the creation of an environment conducive to the further consolidation of human rights values and culture, in a manner consistent with the natural process of change and development, particularly in regard to change relating to social norms and customs.

2. Views expressed by Member and observer States of the Council on the review outcome

461. Pakistan indicated that Saudi Arabia had enumerated a number of legislative, institutional and organizational reforms, in particular the intention to promulgate a bill of law to criminalize all forms of human trafficking, the codification of sharia law, steps taken to empower women, the establishment of the new directorate for the welfare of expatriate workers and for new supreme and constitutional courts. Pakistan mentioned that Saudi Arabia's investments in the developing world and generous contributions to various United Nations projects were examples of its commitment to promote human rights. Pakistan appreciated Saudi Arabia's efforts in promoting dialogue among followers of different religions.

462. Venezuela (Bolivarian Republic of) believed that the information provided in the Saudi replies was very useful to the universal periodic review, in particular regarding the family and community medical system, which provided the highest possible health service to its population. It recognized Saudi Arabia's efforts to promote and protect human rights, especially the measures taken to change the normative and institutional framework of the country.

463. Qatar valued Saudi Arabia's open approach in dealing with the recommendations made by the delegations. Qatar commended Saudi Arabia in particular for the progress relating to the strengthening of human rights infrastructure in the legislative and institutional fields, and for the measures taken to reform the judicial system and the achievements in economic, social and cultural rights, such as the rights to education, health, work and housing. Qatar welcomed Saudi Arabia's cooperation with international human rights institutions, in particular the Council.

464. Algeria welcomed Saudi Arabia's efforts to promote all human rights and its attachment to a culture of human rights. It congratulated Saudi Arabia on its re-election to the Council. Algeria commended it for its efforts to promote the rights of children and women, in particular the creation of mechanisms to prevent domestic violence, and the adoption of legislation on children. Algeria also commended Saudi Arabia for accepting the recommendations to further its efforts to fight terrorism and protect human rights at the same time, pursue its policies aiming at the promotion of dialogue among religions and civilizations, and continue its efforts to create a positive environment for all foreign workers.

465. Cuba welcomed the fact that Saudi Arabia had accepted the majority of the recommendations. Measures taken to implement them showed the will of Saudi Arabia to promote and protect the human rights of its people. Cuba recognized the measures taken in the fields of education, health, housing, work, security and social assistance, which benefited the neediest people. Cuba recognized the generous contributions made by Saudi Arabia to alleviate the situation of poor countries affected by the world food crisis and urged it to continue in its vocation of solidarity towards developing countries.

466. Belarus noted that Saudi Arabia had been working to develop further its national judicial system and eradicate discrimination against migrant workers. The Government had accepted the recommendations of Belarus with regard to continuing efforts to protect migrant workers' rights

and child rights. It noted that Saudi Arabia planned to consider the question of acceding to international human rights instruments; a positive decision on that matter would strengthen its national system for the promotion and protection of human rights. Belarus also pointed out that Saudi Arabia had undertaken initiatives, at the national and international levels, to advance dialogue between religions and civilizations and to promote tolerance and world peace.

467. Bahrain welcomed the positive steps taken by Saudi Arabia by its acceptance and implementation of a number of universal periodic review recommendations, including those made by Bahrain, such as the one on the rehabilitation of those suspected or detained in the fight against terrorism. Bahrain welcomed Saudi Arabia's efforts to continue the dialogue among religions and civilizations, and promote the rights of women and children in conformity with sharia law and international obligations. Saudi Arabia's action reflected its political will and the importance it attached to the implementation of its international commitments.

468. China noted that Saudi Arabia had submitted a thorough national report to the Working Group, introducing its efforts and achievements in national dialogue, judicial and institutional reform, public health and protection of migrant workers' rights. China welcomed the replies of Saudi Arabia to the Working Group report, which showed the importance it attached to human rights. China was convinced that the Government of Saudi Arabia, while respecting the specific characteristics of its national culture, would take all the necessary measures to protect the universality of human rights and make new progress in this field.

469. Egypt stated that the review reflected the progress made by Saudi Arabia and its constructive cooperation with international human rights mechanisms. Egypt commended Saudi Arabia for its achievements in human rights institution-building at the national level and for its efforts in the areas of legal and judicial reforms, combating discrimination and violence against women and promoting their participation in the labour market. Egypt supported Saudi Arabia's efforts to promote and protect human rights within the overall framework of its sovereign right to implement its national legislation in a manner compatible with internationally agreed norms and principles.

470. The United Arab Emirates welcomed Saudi Arabia's efforts at the national level to promote and protect human rights. The measures taken by Saudi Arabia reflected its

determination to continue its efforts in the area of human rights, including legislative and institutional reforms aimed at meeting its economic, cultural, social and political needs and specificities. The universal periodic review recommendations and Saudi Arabia's voluntary commitments would undoubtedly give new impetus to these worthy efforts.

3. General comments made by other relevant stakeholders

471. The National Association of Cuban Economists noted that Saudi Arabia had achieved important objectives in terms of legislation and in putting into practice economic and social rights. Saudi Arabia helped generously to ease the situation in countries affected by the food crisis, unlike what most developed countries had done. It urged Saudi Arabia to continue its efforts to promote economic, social and cultural rights and to redouble its efforts to guarantee dialogue between religions and civilizations.

472. The Cairo Institute for Human Rights Studies welcomed the fact that Saudi Arabia had accepted most of the recommendations. It urged the State to ratify international human rights instruments, modify its legislation so as to conform to human rights standards and allow access to all special rapporteurs with pending requests for a visit. The State should abolish all legislation, measures and practices that view women as second-class citizens, enact legislation that criminalizes violence against women and withdraw its two reservations to the Convention on the Elimination of All Forms of Discrimination against Women. The Institute highlighted its concern about religious freedom in the country and discrimination against the Shiite minority. It asked the State to cease all types of corporal and inhumane punishment.

473. Amnesty International welcomed the fact that Saudi Arabia had accepted most of the recommendations. It highlighted, however, the Government's decision to reject a number of recommendations, particularly those related to the death penalty, which is used against juvenile offenders for offences with no lethal consequences and against foreign nationals. It stated that the death penalty is applied after secret and summary trials of defendants with no legal assistance. Amnesty International called on Saudi Arabia to reconsider recommendations to establish a moratorium on all executions. It also noted that thousands of people arrested on counter-terrorism grounds were currently being held in secret detention, most without charge or trial and without access to a lawyer or to the courts. Many had allegedly been tortured or otherwise ill-treated in order to extract confessions.

474. The Arab Commission for Human Rights welcomed the acceptance of recommendations 1, 2 and 3 concerning the issue of ratification of a number of international instruments, in particular the Optional Protocol to the Convention against Torture, and recommended the establishment of a national mechanism for prison visits and the prevention of torture. It also welcomed the acceptance of recommendation 23 on the minimum age and legal safeguards regarding corporal punishment. The Commission expressed concern at claims regarding the death penalty, and requested that all international commitments and conventions in this regard be respected. It invited the State to avoid special trials, and called upon it to send a standing invitation to special rapporteurs and to invite the High Commissioner for Human Rights to visit the country.

475. Action internationale pour la paix et le développement dans la région des Grands Lacs welcomed the efforts of Saudi Arabia to promote education and the protection of young people, establish mechanisms to combat violence in the family, and apply the law to people with disabilities. It noted the progress in promoting freedom of expression and opinion, the adoption of the law on governance, the law on the Choura advisory council, the law on criminal procedures, and the rights of children, women and migrant workers. It added that the selectivity and partiality of the International Criminal Court might explain the non-ratification of the Rome Statute by Saudi Arabia. It commended the State for the freedom of religion guaranteed to non-Muslims and the elaboration of a peace plan, backed by the Arab League, with a view to negotiating a solution to the Middle-East problem. It welcomed the commitments of Saudi Arabia to the Millennium Development Goals to assist developing countries by donating \$500 million.

476. The Indian Council of South America, in a joint statement with the International Human Rights Association of American Minorities, Cercle de recherche sur les droits et les devoirs de la personne humaine, the Charitable Institute for Protecting Social Victims, the Organization for Defending Victims of Violence and Organisation pour la communication en Afrique et de promotion de la coopération économique internationale, noted the generous contributions of Saudi Arabia to developing countries and to people in need. It called on the Government to continue working towards more high-level appointments of women, and to step-up the process to

allow women to realize the extent of their rights in order to overcome confusion between true Islamic sharia, customs and traditions and human rights law. They welcomed the intention of Saudi Arabia to ratify a number of international human rights instruments.

477. The International Commission of Jurists noted that the religious police were allegedly responsible for human rights violations, including torture and ill-treatment, enforced disappearances and arbitrary detentions. Saudi authorities had failed to hold fair and transparent elections. It pointed out that the Government should reform the Basic Law of Government in order to reinforce the rule of law and human rights. The Government should also incorporate into the Law the principle of equality between men and women and the prohibition of discrimination on the basis of sex. It urged the Government to accede to international human rights treaties, cooperate with the Council's special procedures and submit overdue reports to the United Nations treaty bodies.

478. Three non-governmental organizations were scheduled to speak during the 20-minute segment allocated to them, but were unable to do so because the meeting was running late.³

4. Concluding remarks of the State under review

479. Owing to time constraints, Saudi Arabia was not provided with the prescribed time allocated to States under review and could thus not address the issues raised in detail. It reiterated, however, that the national report clearly illustrated the measures taken for the protection of women and migrant workers' rights and provided details on related laws. It should be noted that 13 judges of various courts examined cases involving the death penalty, and that this sentence was applied to the most odious cases only. Questions and comments should be based on reality without dismissing the figures and the contents provided in the national report.

³ The statements of the non-governmental organizations in question have been posted, exceptionally, on the universal periodic review extranet.

Senegal

480. Before the consideration of the review outcome of Senegal, Armenia raised a point of order, the content of which is reflected in the statement posted on the universal periodic review extranet.

481. The review of Senegal was held on 6 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Senegal in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/SEN/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/SEN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/SEN/3).

482. At its 17th meeting, on 11 June 2009, the Council considered and adopted the outcome of the review on Senegal (see section C below).

483. The outcome of the review on Senegal comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/24), the views of Senegal concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/24/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

484. The Minister of State for Justice thanked all countries that contributed to the re-election of Senegal to the Council, and assured that Senegal would be fully dedicated to contribute to the implementation of the Council's mandate. Senegal recalled that it had accepted 30 recommendations in February 2009 and had produced a document to reply to 10 other recommendations, the status of which was pending.

485. Senegal recalled that homosexuality was not a crime in Senegal, although article 319 of the penal code criminalized impure acts or unnatural acts with another person of the same sex. The Minister stated that most of the Senegalese people were hostile to homosexuality in the manner in which it was manifested in some societies. Ignoring this reality could lead to extremist attitudes. Therefore, Senegal intended to tackle this issue with serenity and moderation. Nobody was currently in detention on the basis of article 319 of the penal code since the Court of Appeal of Dakar had ruled that those who had been arrested on this basis a few months earlier should be released immediately.

486. The above-mentioned case was further proof of the independence of the judiciary. The delegation stated that the recommendation made on the separation of powers was already effective in Senegal, which was a law-abiding State. In order to reinforce the independence of the judiciary, a review of the Organic Law 92-27 was ongoing. It aimed at amending several provisions regarding the statute of magistrates, particularly with regard to the fact that they could not be removed, disciplinary measures and revocation.

487. Senegal recalled that fundamental freedoms, such as the freedom of expression and the freedom of peaceful assembly, were guaranteed in the Constitution and that the recommendation on this issue would be a new incentive to better protect these freedoms. Senegal recalled that the recommendation on non-discrimination against women and their access to education and health were in accordance with the State's voluntary policies on health and education, as were legislative and other measures to fight against gender discrimination, including the ongoing national strategy on gender equality and equity for the period 2005-2015.

488. With regard to a standing invitation to special procedures, Senegal recalled its readiness to accept formal invitations and its full collaboration with mandate holders.

489. In conclusion, Senegal expressed its deep belief in the need for the involvement of non-governmental organizations in human rights and their dialogue with States, as well as the refusal of impunity, which was essential to the promotion and protection of human rights and was not negotiable.

2. Views expressed by Member and observer States of the Council on the review outcome

490. The United Arab Emirates welcomed the comprehensive policies implemented by Senegal in vital human rights areas, such as the alleviation of poverty, the empowerment of women and the rights of children. It commended the Government for its efforts to give priority to education. It noted that Senegal played a pivotal role in interreligious and intercultural dialogue and was a symbol of coexistence and tolerance. It pointed out the commitment of Senegal to continue the implementation of universal periodic review recommendations and acknowledged its achievements.

491. Qatar applauded Senegal's cooperation in the framework of the universal periodic review and the spirit of understanding and openness shown regarding the recommendations made. It noted that the Constitution of Senegal made all citizens equal before the law. Qatar valued Senegal's efforts in the protection and promotion of human rights - economic, social and cultural rights - with special attention to the rights to education, health and housing. Qatar applauded the peaceful coexistence of Muslims and Christians and the building up of a culture of tolerance and dialogue, as well as its efforts to alleviate poverty, protect street children, and combat child trafficking and HIV/AIDS.

492. Algeria pointed to the seriousness of Senegal in considering the universal periodic review, as was perfectly illustrated by the acceptance of nearly all recommendations. Algeria appreciated the acceptance of its recommendations by Senegal concerning the promotion of universalization of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the continuation of efforts to guarantee the right to food for its population and the possibility of requesting technical assistance from OHCHR, and the efforts to promote dialogue for peace and tolerance among religions, civilizations and cultures. Algeria called on the international community to assist Senegal in the implementation of the recommendations made.

493. Pakistan regarded Senegal's acceptance of the majority of the recommendations as an encouraging sign that illustrated its constructive attitude in dealing with human rights. It was encouraged that Senegal had indicated that, despite resource constraints, it would continue to build on its progressive achievements in human rights. Pakistan noted the steps taken in judicial

reforms, the rights of migrants and in addressing the issue of violence against women and gender equality through a comprehensive strategy. Pakistan stated that the successful implementation of the recommendations would lead to the effective promotion and protection of human rights.

494. Bahrain noted the importance attached by Senegal to the promotion and protection of human rights at the national and international levels. Bahrain welcomed the positive measures that Senegal had taken to implement certain recommendations. It noted the considerable efforts of the Government to reinforce primary education in rural areas and to provide study grants to students at public and private schools.

495. Egypt noted that Senegal had achieved significant progress in the promotion and protection of human rights, despite all difficulties, including through efforts to establish a strong human rights infrastructure. It noted Senegal's special attention to the prevention of smuggling of migrants, in addition to advances in economic, social and cultural rights, with a special focus on poverty eradication. Egypt called on the international community to assist Senegal in implementing national strategies to achieve the Millennium Development Goals. Egypt reiterated its belief in Senegal's ability to overcome challenges, while upholding its sovereign right to implement national laws based on universal human rights norms.

496. Saudi Arabia noted the willingness of Senegal to cooperate with human rights mechanisms, exemplified by the acceptance of the majority of the recommendations. It encouraged the efforts made by Senegal to reform laws and human rights institutions. It commended Senegal for its determination to continue with its programme of action for the promotion of human rights. It noted that Senegal had stepped up efforts to strengthen dialogue among civilizations, cultures and religions.

497. Morocco congratulated Senegal on its commitment to the universal periodic review, which had raised awareness about the achievements and challenges of protecting human rights in Senegal. It noted that Senegal had accepted most of the recommendations, including those proposed by Morocco, and had promised to consider other recommendations in the same spirit. The institutional human rights structure established by Senegal attested to its consistent commitment to guaranteeing full respect for human rights. Morocco indicated that these efforts

made Senegal a model and required the support of relevant international bodies to help Senegal to implement its programmes of action and promote the achievement of the Millennium Development Goals.

498. The United States of America appreciated Senegal's commitment to further strengthen its efforts to eliminate the economic exploitation of children, including by enhancing access to education and enforcing laws against child labour and trafficking. It noted the concern expressed by several delegations regarding the criminalization of homosexuality, as well as harassment and discrimination based on sexual orientation. It also echoed concerns regarding intimidation and harassment of journalists and media organizations. It urged Senegal to fulfil the African Union mandate regarding the trial of Hissène Habré in Senegal. It encouraged Senegal to undertake an awareness-raising campaign on female genital mutilation.

499. Ireland thanked the delegation of Senegal for the constructive way in which it had participated in the universal periodic review process. It noted with appreciation that Senegal had accepted its recommendation concerning the need for an awareness-raising campaign on the application of the law on female genital mutilation. Ireland stressed the importance of the mandate given to Senegal by the African Union concerning the need to bring to justice Hissène Habré, the former President of Chad.

3. General comments made by other relevant stakeholders

500. Comité sénégalais des droits de l'homme noted with great satisfaction the replies provided by the Government to its complaints. It highlighted the open and sincere dialogue the Government had established with the national institution and all civil society organizations. It called on the authorities to continue their partnership with civil society and to be even more vigilant in their struggle for human rights. It was prepared to assist the Government in the implementation of the recommendations it had accepted.

501. The European Region of the International Lesbian and Gay Association noted the recent release from jail of nine gay men but stated that public statements condemning homosexuality had led to an increase in homophobia. It indicated that the penal code threatened sexual minorities and violated the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights. It urged Senegal to abolish article 319 of the penal code

and to review other legislation that resulted in the discrimination, prosecution and punishment of people solely for their sexual orientation or gender identity. The Association asked Senegal to take measures to promote tolerance and to provide law enforcement and judicial officials with training on human rights and sexual minorities.

502. Organisation pour la communication en Afrique et de promotion de la coopération économique internationale, in a joint statement with the Indian Council of South America and the International Human Rights Association of American Minorities, noted the efforts made by Senegal to promote the rights of women, above all to make sure that their social status was commensurate with their eminent social role. It encouraged the Government to pursue its effort to implement its commitments. It also commended the attention paid by Senegal to the promotion and protection of the rights of the child. It pointed out that Senegal had made progress in improving access for women to positions of political responsibilities. It recommended the ratification of other international human rights instruments.

503. Rencontre africaine pour la défense des droits de l'homme welcomed the re-election of Senegal to the Council, which reflected the vitality and the mission of Senegal regarding human rights. It welcomed the acceptance by Senegal of most recommendations. It recalled that the independence of the judiciary was guaranteed by the Constitution, but that the composition of the High Judicial Council made it dependent on the executive branch and gave a political content to some judicial cases. Senegal should therefore pay attention to the recommendation made in that regard.

504. Cercle de recherche sur les droits et les devoirs de la personne humaine expressed its full support for the follow-up to the recommendations. It highlighted the fact that the President of Senegal was devoted to human rights and development in Africa. It also referred to the fact that the first President of Cameroon was buried in Senegal and the question of repatriation of his remains had led to much ill feeling in Cameroon and at the international level. It asked for more information on this issue.

505. Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples noted the strong institutional support for young people and to better protect women, children, the disabled and migrant workers. It welcomed Senegal's efforts to

promote freedom of association and expression, the decriminalization of press offences and the coexistence and dialogue between religions. It indicated that recent initiatives to strengthen the independence of the judiciary, the reworking of academic programmes to include education in human rights and on the fight against HIV/AIDS all showed that Senegal was taking action in human rights.

506. Action internationale pour la paix et le développement dans la région des grands lacs noted that Senegal had accepted many recommendations, including those relating to the human rights of migrants, arbitrary detention, trafficking (especially in women and children), the situation of human rights defenders, the independence of judges and the abrogation of article 80 of the penal code. It also pointed out that Senegal had been very responsible in achieving the Millennium Development Goals, namely through the improvement of the school attendance rate in primary education, the national programme for the youngest, universal access to health services for the entire population and the plan for the elderly ensuring access to certain medications free of charge.

507. Espace Afrique International stressed Senegal's outstanding efforts in the education of girls. It noted that Senegal invested 40 per cent of its annual budget in education and this allowed the participation of citizens in all development activities. It noted the innovative and promising programmes in terms of good education accessible to all, especially to the most vulnerable. It further noted the establishment of many primary and secondary institutions and that higher education was improved, with many regional centres linked to world centres of excellence, which allowed for remote learning. It indicated that *télé médecine* allowed Senegal to combat maternal and infant mortality.

4. Concluding remarks of the State under review

508. Senegal thanked the delegations for their observations and recalled that Senegal had met with members of civil society before coming to the plenary session.

509. Senegal recalled its commitments to fight impunity and that it was the first country to ratify the International Criminal Court statutes. The financial arrangements were being processed in order to complete the budget and to begin the trial of the former President of Chad, Hissène Habré.

510. With regard to freedom of expression, Senegal recalled its strong commitment to guarantee this freedom and that no journalists or any other persons were currently deprived of liberty for having expressed his or her convictions. The only limitations to this freedom were posed by the freedom of others and of public security.

511. Concerning female genital mutilation, some individuals had recently been sentenced in that regard despite public opposition, in addition to sensitization activities. This should be seen in relation to other activities related to the protection of women and to child education.

512. Senegal recalled its commitment to the principles of indivisibility, universality, interdependence and non-selectivity of human rights. Senegal was very supportive of the fight against impunity and the work of the International Criminal Court. Senegal wanted the Court to be competent for all genocides, war crimes and crimes against humanity anywhere in the world, without exception. Consequently, in spite of rumours, Senegal would not be withdrawing from the Court.

513. With regard to the supposed persecution of homosexuals, Senegal was committed to protecting homosexuals in spite of a public opinion which was against that lifestyle. Concerning the independence of the judiciary, the delegation recalled that it was already ensured; however, it would be reinforced and the composition of the High Judicial Council would be reviewed, although only two members were not currently magistrates.

514. With regard to education for all, 40 per cent of the national budget was allocated to education. In addition, Senegal put emphasis on children and women from rural and remote areas in order to empower them and allow them to play an important role in the country.

515. Senegal made every effort to better protect women's and children's rights. A committee had been established to address violence against women and children with the participation of civil society.

516. On the Hissène Habré case, the delegation stated that the dignity of Africa was at stake. Therefore, every effort would be made to organize a just and fair trial. The African Union should complete the budget, which would be managed by international institutions.

China

517. The review of China was held on 9 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by China in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/CHN/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/CHN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/CHN/3).

518. At its 17th meeting, on 11 June 2009, the Council considered and adopted the outcome of the review on China (see section C below).

519. The outcome of the review on China comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/25), the views of Cuba concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

520. China thanked all countries for their active participation in the universal periodic review dialogue, and noted that quite a number of them had spoken highly of China's human rights endeavours and achievements while putting forward many valuable recommendations. China regarded the review process as an opportunity to listen to other countries and to further promote and protect the human rights of its people. China had carefully examined all recommendations and accepted those that were compatible with its realities. Following the review, China had established an inter-agency task force, comprising more than 20 departments, and had formulated concrete implementation plans, with input from non-governmental organizations and academic institutions.

521. With regard to specific recommendations, China issued its first national human rights plan of action for the period 2009-2010 on 13 April 2009. It comprehensively covered all rights and reflected the useful recommendations made during the review process. A joint meeting mechanism had been established to supervise and evaluate the implementation.

522. In its plan of action China pledged to continue legislative, judicial and administrative reforms to bring domestic laws into line with the International Covenant on Civil and Political Rights to create the conditions for its earliest possible ratification. The Chinese legislature planned the drafting of an administrative compulsory enforcement law and amendment of laws on civil and political rights, including the laws on State compensation and the law on guarding State secrets.

523. Regarding judicial reform, the Supreme People's Court and relevant departments had taken a series of measures, including a judicial reform outline, in March 2009, covering 30 measures, such as posting judicial indictment on the Internet, regulating discretionary power and holding accountable those illegally interfering with independent court proceedings.

524. With regard to the financial crisis and safeguarding people's livelihoods, especially in rural areas, the central Government had used 44 per cent of the investment from the stimulus package of RMB 4 trillion at the end of 2008. Projects making rapid progress included the provision of access to safe drinking water for 14.6 million rural residents, nearly double the number two months earlier.

525. China had expanded the coverage of its poverty alleviation programme to 40.07 million people, and was considering shifting the focus of its programme from addressing food and clothing shortages to offering all-round support and assistance. China had entered into poverty alleviation cooperation agreements with a large number of developing countries, providing training and sharing experiences with the aim of the early realization of the Millennium Development Goals worldwide.

526. In April 2009, the Government had released a plan to deepen the reform of the pharmaceutical and health-care system, to include everyone in the medical insurance system by 2020. To put the plan into practice, China had formulated an implementation plan for the period 2009-2011. Governments at all levels would invest an additional RMB 850 billion over

three years; by 2011, basic medical insurance system would cover all urban and rural residents, and the maximum payment for medical insurance would be increased to six times the per capita income.

527. Information was provided on the implementation of the recommendation that the Hong Kong Special Administrative Region and the Macao Special Administrative Region continue to function according to their realities and preserve different rights of their citizens in accordance with their laws. For example, the former was implementing the Race Discrimination Ordinance and the Independent Police Complaints Council Ordinance. The latter had undertaken legal reforms to increase the accountability of high-ranking civil servants and to strengthen a culture of integrity and to improve law in action.

528. China has responded, as it had promised, to four recommendations made by Portugal, Argentina, Canada, Australia, Brazil and Austria on inscribing a legal definition of discrimination in domestic law, reducing the number of crimes carrying the death penalty, adopting specific legislation on domestic violence and follow-up to the universal periodic review.

529. As a populous developing country, China faced many difficulties and challenges in human rights that might be unimaginable to other countries. However, China had full confidence in making progress. It pledged to honour the commitments made to the world, taking into consideration its actual situation and the people's will and to continue to participate in the review process in a responsible way.

2. Views expressed by Member and observer States of the Council on the review outcome

530. The United Arab Emirates appreciated the country's efforts in the universal periodic review process for institutional reform to back up its development renaissance and improvements in the rule of law, with efforts to reform the system to guarantee the independence of the judiciary. This was a difficult endeavour in a multifaceted and multicultural country such as China. China's cooperation with human rights bodies and OHCHR was welcomed and the hope was expressed that the Council would take all of China's achievements into account.

531. Cuba welcomed China's efforts and actions to implement the recommendations formulated during the review. It acknowledged that China had accepted the great majority of recommendations made relating to all human rights, which would help human rights defenders in China who were truly engaged in the promotion and protection of human rights. Cuba regretted the politically motivated recommendations made during the universal periodic review and underlined the fact that the delegation had its reasons to reject them. It noted China's extraordinary achievement of consolidating national unity and taking its people towards development, and expressed its support for China.

532. Algeria welcomed China's acceptance of all the recommendations that it had formulated, especially those regarding the ratification of the International Covenant on Civil and Political Rights and the publication and implementation of the national human rights plan for 2009-2010. Algeria welcomed China's willingness to share its best practices in implementing the concept of "scientific outlook on development" with developing countries. It stressed that the development and enjoyment of human rights could be harmonized with the characteristics of Chinese society.

533. Qatar appreciated the measures to implement the recommendations accepted by the Government, including those against child labour and those aimed at promoting the right to education and the rights of ethnic minorities. Qatar called upon specialized United Nations agencies to provide more assistance to China, particularly regarding the enjoyment by children of their rights. It reiterated its invitation to China to share its experiences, particularly regarding the right to development and poverty reduction strategies and programmes.

534. Saudi Arabia saluted China's influential role in the Council and the very tangible efforts that China had made to improve and promote human rights mechanisms by implementing a national plan of action on all human rights while trying to strike a balance between rural and urban areas, particularly with respect to economic and social rights. Saudi Arabia invited China to pursue its efforts along these lines.

535. Uzbekistan welcomed the constructive approach displayed by China towards the universal periodic review process, and commended it for the work done and the results achieved in the promotion and protection of human rights, including political, civil, social and cultural rights and

the right to development. Uzbekistan was convinced that China's devotion to its international obligations would foster a continuation of the fruitful and integrated work covering the broad spectrum of human rights.

536. Pakistan highlighted the fact that China, in spite of being the most populous country in the world, was realizing many of the Millennium Development Goals ahead of time, and that these best practices should be replicated by other States. It noted that China, as a responsible global power, had always looked after the rights and interests of the developing world, the acknowledgement of which had been reflected in the statements made during the review. China's acceptance of a range of recommendations made in the fields of civil, political, economic, social and cultural rights and the establishment of an inter-agency working group to systematically analyse and implement these recommendations reflected the seriousness that it attached to human rights. Pakistan noted the promulgation of China's first national human rights plan of action and the new plan on the pharmaceutical and health-care system.

537. Sri Lanka welcomed the State's continuous role in striving for harmony, balance and fair play in the Council, and pointed to the three contributions of the Chinese Communist Party to human rights: (a) the elimination of serfdom and slavery in China, including in the province of Tibet; (b) the emancipation of women; and (c) the exemplary conduct of the Chinese revolution with regard to prisoners of war. It was particularly pleased that China had accepted a great majority of recommendations, including those made by Sri Lanka, and that China had rejected those proposals contributing to ethnic division and extremism. Sri Lanka admired China's policy concerning matters of ethnic identity and thought it could learn from China's formula.

538. The Russian Federation noted that China had expressed its willingness to implement the overwhelming majority of recommendations received, particularly those relating to the exercise of economic, social and cultural rights and that China intended to make further large-scale efforts to achieve the goals that it had set for itself in the promotion and protection of human rights. The Russian Federation pointed out that the dynamically developing Chinese economy played a vital role in consolidating efforts by the international community to find a way out from the world financial crisis.

539. Bahrain congratulated China on having accepted so many recommendations, including those by Bahrain. Bahrain welcomed the launching of the first national plan for human rights in China, developed in accordance with the outcome of the Vienna Conference as a result of a democratic process and covering all human rights. Bahrain welcomed measures included in the plan, especially for the protection of women, children, the elderly and those with disabilities, and that it took account of the recommendations from countries, which showed that China paid a great deal of attention to human rights and wished to respect its obligations. Bahrain indicated that the plan would give new impetus to human rights and a new environment for the adoption of the International Covenant on Civil and Political Rights.

3. General comments made by other relevant stakeholders

540. The Women's International Democratic Federation recognized China's important advances in eliminating poverty, the enjoyment of human rights by all and the construction of a modern socialist system. It recognized China's particular efforts in promoting women's, children's and disabled people's rights. The fact that China had staged major international events was an engine for sustained development and growth, and had enormous responsibilities towards the human rights of its 1.3 billion people.

541. The United Nations Association China pointed to the consultative and participatory process followed in the preparation of China's national report and when drawing up the human rights plan of action for 2009-2010. It welcomed the plan and noted that more efforts should be made for its implementation, including its coordination, the periodic planning to monitor and check its progress and for Chinese civil society to have a role in monitoring and evaluating its implementation.

542. The Federation of Cuban Women noted China's great efforts to guarantee food, education, health and a good life. It also noted that women in China had been given equality of rights, including through legal guarantees, and of measures taken to eliminate all forms of discrimination against women, promote gender equality for development, establish a programme for women's progress, with a special body to supervise and evaluate its implementation and indicate women's progress.

543. Amnesty International believed that the Chinese authorities had undermined the value of the country's review by rejecting a large number of recommendations covering a broad range of human rights, and had seriously undermined the credibility of the review outcome by manipulating the contributions of civil society to the process. It urged the Government to reconsider the recommendations that had not enjoyed China's support, including regularly publishing figures on the death penalty; ending the death penalty and administrative detention, persecution for exercising rights to freedom of expression, association and assembly, repression of national ethnic minorities, including Tibetans and Uighurs, and persecution of other religious practitioners; and implementing the 2008 recommendations of the Committee against Torture and ratifying the Optional Protocol to the Convention against Torture and the International Covenant on Civil and Political Rights. Amnesty International was concerned about Macao's national security law, which could be used to imprison individuals for exercising their rights to freedom of expression and association.

544. The China NGO Network for International Exchanges considered that China's attitude to its first review had been serious and open, its report generally objective and balanced, having factored in opinions and suggestions from different sides and accepted supervision from the Chinese people and international society, as was the national human rights plan of action. It noted existing shortfalls in China, such as the imperfect social security system, insufficient protection of the rights of special groups and loose law enforcement. It urged the Government to use the review to take more effective steps, accept public supervision and continue international cooperation to upgrade the human rights protection of its people and to promote the global human rights cause.

545. The China Association for Preservation and Development of Tibetan Culture appreciated the fact that the Working Group had raised the issue of national minorities and that the human rights plan of action put emphasis on equality of all national minorities, and hoped that the Government would implement it well. With regard to priorities for improving people's livelihood, including within the present financial crisis, it called for further emphasis on the lives of rural people in Tibet, a focus on vocational training of national minorities and for better legislative work to protect the rights and interests of Tibetan people.

546. The China Care and Compassion Society submitted its constructive and critical views during the preparation of China's national report and independent reports submitted to OHCHR. It noted that China was implementing the national plan for children's development and called for more attention to be paid to the protection of migrant children and of children left behind by migrant parents, and to meeting their basic needs for education and medical care. It also called on local governments and specialized agencies to study policies for their protection.

547. The Helsinki Foundation for Human Rights was concerned about China's rejection of many recommendations, including almost all of those seeking an improvement in the human rights situation of the Tibetan people. It believed that accepting those recommendations, including those in paragraph 82, would compel the Chinese authorities to revisit and review some issues affecting the Tibetan people, including Order No. 5, issued by the State Council of China, that interferes in an ancient religious procedure and tradition of the confirmation of reincarnates of Tibetan Buddhism, and ending the "strike hard" campaign and education programmes that forced Tibetans to denounce their spiritual leader.

548. In a joint statement, the Society for Threatened Peoples and Reporters without Borders noted that one of the many recommendations rejected by China concerned granting access to Tibetan areas, including for OHCHR and other United Nations bodies. It believed that this position contradicted China's pledges and commitments to the Council. It urged the Chinese authorities to open Tibetan areas for visits, welcomed the authorities' intention to invite the High Commissioner in response to the March 2008 request, and urged China to respond positively to a follow-up visit of the Special Rapporteur on freedom of religion and belief.

549. Mouvement contre le racisme et pour l'amitié entre les peuples, in a joint statement with Interfaith International and the Asian Indigenous and Tribal Peoples Network, deeply regretted the fact that the majority of recommendations had not been accepted by China, including for the resumption of dialogue between the Government of China and representatives of the Dalai Lama. They believed that the present impasse had arisen after the rejection by the Chinese authorities of the requested memorandum on genuine autonomy for Tibetan people of 2007. They recommended that the authorities seriously engage with the Dalai Lama's representatives, as urged by the Secretary-General, and introduce laws and regulations in accordance with the regional ethnic autonomy law.

550. Human Rights Watch listed the human rights issues on which China had rejected every recommendation. It drew attention to paragraphs 70, 71 and 104 of the report containing assertions that were manifestly removed from reality, noting the continued suppression of any reference to the Beijing massacre of peaceful protestors of 3 and 4 June 1989; to the fact that an individual faced State charges for having compiled a list of names of children killed during the 2008 Sichuan earthquake; that the country's once most prominent lawyer had disappeared for over six months after having been taken into custody; and that just a week earlier, more than 15 prominent human rights defenders had been victims of arbitrary disbarment on account of the sensitive nature of the cases they had represented. Human Rights Watch believed that China seemed to equate any expression of concern over the situation in Tibetan areas with attempts to politicize the issue.

551. The China Society for Human Rights Studies noted that the All-China Women's Federation was working on a draft law concerning domestic violence, and hoped that it would be adopted soon. In a recent report, the China Society had expressed concern about the livelihood of migrant workers. Its recommendations had aroused the Government's attention. The Society had carried out a project with OHCHR on civil society participation in the work of treaty bodies and hoped that China would continue to cooperate with OHCHR and consider future concrete technical cooperation projects.

4. Concluding remarks of the State under review

552. China thanked all for their support and encouragement. The Government of China would study carefully the comments and recommendations made by some countries and non-governmental organizations. China welcomed well-intentioned criticisms and constructive recommendations, but was resolutely against any assault or allegation out of political motive or prejudice, or fabrication of lies.

553. China wished to set the record straight. In Tibet, China had abolished, 50 years earlier, dark theocratic feudal serfdom, sparking historic socio-economic progress there. People of all ethnicities in Tibet enjoyed wide-ranging human rights and freedoms inconceivable for Tibetan serfs under the rule of the Dalai Lama. The Central Government of China was sincere in its

contacts and talks with the Dalai Lama's personal representatives. The present obstacle lay in the Dalai clique's refusal to give up its stance, which was virtually for Tibetan independence and non-stop activities to split China.

554. Concerning the political disturbance of 1989, the Government and people of China had already come to a clear conclusion. In 30 years of reform and opening up, China had attained tremendous achievements in economic and social development, proving that the socialism with Chinese characteristics followed by China was commensurate with its national particularities and the fundamental interests of the utmost majority of its people.

555. In the review process, the Chinese delegation had accepted recommendations from both developed and developing countries, concerning its economic, social and cultural rights as well as its civil and political rights. The fact that China had not accepted a few recommendations was due to complicated factors. Concerning all those recommendations, China affirmed its readiness to study them further.

556. Through its political, economic and social strategies and programmes, China would fully implement the accepted recommendations and the reasonable elements of other recommendations. China was confident that, when it returned for its second review, its national human rights report would be a scoreboard with inspiring human rights progress.

Azerbaijan

557. The review of Azerbaijan was held on 4 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents: (a) the national report submitted by Azerbaijan in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/AZE/1); (b) the compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/AZE/2); (c) the summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/AZE/3).

558. At its 17th and 18th meetings, on 11 June 2009, the Council considered and adopted the outcome of the review on Azerbaijan (see section C below).

559. The outcome of the review on Azerbaijan comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/20), the views of Azerbaijan concerning the

recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/20/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

560. Azerbaijan thanked all the countries that had participated in its review, adding that constructive recommendations made would undoubtedly contribute to furthering human rights protection and promotion in Azerbaijan.

561. The delegation of Azerbaijan announced that it had accepted the majority of recommendations in whole or in part. Various ministries and institutions had been involved in preparing its response to the recommendations, which were also discussed in the Ombudsman's Office with governmental and non-governmental representatives. The Government was also considering establishing a working group of governmental and non-governmental organization representatives for implementation.

562. Among the accepted recommendations were those concerning further institutional strengthening in the area of human rights. It highlighted that, in March 2009, significant constitutional reforms had been passed, as detailed in its written response to recommendations. Provisions to prohibit unlawful interference in private and family life, on the right to equality, the rights of children, freedom of religion and the right to obtain information had been enhanced. A new form of direct democracy had also been included in the Constitution, granting the right of legislative initiative to 40,000 voters. A national strategy to increase transparency and combat corruption had been decreed and a national plan for the period 2007-2011 adopted to implement the strategy.

563. Having accepted recommendations on further measures to prevent violence against women, Azerbaijan was taking social, economic and legislative measures. The definition of "discrimination on the grounds of sex" had been enhanced in the law on gender equality adopted in 2006, which included "any demonstration of differentiation and superiority for reason of

gender that limit or impede equal implementation of rights”. A draft law on the elimination of domestic violence contained, inter alia, provisions on the establishment of rehabilitation centres for women and child victims of violence in various parts of Azerbaijan.

564. Azerbaijan had accepted recommendations relating to the prohibition of corporal punishment and cruel treatment of children, the enhancement of educational programmes, and measures for the social integration of children without parental supervision that were victims of sexual exploitation and physical violence. Recommendations to continue with institutional measures to increase the effectiveness of human rights protection had also been accepted. The above-mentioned constitutional amendments also included provisions prohibiting the recruitment of children under 15 years of age and the involvement of children in work that threatened their lives, health and morals. Children deprived of parental care and guardianship were in the charge of the State. A special norm had been stipulated in the Constitution on State monitoring of children’s rights. Azerbaijan also cited a number of laws on children’s rights, including with regard to child trafficking and homelessness.

565. With regard to recommendations on the effective realization of the national plan of action against human trafficking and the provision of assistance to victims, Azerbaijan had accepted these and noted that wide awareness-raising campaigns had been held involving non-governmental organizations; special websites and television programmes had been created; and social research was conducted to understand the causes and prevent perpetration of such crimes.

566. Azerbaijan had accepted some recommendations regarding the effective realization of the rights of foreigners and stateless persons in accordance with treaty body recommendations. It had noted improvements in its collection of statistics on labour migration and the elaboration of guidelines on granting work permits or immigration status. On 4 March 2009, the President of the Republic had signed a decree with a view to simplifying procedures granting permission to foreigners and stateless persons for residence and employment. The simplified procedures allowed such individuals to leave and return to Azerbaijan with passports and relevant certificates issued by the State migration service. A draft migration code was also being prepared.

567. Regarding recommendations on the further promotion of religious tolerance, Azerbaijan was ready to share its experience and the existing practice, given its notably high level of tolerance and respect for various ethnic groups and religions over the centuries. The promotion of cross-cultural and interreligious dialogue remained one of the priorities of the foreign policy of Azerbaijan.

568. Azerbaijan had accepted recommendations to improve living conditions further in prisons and to resolve the issues of overcrowding and insufficient health care therein, detailing the measures taken and envisaged in this regard. In May 2009, the new building of the Baku detention Centre of the penitentiary service, compliant with international standards, has been opened for use. At the same time, following the amnesty act of 17 March 2009, 9,000 convicts had been released.

569. With regard to the recommendation to reform provisions on defamation in criminal law, Azerbaijan noted that a special working group, as detailed in its written response, had been established.

570. Azerbaijan disagreed with allegations about alleged pressure or physical violence against journalists and human rights defenders, allegations that had resulted from misinformation. Equality of each person before the law was a fundamental principle, and applied to all, regardless of their professional occupation and work status. However, on the basis of the recent amnesty act, four mass media representatives had been released from detention facilities. The President also issued a decree in April 2009 establishing a State support fund for the development of mass media with \$1.625 million.

571. Regarding claims of alleged impediment to the activities of human rights groups, it noted that, as a result of measures taken in recent years, the situation of non-governmental organizations and human rights defenders had improved. More than 140 human rights non-governmental organizations had been registered in Azerbaijan.

572. The delegation had also clarified in its written response to recommendations in this regard that foreign radio broadcasting was not banned in Azerbaijan.

573. The delegation committed to adopting a whole series of recommendations to improve the living conditions of internally displaced persons further. The Government was carrying out a consistent policy in this area. The last tent villages in Azerbaijan had been dismantled and more than 70,000 internally displaced persons provided with favourable housing and employment. The poverty rate among internally displaced persons and refugees had fallen from 74 to 30 per cent. During the same period, \$1.25 million had been allocated to the social protection of refugees and internally displaced persons.

574. With regard to the elimination of the root causes of poverty and the solving of social problems, Azerbaijan had accepted the recommendation and was ready to share its practice. To ensure the realization of social and economic rights, the Government had adopted States programmes on, inter alia, poverty reduction, sustainable development, employment strategies and the socio-economic progress of regions. As a result of policies and measures taken, the poverty rate had fallen considerably.

575. Azerbaijan expressed its readiness to periodically submit information on the implementation of the recommendations.

2. Views expressed by Member and observer States of the Council on the review outcome

576. The United Arab Emirates noted the importance that Azerbaijan attached to human rights and the steps taken to harmonize legislation with international law to protect human rights. It expressed satisfaction on the establishment of programmes to combat poverty and provide work opportunities to its citizens. It noted the efforts to ensure sustainable development and the rights of women and children. It also noted the efforts being made in the areas of health and education.

577. Qatar commended Azerbaijan for its constructive cooperation and openness throughout the review process. It appreciated the efforts to protect and strengthen human rights, especially through the constitutional and legal changes adopted in recent years. Those changes had been intended to strengthen and protect human rights in accordance with international human rights and humanitarian law. It noted that, for a number of years, Azerbaijan had witnessed considerable economic growth, which had facilitated the attainment of economic and social policies. Such policies, it added, were designed to raise living standards and the social protection

of Azerbaijani people, with the view to attaining the Millennium Development Goals. Qatar trusted that the Government would meet the challenges ahead, particularly relating to children's rights and the rights of refugees and internally displaced persons.

578. Algeria commended Azerbaijan for the spirit of cooperation displayed in the framework of its review, noting that 80 per cent of the recommendations had been accepted. It noted with appreciation Azerbaijan's transparency and its constructive role played in the Council. Algeria also commended it for its efforts to promote and protect human rights, especially economic and social rights, by implementing policies aimed at alleviating poverty and increasing employment, in line with Algeria's recommendations. Algeria expressed its satisfaction at Azerbaijan's efforts to tackle the problem of violence against women, including domestic violence, as recommended by Algeria. It encouraged further steps in this regard. Algeria underlined Azerbaijan's progress in ensuring the rights of the child and access to education for all children.

579. Uzbekistan commended Azerbaijan for the consistent steps taken to uphold human rights and fundamental freedoms in the framework of its international obligations and in national legislation. The results of this commitment and Azerbaijan's serious approach to the universal periodic review had created the prerequisites for its active and transparent participation in all stages of the process. Uzbekistan was convinced that Azerbaijan's commitments to its international obligations meant a continuation of efforts to enhance and strengthen the promotion and protection of human rights.

580. Pakistan noted that Azerbaijan, a founding member of the Council, had constructively participated in its institution-building. It acknowledged Azerbaijan's principled positions, open and constructive approach to the universal periodic review and frank responses to the issues raised. It noted that Azerbaijan had accepted a majority of the recommendations made. It highlighted Azerbaijan's follow-up to many of these recommendations through the establishment of a working group. It noted particularly the constitutional reforms providing additional human rights guarantees, the steps taken to empower women and eliminate all forms of violence against them, and the measures to enhance children's rights, religious intolerance and penitentiary services.

581. The Russian Federation thanked the delegation of Azerbaijan for the detailed information it provided to the Council plenary. It believed that Azerbaijan's review fully met the requirements of General Assembly resolution 60/251 and Council resolution 5/1. This was the result of the serious and constructive attitude shown by Azerbaijan at all stages of the universal periodic review process. The Russian Federation stated that participation in the review was further evidence of Azerbaijan's active engagement towards international cooperation in human rights. It expressed the hope that the Government of Azerbaijan would be highly successful in implementing all obligations undertaken during its review process.

582. Saudi Arabia stated that Azerbaijan's presentation concerning the recommendations made during its review had reflected a positive and effective approach towards the machinery of the Council. It noted that Azerbaijan had accepted the majority of recommendations. Saudi Arabia stated that Azerbaijan's cooperation with United Nations procedures and mechanisms and its determination to continue this positive dialogue had made clear the importance it attached to human rights. It also noted Azerbaijan's determination to promote the civil, cultural, political and social rights of its citizens. The review had provided a useful opportunity to learn about Azerbaijani efforts to develop legislation and institutions to promote and protect human rights. Saudi Arabia commended Azerbaijan for its efforts and encouraged it to continue in this direction.

583. Egypt commended Azerbaijan for its progress in economic and social development, particularly on the eradication of poverty. It highlighted Azerbaijan's special attention to achieving gender equality through its national human rights infrastructure. Egypt welcomed Azerbaijan's commitment to cooperation with human rights bodies and mechanisms, including the Working Group. It expressed its confidence that Azerbaijan would make all efforts to implement its national plans and strategies in all areas of human rights in cooperation with human rights bodies and mechanisms. Egypt also believed in Azerbaijan's commitment to implement the recommendations that it had accepted in line with its national priorities.

584. China noted the importance that Azerbaijan attached to the universal periodic review and the action taken to follow up on recommendations. It cited Azerbaijan's constitutional reform as a major step in improving its rule of law. It also noted the new laws on the rights of the child and protection of migrants, with a simplified definition of the term "migrant", which would

contribute to the protection of their rights. It cited measures to combat violence against women and children and the implementation of a national programme of action on human rights. It expressed its confidence that, with these efforts, Azerbaijan would overcome the impact of the financial crisis and continue to promote and protect human rights by seriously implementing the programme of action and the review recommendations.

585. Bahrain expressed its appreciation for the positive steps taken by Azerbaijan towards the implementation of a number of recommendations. It commended Azerbaijan for its efforts to promote equal rights between men and women and to develop policies and plans to ensure that education met the needs of society. It noted the programmes, projects and workshops to train judges and strengthen judicial reform, as well as the efforts made with regard to the rights of refugees and internally displaced persons and to ensuring their political participation and enjoyment of economic, social and cultural rights.

3. General comments made by other relevant stakeholders

586. The Commission for Human Rights of Azerbaijan (Ombudsman) stated that the Ombudsman had conducted wide-scale work related to the universal periodic review, including organizing a training session with the participation of international experts, representatives of State bodies and civil society. On recommendation 1, it noted that a presidential decree had designated the Ombudsman in January 2009 as the national preventive mechanism envisaged by the Optional Protocol to the Convention against Torture. Regarding recommendations 6, 8, 9 and 10, it stated that several legislative acts and State programmes had been adopted on women's rights, gender equality and the fight against violence. It said that these issues had always been the focus of attention of the Ombudsman's activities. The Ombudsman considered it necessary to establish crisis centres for women and children exposed to violence, for children deprived of parental care and, ultimately, to adopt a law on domestic violence. On recommendation 19, the Ombudsman made proposals for interreligious and intercultural dialogue and noted that Azerbaijan, as a multi-religious State, supported freedom of religion through the principles of unity and diversity. The Ombudsman committed to collaborating, as a national human rights institution, with the State in implementing the review recommendations.

587. Human Rights Watch was pleased to note that Azerbaijan had extended a standing invitation to all special procedures. It said the review process had brought a spotlight on a

number of core areas of concern that it had raised with the Government, including harassment and intimidation of human rights defenders, violation of freedom of assembly, politically motivated arrests and prosecutions, and torture and ill-treatment in police custody. Improvements were even more acutely needed in the field of media freedom, which have steadily deteriorated over the past few years because of, inter alia, the use of criminal libel and other criminal charges to stifle critical reporting and imprison journalists. It urged the Government to accept and implement all recommendations from the review process, particularly in the area of media freedom. Specifically, it should release journalists imprisoned on politically motivated charges immediately and decriminalize libel.

588. Cercle de recherche sur les droits et les devoirs de la personne humaine expressed its appreciation for the ongoing reform process in the field of human rights and encouraged Azerbaijan to continue in that direction, in spite of the ongoing conflict in Nagorno-Karabakh, which it condemned, as well as the Armenian occupying forces. Through its plans to establish an office in the country in the future, it would continue to support Azerbaijan in the implementation of its international commitments and obligations.

589. The Federation for Women and Family Planning commended Azerbaijan for its commitment to gender equality. With regard to recommendations in paragraphs 69 and 90 of the Working Group report, it stressed the importance of addressing sexual harassment. In this regard, it called on Azerbaijan to conduct research and public awareness campaigns, put in place structures for reporting rape, train law-enforcement personnel and implement strong measures against corruption. It also called for education campaigns about gender roles and the value of women and girls, to reduce sex-selective abortions and protect women's rights. It called on Azerbaijan to consider recommendations 26 and 48, to train law enforcement and judicial officials on the protection of children, women and persons of minority sexual orientation or gender identity. It called for proper investigations into claims of police blackmailing, harassment and violence against lesbian, gay, bisexual and transgender people and for the punishment of those responsible, as well as administrative and legal frameworks to eradicate such practices. It requested that Azerbaijan ensure that non-governmental organizations, including those supporting vulnerable groups, were free to register and operate without State interference or fear of reprisals.

590. The Al-Hakim Foundation thanked Azerbaijan for its cooperation with human rights mechanisms and its commitment to respecting universal periodic review recommendations. It urged Azerbaijan to continue efforts to strengthen its institutional framework and to spread a culture of human rights. It indicated that Azerbaijan should establish a mechanism involving Government and civil society representatives to implement the recommendations. It stressed the importance of establishing programmes to combat violence against women and children, facilitate access to justice and equity for all victims of domestic violence, and reparation for victims. It also stressed the importance of implementing a national plan to combat trafficking in persons and the need to provide necessary assistance to victims. It commended the fact that, since 2006, there had been a forum for dialogue among civilizations and religions.

4. Concluding remarks of the State under review

591. Azerbaijan thanked all speakers, in particular non-governmental organizations, and reiterated its support for the universal periodic review and cooperation with Governments and non-governmental organizations. The recommendations mentioned in the statements by non-governmental organizations would also be taken into account to further improve human rights protection.

592. Azerbaijan pledged to pay even greater attention to improving gender equality and the protection of the rights of children, and to improving the social situation of refugees and internally displaced persons.

593. Azerbaijan believed that the elaboration of human rights was one of the greatest achievements of the international community, and would always support cooperation with the Council and the human rights machinery.

Mexico

594. The review of Mexico was held on 10 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Mexico in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/MEX/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/MEX/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/MEX/3).

595. At its 18th meeting, on 11 June 2009, the Council considered and adopted the outcome of the review on Mexico (see section C below).

596. The outcome of the review on Mexico comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/27), the oral views of Mexico concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also additional written information submitted by Mexico).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

597. Mexico noted that it was currently undergoing a far-reaching transformation towards a more democratic society, while facing enormous challenges.

598. Since the preparation of the national report, Mexico had held an intense debate on matters relating to human rights. In February 2009, Mexico had accepted 83 of the 91 recommendations made during the review. Mexico had made comments in writing to the recommendations, which included its position regarding the eight outstanding recommendations and information on relevant recent progress.

599. Mexico referred in this regard to the adoption of an initiative seeking to incorporate in the constitution human rights contained in international instruments the “pro persona” principle in the implementation of human rights norms, as well as the strengthening of the independence of public human rights bodies; an initiative to consider offences against journalists as federal offences; and the constitutional rank given to the protection of personal data. Three new laws had been enacted to strengthen the certification, professionalization and control of police forces and of the public ministry. A national academy for prison administration had been established.

600. Mexico indicated that it had continued to promote equality, prevent and combat violence against women and that health centres, institutions and organizations had been mandated to provide medical attention to victims of sexual and domestic violence. Regarding the rights of indigenous people, it pointed out the establishment of specialized courts providing interpreters, translators and specialized public defenders. It also stressed the steps taken to guarantee the rights of migrants and prevent trafficking in persons, and to guarantee economic, social and cultural rights.

601. Mexico had taken a loan from the World Bank to strengthen the human development programme Oportunidades, intended to break the intergenerational poverty circle and to provide comprehensive care, food and education. Faced with the global financial crisis, Mexico had signed a national agreement for family economy and employment and a national agreement on labour productivity. In the area of health, it referred to its national strategy to reduce maternal mortality. Mexico had faced the recent epidemic of H1N1 in a responsible manner and with full respect for human rights and non-discrimination.

602. Regarding the eight outstanding recommendations, Mexico noted that those contained in paragraphs 94.1, 94.3 and 94.4 of the report of the Working Group, and in the first part of paragraphs 94.6 and 94.8, were either no longer applicable or had been resolved. Mexico could not support the recommendations made in paragraphs 94.2, 94.5 and 94.7.

603. Regarding paragraph 94.2, Mexico noted that the 2008 constitutional reform restricted the scope of *arraigo*, which applied only in cases of organized crime and was subject to strict legal control, and could only be dictated by a judge when necessary for the success of investigation, protection of persons or property, or when there was a founded risk of the suspect escaping justice. A control judge had been established to guarantee the rights of the accused and the victims in the procedure and to verify the legality of the process. Mexico indicated that *arraigo* complied with international standards, and that the accused were informed of their rights, given full access to a lawyer and provided with adequate defence. The *juicio de amparo* (trial for appeal for legal protection) could be used to appeal the decision of a control judge and guarantee the rights of detainees. Mexico also had a monitoring mechanism.

604. Regarding paragraphs 94.5 and 94.7, Mexico explained that the civil legal system prevailed over the military system, since resolutions or decisions by military courts and military Supreme Court could be appealed before civil courts through *recurso de amparo* (appeal for legal protection). The Ministry of National Defence had accepted all the recommendations made by the national human rights commission. Legal steps had been taken against military personnel responsible for crimes, and in particular in cases of human rights violations; reparation for victims had been provided.

605. Mexico stressed that military jurisdiction over the conduct of the armed forces was provided in the Constitution and was intended to maintain military discipline, and that military justice had made trials before military courts more transparent and had extended the scope of participation of victims in them.

606. The national human rights plan for 2008-2012 had established a commitment to promote reforms in military justice in accordance with international commitments.

2. Views expressed by Member and observer States of the Council on the review outcome

607. Algeria appreciated the distribution of Mexico's written views on the recommendations. It welcomed the fact that Mexico had decided to follow up on the recommendations that Algeria had made during the review, regarding particularly domestic violence and the ill-treatment of children, poverty reduction and access to education. Algeria had taken note of the measures taken by Mexico to give effect to those recommendations, particularly the reform of the law on education and the adoption of the national programme for the development of indigenous peoples for 2009-2012. Algeria commended Mexico for its initiative within the Council regarding the rights of migrants, and invited it to continue to promote the universal ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

608. Egypt thanked Mexico for the open spirit in which it engaged in the process. It appreciated the attention given by Mexico to the rights of migrant workers and persons with disabilities. It was confident that Mexico would make all efforts to follow up on the recommendations it had accepted, in line with its national priorities and objectives.

609. The United States of America appreciated Mexico's frank appraisal of the challenges it faced and acknowledged the efforts made in the area of human rights. It supported the recommendations made in the Working Group to bolster the Office of the Federal Special Prosecutor and efforts to prevent and punish violence against women and human trafficking, and to foster a safe environment for freedom of expression. It urged Mexico to express Government support for journalists as valuable witnesses in the struggle against impunity, corruption and lawlessness perpetuated by drug cartels and other criminal elements. A full investigation of human rights abuses by military and security forces and the adoption of the recommendations of the national human rights commission would also contribute to ending impunity.

610. Belgium stressed the importance of combating impunity and referred to the explanations by Mexico regarding its fight against organized crime. It regretted the decision to abolish the Special Prosecutor's office for past political and social movements. While thanking the delegation for the information regarding the transfer of enquiries to the Attorney-General's office for the specialized investigation of federal crimes, Belgium remained surprised that enforced disappearances or homicides during the "dirty war" had been addressed on an equal footing with ordinary crimes, and encouraged Mexico to establish a separate mechanism for enquiries relating to these crimes. Belgium welcomed the acceptance by Mexico of the recommendations regarding violence against women.

611. Chad noted with satisfaction that Mexico had accepted most recommendations made during the review, which demonstrated its attachment to human rights.

3. General comments made by other relevant stakeholders

612. The national human rights commission of Mexico expressed confidence that recommendations made in the Working Group would be followed up with the participation of human rights institutions and civil society. It noted that the human rights of persons with disabilities and the right to a healthy environment had not been addressed by the Working Group. It requested that an integral analysis of all human rights issues be guaranteed in the framework of the universal periodic review.

613. Amnesty International noted that many recommendations made during the review were consistent with those of Mexican civil society. It recognized Mexico's acceptance

of 83 recommendations, but noted that successive Mexican Governments had made similar commitments to address long-standing human rights issues without delivering effective results. While welcoming legislative advances to combat violence against women, it noted that most authorities in the country had not taken measures to implement them, and that many continued to view the issue as a low priority. It stressed that the federal Government had failed to demonstrate its commitment to prevent and punish violence against women, and referred to the situation in Ciudad Juarez, Chihuahua City and San Salvador Atenco.

614. Human Rights Watch was concerned that Mexico had not accepted recommendations relating to impunity for the grave human rights violations committed by the military. It stressed that the General Prosecutor for Military Justice had not provided one example over the last 10 years in which military courts had convicted a military member accused of committing a human rights violation. It stressed that Mexico's commitment to encourage military justice reform in line with its international human rights obligations would never be fulfilled if the military continued to claim jurisdiction over investigations of grave human rights violations through a system of military justice that lacked basic guarantees, and that cases in which military members were accused of human rights violations against civilians should be immediately referred to Public Ministry officials.

615. Action Canada for Population and Development noted that the conditions put to the criminalization of seduction by deceit (*estrupo*) of minors were not in conformity with the Convention on the Elimination of All Forms of Discrimination against Women. Mexico should be encouraged to implement without delay the recommendations that it unify domestic legislation - particularly regarding *estrupo* - and harmonization with international law, and that it reform or abolish laws, regulations and practices that were discriminatory against women, with a view to protect their freedom, autonomy and sexual rights.

616. The International Commission of Jurists and the Centro de Derechos Humanos Miguel Agustín Pro Juárez referred to the need to resolve the problems of torture and arbitrary detention and to combat impunity. They referred to a pattern of criminalization of social protest and political dissidence in Oaxaca, which took the form of arbitrary detention, excessive use of force, the murder of political opponents and the intimidation of civil society, the media and independent journalists. They indicated that denial of justice for persons detained in relation to

the 2006 conflict in Oaxaca was systematic, and that there was no sanction against those responsible for the repression, nor for other crimes committed before and after those events, including enforced disappearances.

617. The Federation for Women and Family Planning appreciated the steps envisaged and taken by Mexico for the rights of the child, as reflected in the Working Group report. Highlighting the importance of comprehensive sexual education for children and youth, it was pleased that Mexico had hosted a gathering of ministers for health and education from Latin America and the Caribbean in 2008 and signed a ministerial declaration on prevention through education. It urged Mexico to take action to promote comprehensive sexual education in schools in order to meet the commitments made in the Declaration.

618. *Grupo de Información en Reproducción Elegida* stressed the recommendations made that Mexico harmonize national legislation with international human rights instruments. It recalled that recommendations regarding the abolition of *arraigo* and the revision of the definition of organized crime in accordance with the Palermo Protocol were pending. It noted documented cases where social movement leaders had been falsely accused of belonging to organized crime, and stressed that *arraigo* was a form of arbitrary detention used daily by security forces and military members. It called upon Mexico to implement these recommendations and to open a public debate on *arraigo*.

619. Conectas Direitos Humanos expressed its concern about the recommendations pending acceptance by Mexico, particularly regarding the re-establishment of the Special Prosecutor's office or a similar mechanism for the investigation of past crimes. It indicated that the hearing of a case regarding the lack of access to justice for past crimes would take place before the Inter-American Court of Human Rights in July 2009, which could offer a new opportunity for Mexico to resolve this problem. It called on the Members of the Council to accompany Mexico in this process.

620. The Miguel Agustín Pro Juárez Human Rights Centre noted that most recommendations pending related to the duty to investigate and prosecute cases of alleged human rights violations in civilian rather than in military courts. It emphasized the urgent need for Mexico to comply with these recommendations. It stressed that documented military abuses included torture,

arbitrary detentions and extrajudicial executions; that the number of reported violations received by the national human rights commission against Mexico's Defense Department had increased sixfold between 2006 and 2008; and that only the investigation and prosecution of these crimes by independent civilian authorities could reverse the current situation. It urged the Government to end impunity.

621. The Social Service Agency of the Protestant Church in Germany stressed that Mexico had accepted recommendations on the issue of human rights defenders, but was concerned that recent acts had undermined those commitments, referring to two indigenous human rights defenders from Guerrero who had disappeared, had been tortured and executed. It stated that organizations had had to close their offices in Guerrero owing to threats against them and that the Inter-American Court of Human Rights had granted provisional protection measures to 107 human rights defenders, that had not been effectively implemented. It requested that the Council urge Mexico to comply with the recommendations to prevent, investigate and prosecute those responsible for human rights violations and that a legal framework and governmental programme be established to protect human rights defenders in Guerrero.

622. The Centre for Reproductive Rights recalled the 1,200 women victims of femicide and the situation of thousands of women and girls suffering from regressive reforms that criminalize abortion under any circumstance in 13 Mexican States. It stressed that access to justice remained a mere hope for women. It supported the recommendations to bring State and federal legislation in line with the general law for women's access to a life free of violence, and for all federal, State and municipal authorities to implement the law. It also supported the recommendation that effective measures be taken to ensure that femicides were duly investigated.

4. Concluding remarks of the State under review

623. Mexico stressed that it had undertaken institutional mobilization and dialogue with stakeholders for the current review, and underscored as positive elements of the process the fact that all stakeholders had had a more comprehensive vision of human rights in Mexico; the enhanced dialogue among national stakeholders; the provision of greater foundations to the international vision of Mexico's human rights situation; better focus for international aid; and the fact that the current exercise had enhanced and complemented international commitments.

624. Mexico agreed that combating impunity and effectiveness of the justice system were the primary structural paragon for a positive transformation of the national system. The constitutional reform of the public security and criminal justice system adopted by Congress in 2008 had set a timetable of eight years for implementation. Mexico had extended an invitation to the Special Rapporteur on the independence of judges and lawyers.

625. Mexico reiterated the fact that organized crime was being fought with full respect for human rights, greater professionalization of the police and with the legal and human rights system monitoring and sanctioning violations in full operation. At the express request of the civil authority, the participation of the armed forces was temporary, in a specific geographical area, and purely provisional and supplementary.

626. Combating organized crime had worsened working conditions for journalists. Mexico condemned their harassment and would establish appropriate mechanisms to investigate and punish such aggressions. It particularly appreciated recommendations made by non-governmental organizations in this respect.

627. Mexico referred Amnesty International to paragraph 36 of the supplementary report on enhancing investigations relating to the murder of women in Ciudad Juarez. Responding to comments by Human Rights Watch and others on the functioning of the military justice, Mexico stressed that the Federal Government had accepted all the recommendations of the national human rights commission. Mexico agreed with the comments on the harmonization of legislation. Regarding Action Canada's comment, it pointed out that the needed legislative harmonization regarding violence against women had been identified and that the Federal Government was working on this issue.

Mauritius

628. The review of Mauritius was held on 10 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Mauritius in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/MUS/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/MUS/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/MUS/3).

629. At its 18th meeting, on 11 June 2009, the Council considered and adopted the outcome of the review on Mauritius (see sect. C below).

630. The outcome of the review on Mauritius comprised of the report of the Working Group on the Universal Periodic Review (A/HRC/11/28), the views of Mauritius concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/28/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

631. The Ambassador and Permanent Representative of Mauritius to the United Nations in Geneva noted that the universal periodic review had offered Mauritius a unique opportunity to make a critical self-assessment of the human rights situation and to reflect constructively on the views expressed by the international community. In addition to the human rights provisions enshrined in the Constitution, a series of measures have been taken to ensure that all citizens of Mauritius, irrespective of their race, place of origin, political opinions, colour, creed or sex, were able to exercise effectively their civil, political, economic, social and cultural rights.

632. A number of legislative measures had been taken recently to promote human rights further, such as the Equal Opportunities Act, the HIV and AIDS Act, the Truth and Justice Commission Act, the Employment Relations Act and the Employment Rights Act. Mauritius reported on the implementation of a number of accepted recommendations:

(a) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, ratified on 12 February 2009;

(b) Consultations were ongoing with a view to domesticating the provisions of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and ratifying the Optional Protocol. In April 2009, Mauritius had announced that it had no objection to the proposed visit of the Special Rapporteur on the sale of children, child prostitution and child pornography to analyse the current situation and to make recommendations on measures to allow Mauritius to ratify the Optional Protocol. Mauritius had recommended that the said visit be made by the end of 2009;

(c) Concerning the recommendation to increase efforts to ensure full compliance of domestic legislation with the Convention on the Rights of the Child, the Ministry of Women's Rights, Child Development and Family Welfare was in the process of preparing a consolidated children's bill;

(d) The Government budget for 2009, recently approved by the National Assembly, provided for necessary funds to be allocated to the Office of the Ombudsperson for Children to achieve a number of important objectives and to monitor children's rights in Mauritius;

(e) The Combating of Trafficking in Persons Act was passed on 21 April 2009 and was aimed at not only preventing human trafficking and prosecuting traffickers, but also at providing protection and assistance to victims of trafficking;

(f) A series of measures had been announced in the recent budget exercise to eradicate poverty, including the strengthening of the eradication of poverty programme;

(g) With a view to alleviating the problem of overcrowding and to providing improved conditions to prisoners, Mauritius planned to build a new, modern prison to accommodate 750 detainees. The land for this purpose had been earmarked and the conceptual design was in progress.

633. Mauritius had also pledged to examine 13 recommendations and had drawn attention to the addendum to the report of the Working Group it had submitted and highlighted a few issues in this regard.

634. The Abolition of the Death Penalty Act had been passed in Mauritius in 1995, and all death sentences had been commuted by operation of the law. Since then, Mauritius has consistently

taken an abolitionist stand in international forums. Mauritius had co-sponsored and voted in favour of the resolutions 62/149 and 63/168 on a moratorium on the use of the death penalty, adopted by the General Assembly in 2007 and 2008.

635. Mauritius had acceded to the Convention relating to the Status of Refugees of 28 July 1951, but was not a party to the Protocol relating to the Status of Refugees of 1967. Given its limited resources as a small island developing State, it would be very challenging for Mauritius to adopt an open policy of granting refugee status to foreigners. However, every application for refugee status was treated on a humanitarian basis; Mauritius indeed cooperated with international organizations and other States with a view to facilitating settlement of refugees in States willing to receive them. In practice, the principle of non-refoulement was observed with regard to persons claiming to be persecuted in their country of origin.

636. Given that the issue of “enforced disappearances” was of no direct relevance to the domestic situation in Mauritius, the ratification of the Convention for the Protection of All Persons from Enforced Disappearance would be given consideration in due course in the light of all relevant factors.

637. With regard to the recommendation to amend constitutional provisions that affected the status of women, Mauritius stated that the Constitution provided for the application, in some cases, of personal laws with respect to adoption, marriage, divorce, burial, devolution of property on death or other like matters. Such laws were not to be deemed discriminatory even if they resulted in different treatment being afforded to different persons on the ground of creed or sex. The inclusion of this provision in the Constitution had been considered necessary in view of the fact that Mauritius was a multireligious, multiethnic and multicultural society and that Mauritians of different religions had to be given the freedom to practise their respective religion. The amendment of that provision of the Constitution was not envisaged in the short term.

638. The amendment of section 16 of the Constitution to include new forms of discrimination would be considered in the context of a general review of the Constitution. The Equal Opportunities Act, which was voted on in 2008, prohibited discrimination on grounds not covered in the Constitution, such as sexual orientation and HIV status.

639. With regard to the recommendation to include marital rape as an offence under the proposed Sexual Offences Bill, Mauritius pointed out that there was currently no specific reference to the offence of marital rape. However, section 249 of the criminal code criminalized the offence of rape. It was also arguable that it was possible to prosecute for the offence of marital rape under the criminal code as it stood. However, to avoid any ambiguity, it was proposed to make clear reference to this offence in the Sexual Offences Bill, which was currently being considered by a select-committee of the National Assembly.

2. Views expressed by Member and observer States of the Council on the review outcome

640. Algeria appreciated Mauritius' efforts to ensure the enjoyment of human rights by all its citizens, despite its constraints as a small island developing State. Algeria underlined the measures taken to speed up the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, which was in line with its recommendation. It noted that Mauritius had adopted a national plan on human rights aimed at developing and raising awareness of a human rights culture. Algeria appreciated the positive steps taken by Mauritius to reform its judicial system and reiterated its call to OHCHR to provide technical assistance to Mauritius to step up its efforts in this field.

641. Morocco noted that the universal periodic review of Mauritius, which had accepted the majority of recommendations, showed Mauritius' commitment to human rights and the universal periodic review. It stated that the dissemination of a human rights culture was essential to the promotion of human rights and would allow Mauritius to consolidate its achievements in democracy and the rule of law. Morocco thanked Mauritius for the steps taken to implement recommendations made during the review process, particularly Mauritius' decision regarding the protection of the rights of children, including through the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the elaboration of a charter on the rights of the child.

642. The United States of America recognized the efforts made to create a culture of human rights, through, inter alia, the establishment of a human rights centre, the national human rights plan of action and the actions taken in the area of poverty eradication. The United States made reference to the efforts made to promote human rights education, especially for law enforcement

and judicial officials, and to carry out investigations into all violations and deaths of persons in custody attributable to police officers. The United States supported recommendations regarding discrimination against women, and expressed its hope that Mauritius would finalize and adopt soon the sexual offences bill currently under consideration, and ensure that marital rape was deemed a punishable offence in the legal code.

643. Canada welcomed the commitments and impressive achievements of Mauritius in the field of human rights since its independence and noted that Mauritius remained a model of stability and democracy in the region. It indicated that, as members of the Francophonie and the Commonwealth, Canada and Mauritius shared common values, including respect for human rights, the rule of law and democracy. Canada appreciated the fact that all recommendations that it had formulated during the review had been accepted by Mauritius. It encouraged Mauritius to continue its efforts to promote and protect human rights both at home and around the world.

644. India noted that Mauritius' efforts and achievements exemplified the complementarities between civil and political rights on the one hand, and economic, social and cultural rights on the other. India hoped that an early adoption of the national plan of action on human rights would lead to the strengthening of a culture of human rights, and commended Mauritius for having been able to establish human rights institutions such as the national human rights commission, the Ombudsman and the Ombudsperson for Children.

645. Maldives noted that, as a small island State, Mauritius was vulnerable to external economic and environmental shocks and faced important resources constraints. It indicated that, despite these challenges, Mauritius had achieved much, including in the field of human rights. It noted that Mauritius had been active in integrating principles contained in major international human rights instruments into national laws and practices. It commended Mauritius for having established strong independent institutions, including a human rights commission and an anti-corruption commission. Maldives noted that challenges nevertheless remained but, with the country's extremely proactive and progressive policies, the legal framework for tackling such challenges was in place.

646. Chad congratulated Mauritius on having complemented the information already provided in its national report. Chad noted with satisfaction that Mauritius had accepted most recommendations, despite its insufficient financial resources, and called on the international community to assist Mauritius in this regard.

647. Botswana congratulated Mauritius on having gone through this important new process of the United Nations human rights system and on its clear pledge of genuine dialogue with other States and non-State actors. It noted that Mauritius had demonstrated its commitment to human rights and had noted with satisfaction that Mauritius had accepted most of the recommendations formulated during the review. Botswana encouraged Mauritius in the follow-up and implementation stages.

648. Nigeria commended the openness, transparency and commitment with which Mauritius had engaged in the review process. Nigeria had taken note of the acceptance by Mauritius of almost all recommendations, including Nigeria's call for efforts to attain the full enjoyment of civil and political rights as well as economic, social and cultural rights for its population.

649. Senegal thanked Mauritius for the clear replies on the recommendations made during the discussions of the Working Group. Senegal noted that the acceptance of the majority of recommendations reflected the determination of Mauritius to work towards a true culture of human rights, in particular through the implementation of its national plan of action on human rights, which aimed at consolidating fundamental human rights, specifically those of vulnerable groups.

650. New Zealand noted Mauritius' constructive and proactive approach to its review. It noted that Mauritius had made enormous progress, with limited resources, to improve the implementation of its human rights obligations and to promote good governance and democratic values. It noted Mauritius' response to the recommendation that steps be taken to amend constitutional provisions that could negatively affect the status of women, and encouraged Mauritius to intensify awareness-raising campaigns on women's rights. It recognized that Mauritius had proposed to include marital rape as an offence under the Sexual Offences Bill, and urged Mauritius to ensure its inclusion in the final legislation.

3. General comments made by other relevant stakeholders

651. The European International Lesbian and Gay Association commended Mauritius for its leadership in supporting the joint statement on human rights, sexual orientation and gender identity delivered before the General Assembly in December 2008. It welcomed Mauritius' acceptance of the recommendation to finalize and adopt the Sexual Offences Bill, which would decriminalize sexual activity between consenting adults, and enquired about the current status of the bill. The Association commended Mauritius for having adopted the Equal Opportunities Act, which prohibited discrimination on the grounds of sexual orientation and HIV status, and thanked Mauritius for its leadership on these important human rights issues.

652. The Arab Commission for Human Rights welcomed the acceptance by Mauritius of a large number of recommendations. It asked about the status of the bill referred to in recommendation 3 regarding the handling of police complaints. It also asked for more information on issues relating to the situation in prisons, as contained in recommendations 22, 23b, 31 and 32, which were all accepted. The Commission requested more information on recommendation 9 contained in paragraph 81 regarding the open invitation to mandate-holders of Council special procedures. It recommended that Mauritius submit a mid-term review report on the implementation of its recommendations and voluntary commitments to the Council at its fourteenth session.

4. Concluding remarks of the State under review

653. Mauritius indicated that it had taken note of all the interventions, including those of civil society, and that it would consider them with an open mind, but within the confines of its Constitution, which, since independence, had served Mauritius, a multiracial and multicultural country, very well. Mauritius remained firmly committed to upholding the fundamental principles of international human rights law and practice and to providing its population with the highest level of civil and political rights as well as economic, social and cultural rights. Mauritius was also engaged in expanding the breadth and depth of a rights-based approach to economic development, social justice and human rights, with the aim of making the country a human rights island.

Jordan

654. The review of Jordan was held on 13 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Jordan in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/JOR/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/JOR/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/JOR/3).

655. At its 18th meeting, on 11 June 2009, the Council considered and adopted the outcome of the review on Jordan (see sect. C below).

656. The outcome of the review on Jordan comprised the report of the Working Group on the Universal Periodic Review (A/HRC/11/29), the views of Jordan concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

657. The delegation of Jordan stated that, with regard to the recommendations appearing under paragraph 93 of the report of the Working Group on the Universal Periodic Review, Jordan accepted recommendations 1 to 4, 6 to 11, 13 and 15. Information on recommendation 5 would be provided at a later stage. Regarding recommendation 12, Jordan accepted it in part and had been implementing it in accordance with its national and international obligations. With regard to recommendation 14, Jordan had established a national committee that would be preparing a draft law in line with international standards. The delegation underlined the fact that Jordan had not only accepted the above recommendations, but had also started and/or enhanced their implementation. Jordan remained committed to updating the Council thereon.

658. With regard to recommendation 1, the Government was preparing a study in cooperation with relevant authorities aiming at the accession to the Convention for the Protection of All Persons from Enforced Disappearance.

659. Regarding recommendations 2 to 8, article 340 of the penal code had been amended in order to cancel the pretext for honour crimes. The Government, in cooperation with relevant authorities, had prepared a new draft law compatible with international conventions, amending article 97 of the penal code to strengthen the minimum sanction, and for that purpose, to remove the alleviating circumstances clause for honour crimes.

660. To further the status of women, the Government had enacted many laws and legislation, particularly the Family Protection Code. Among other initiatives, Jordan mentioned (a) a project by the Prime Minister's Office on alimony fund to assist divorced women and widows; (b) a Family Affairs Division, set up on 29 April 2009, to draw up policies giving further protection to vulnerable groups; and (c) a special unit for human rights in the Ministry of Social Development, which would provide women with training on the promotion of a gender perspective and to further the role of women as equal partners in the development process. Correctional and rehabilitation centres were actively cooperating with non-governmental organizations and civil society to solve the situation of women detained without charge.

661. With regard to recommendations 9 and 10, the Government had amended the penal code in order to make the definition of torture compatible with the Committee against Torture. The amendment stipulated that any employee or official who tried to extract a confession would be sanctioned.

662. The national centre for human rights issued periodic reports, including recommendations to improve the situation of detainees. The Council of Ministers had adopted the Karama project to combat torture and to provide training in cooperation with a number of governmental and non-governmental organizations and civil society. Many lawyers had been trained on how to implement the international convention, and a guidebook on how to register and monitor acts of torture had been issued. Furthermore, a code of conduct was being developed to monitor such violations. Other initiatives included: (a) a committee on reform and rehabilitation, headed by the Director of Public Security and with the membership of many ministries, entrusted with

rehabilitation programmes; (b) a committee on public freedoms, established by Parliament, which could visit all prisons of the country to make sure that all detainees enjoyed proper treatment; and (c) an office to receive the complaints of families of detainees, dealing with, inter alia, relocation to other centres and special visit needs. Additional permits to visit the rehabilitation centres were now available to the International Committee of the Red Cross and other non-governmental organizations. A total of 813 visits had been made in 2008.

663. With regard to recommendation 11 on administrative detention, the Crime Prevention Act was a law to prevent crimes, particularly murder, honour crimes and theft, through the action of the Administrative Governor, whose resolutions and decisions were reviewed by the judiciary and the High Court of Justice, to make sure that the enforcement of authority was not arbitrary and that abuses were sanctioned. The Act was applied to three categories of people, according to their level of danger in society. The Director of Public Security periodically examined the situation of detainees, releasing those who were not considered a real threat to society. A total of 700 people had been released in the first third of 2009.

664. With regard to recommendation 12, Jordan noted that there was no penal sanction for a person who changed religion. Any discrimination practised stemmed from single individuals. The Government tried to protect persons converting to another religion from any act against them.

665. With regard to recommendation 13, civil society organizations called for the amendment of the law on societies. The Government had responded by convening many meetings with the unions, and a draft amended law was prepared with the collaboration of many civil society organizations. The draft would be reviewed at the special session of Parliament in June 2009.

666. With regard to recommendation 14, the Government was currently reviewing the proposal for the establishment of an independent electoral commission, and a committee had been set up to prepare a draft law on elections.

667. Regarding recommendation 15, Jordan noted that the law on crimes of terrorism was a preventive tool designed to respect public rights. Crimes punishable under this law included the financing of terrorist acts and recruitment into terrorist groups. Allegations would be duly studied by the court to ascertain intention and premeditation. Furthermore, the law did not grant

any special authority to the security apparatus, and security measures must be in conformity to the penal law applicable to these crimes, within laws and regulations on human rights. Competent authorities continued to work on the law.

2. Views expressed by Member and observer States of the Council on the review outcome

668. The United Arab Emirates noted that the acceptance by Jordan of most of the review recommendations was a clear expression of its determination to cooperate with human rights mechanisms. It was proud of the serious work done by Jordan in integrating human rights principles into its national legislation, in accordance with the international instruments that it had ratified. It noted the efforts made to promote the rights of the child through the national plan of action for children, and mentioned the provision of training and awareness-raising courses on human rights in the judicial system. Particularly, the United Arab Emirates commended Jordan for its efforts to promote the right to health and medical services.

669. Algeria commended Jordan for its efforts to advance the rights of women, combat violence against women, allow them to participate in decision-making and fight against some social prejudices. Jordan had played a pioneering role in the protection of the rights of persons with disabilities by creating a supreme council for persons with disabilities and adopting a national strategy to promote their rights. It called on Jordan to share its experience in this regard with other countries. It welcomed Jordan's efforts to promote the rights of migrant workers in keeping with Algeria's recommendation. Algeria indicated that it had asked Jordan to request technical assistance from OHCHR in order to submit overdue treaty bodies periodic reports.

670. Qatar commended Jordan for having accepted 41 recommendations, which was a reflection of its cooperation in dealing with the universal periodic review and other human rights mechanisms. It particularly valued the constitutional and legal guarantees incorporated in the Jordanian legal arsenal, and commended Jordan's economic, social and cultural development in accordance with the Millennium Development Goals.

671. Bahrain commended Jordan for the initiatives taken to implement a number of recommendations stemming from the universal periodic review. It welcomed Jordan's efforts to continue implementing national policies, including the national plan of action for children.

Bahrain indicated that Jordan had continued to disseminate a culture of human rights and to provide human rights education and training to justice and law enforcement officers. It valued Jordan's efforts to empower women and to promote their role in the society.

672. Saudi Arabia welcomed Jordan's positive attitude to the recommendations, in particular its determination to continue its cooperation with OHCHR. It also welcomed the acceptance of Saudi Arabia's recommendation regarding the right to education and the dissemination of a culture of human rights through school curricula. It commended Jordan for having adopted national laws and practical measures on human rights, despite many economic and social obstacles.

673. China noted with appreciation Jordan's responsible attitude in participating in the universal periodic review and in accepting the great majority of recommendations. Under its Constitution, Jordan had established a relatively developed framework for human rights protection, upgraded protection practices and established a number of relevant institutions. The poverty rate had decreased, the health-care system was better developed and the human rights education system was improving. China appreciated the information on women's rights and the penal system. It believed that the Government would continue to conduct exchanges and cooperation with the international community in order to improve the country's human rights situation.

674. Palestine thanked Jordan for its positive attitude regarding the recommendations and applauded all the initiatives taken to implement them on the ground. It noted that Jordan had acceded to most international human rights instruments and strove to remove many of its reservations to some of the human rights instruments. The Constitution of Jordan guaranteed the protection of all civil, political, economic, social and cultural rights, in accordance with international standards. Palestine added that Jordan was at the forefront of adopting a legislation to protect women and the family.

675. Morocco commended Jordan for its constructive participation in the universal periodic review and its openness and political will in furthering efforts to promote and protect human rights and strengthen the rule of law, in accordance with its religious and cultural specificities and international obligations. Jordan had accepted most of the recommendations and committed to examine and deal positively with the remaining ones. It expressed its recognition to Jordan for

having accepted Morocco's recommendations. Morocco believed that the international community and the relevant institutions should support Jordan, in terms of technical and financial assistance, to help the government to implement the accepted recommendations stemming from the universal periodic review.

676. Indonesia was encouraged by the new measures taken to promote the status of women and to eliminate all forms of violence and discrimination against women. It applauded Jordan for its national strategic plan to protect the rights of people with disabilities and children. Indonesia commended Jordan for its efforts to engage in viable policy and institutional reforms, which were in accordance with international standards, and supported its efforts to achieve socio-economic development.

677. The United States of America commended Jordan for the steps taken to promote human rights and human welfare. It noted the concern regarding honour crimes and supported the recommendations aimed at strengthening legislation to protect women from violence and ensuring that perpetrators of honour crimes were prosecuted and received sentences commensurate to the gravity of their crimes. The United States shared the concerns regarding the law on associations and supported the recommendations that Jordan enact amendments or revisions that would provide civil society groups with the broadest possible freedom of assembly. It welcomed the formation of a committee to work with civil society on promoting modifications to this law.

3. General comments made by other relevant stakeholders

678. The National Centre for Human Rights indicated that steps should be taken to reform the legislation to reduce the application of the death penalty; fill gaps in the legislation to combat impunity of the perpetrators of torture, through the recognition of the competence of the Committee against Torture, as contained in articles 21 and 22 of the Convention, and accede to the Optional Protocol to the Convention against Torture; amend the legislation that violates the rights of individuals to security and personal freedoms; enhance the independence of the judiciary and limit referrals to special courts; amend legislation that restricts political freedoms; include the principles of the International Covenant on Civil and Political Rights and the International Covenant on

Economic, Social and Cultural Rights into the domestic legal system, and lift the reservations to articles 9 (2) of the Convention on the Elimination of Discrimination against Women and 20 and 21 of the Convention on the Rights of the Child.

679. Human Rights Watch was disappointed at Jordan's rejection of important recommendations to eradicate torture, and requested that it implement recommendations to set up an independent complaints mechanism on torture, allow unannounced prison visits by non-governmental organizations and abolish exceptional courts, such as the police court. It noted that Jordan had curtailed its practice of administratively detaining women threatened with violence by family members, and tribal members threatened with violence by members of other tribes. However, the Government had made no concerted effort to apprehend or prosecute those who make such violent threats. Human Rights Watch was heartened by Jordan's readiness to uphold freedom of assembly and requested that Jordan abolish prior approval for public meetings, lift provisions governing executive approval to register a society, and remove excessive powers of Government interference.

680. The Arab Commission for Human Rights commended Jordan for accepting a number of review recommendations and regretted the fact that the replies had not been submitted in writing before the plenary session of the Council. It welcomed the acceptance of the recommendation to support more effective implementation of the provisions of the Committee against Torture. It called on Jordan to reconsider its position on the Optional Protocol to the Convention against Torture and to recognize the competence of the Committee against Torture, as contained in article 22 of the Convention.

681. The International Commission of Jurists stated that Jordan should investigate in a prompt, effective and independent manner all alleged acts of torture and other ill-treatment that had been systematically used in Jordan's prisons and centres of detention, as suggested in recommendations 18, 19 and 20. It urged Jordan to accept recommendation 9 of paragraph 93, break the cycle of impunity and bring the definition of torture in the penal code into line with article 1 of the Committee against Torture. It requested that Jordan accept and expeditiously implement recommendation 15 of paragraph 93. It called on Jordan to abolish the State security courts and other special courts and make sure that human rights violations were tried by ordinary civilian courts.

682. The International Federation of Human Rights Leagues regretted the fact that the Government of Jordan had refused the most substantive recommendations, in particular the official investigation on all allegations of torture and the withdrawal of reservations to the Convention on the Elimination of All forms of Discrimination against Women and the Convention on the Rights of the Child, and to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention against Torture and the Optional Protocol to the International Covenant on Civil and Political Rights. It welcomed the decision of Jordan to withdraw its reservation to article 15 (4) of the Convention on the Elimination of All Forms of Discrimination against Women, but regretted that Jordan refused to lift its reservation to articles 9 (2) and 16 of the Convention. It expressed its hope that Jordan would finally provide positive responses to several recommendations concerning honour crimes and the necessary review of the legislation applicable to terrorism. It also regretted the fact that Jordan had rejected the recommendations calling for a revision of the Association Law.

683. The Charitable Institute for Protecting Social Victims underlined the negative approach taken towards children's rights; the continued negligence of the basic rights of orphaned children; the rise in child labour; the rise in the number of women without heads of household and the spread of prostitution among these women; and the daily rise in the number of torture cases in detention centres and prisons. It also noted the rise in the number of complaints against human rights violations, the lack of proper investigation and processing of complaints and the violation of prisoner and detainee rights.

684. The Al-Hakim Foundation welcomed Jordan's acceptance of the recommendations stemming from its review and its efforts to ensure the necessary conditions for the work of human rights institutions. It expressed its appreciation to Jordan for having hosted thousands of Iraqi refugees and for its continued support and assistance to them, while calling for greater efforts in the fields of health and education. It commended Jordan for its role in peacekeeping operations and in the fight against terrorism. It mentioned the need to improve the situation of migrant workers and to protect their human rights, and called for the adoption of laws in this regard.

685. The Cairo Institute for Human Rights Studies commended Jordan for its decision to lift its reservation to article 15 (4) of the Convention on the Elimination of All Forms of Discrimination against Women. It was concerned about the situation of women, domestic violence and the prevalence of honour crimes, and urged Jordan to consider amending its penal code to ensure that perpetrators of honour crimes would be brought to justice, and to consider withdrawing its remaining reservations to the Convention on the Elimination of All Forms of Discrimination against Women, and ratifying the Optional Protocol thereto. It asked Jordan to review its nationality law to allow Jordanian mothers married to non-Jordanians to pass on their nationality to their children and to lift all its reservations to the Convention on the Rights of the Child. It also asked Jordan to revise its recent law on societies and to accede to the Optional Protocol to the International Covenant on Civil and Political Rights. It welcomed Jordan's commitment to respond to the request for a visit by the Special Rapporteur on violence against women, and requested that Jordan consider ratifying the Optional Protocol to the Convention against Torture and set up an independent national mechanism for oversight in places of detention.

4. Concluding remarks of the State under review

686. Jordan believed that the review had offered a comprehensive and objective assessment of the human rights situation in the country. Despite the wide range of challenges at the national and regional levels, the Government was determined to follow up the recommendations effectively and to report on their implementation.

Malaysia

687. The review of Malaysia was held on 11 February 2009 in conformity with all the relevant provisions contained in Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Malaysia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/4/MYS/1);

(b) The compilation prepared by the OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/4/MYS/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/4/MYS/3).

688. At its 19th meeting, on 12 June 2009, the Council considered and adopted the outcome of the review on Malaysia (see section C below).

689. The outcome of the review on Malaysia comprised of the report of the Working Group on the Universal Periodic Review (A/HRC/11/30 and A/HRC/11/30/Corr.1), the views of Malaysia concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/11/30/Add.1).

1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and the outcome

690. Malaysia stated that, by accepting the majority of the recommendations, it had showed its flexibility with a view to improving the human rights situation in the country. Malaysia had already begun implementing recommendations and was committed to programmes, such as human rights awareness and training and the harmonization of national legislation with international human rights instruments.

691. The accepted recommendations included one relating to continuous training for law enforcement officials, which would be implemented through a workshop to be organized jointly with the Commonwealth secretariat in June 2009. Malaysia was also discussing with the OHCHR Regional Office in Bangkok the possibility of organizing other capacity-building workshops or seminars.

692. Since April 2009, Malaysia had a new Prime Minister, who espoused the concept of “one Malaysia”, a concept that gave a clearer picture of the term “unity in diversity”, and who took a pluralistic and integrationist approach.

693. Since independence, policies had been implemented for the benefit of the people. In the light of the current global economic and financial crisis, the Government continued to believe that policies that underscored the importance of achieving socio-economic and development goals as a way of ensuring unity remained vitally important.

694. Detailed comments and explanations provided by Malaysia on recommendations are available in document A/HRC/11/30/Add.1. On the issue of preventive detention legislation, the Government had decided, in early April 2009, to undertake a comprehensive study with a view to reviewing the Internal Security Act. For this purpose, a working committee had been established at the Ministry of Home Affairs. Since Malaysia's review in February 2009, the Government had released a significant number of persons previously detained under the Act.

695. Malaysia was considering inviting the Working Group on Arbitrary Detention to make a country visit. The Government was in the process of finalizing a national child policy, a national child protection policy and the relevant plans of action. Serious efforts had been made to review some reservations to the Convention on the Elimination of All Forms of Discrimination against Women with a view to lifting them. With regard to the Convention on the Rights of the Child, a technical committee had been established to study the possibility of withdrawing reservations, which was expected to be considered before the end of 2009. The Government was in the process of amending the Child Act 2001 in order to implement the recommendations of the Committee on the Rights of the Child. The proposed amendments included the extension of powers of child protection teams, broadening the scope of coverage to include victims of trafficking, and the repeal of corporal punishment sentences for children, replacing them with community service orders. An additional M\$81.1 million had been allocated to enhance a community-based rehabilitation programme for children with disabilities.

696. Malaysia had developed gender-awareness programmes, which included books explaining to children that girls should enjoy the same rights as boys, as outlined in the Convention on the Elimination of All Forms of Discrimination against Women.

697. With a view to enhancing the transparency and independence of Malaysia's national human rights commission (SUHAKAM), in April 2009, the Government amended the 1999 SUHAKAM Act. The amendments refined the criteria for the appointment and

reappointment of Commission members and provided for performance assessment mechanisms. Further proposed amendments to the SUHAKAM Act expected to be submitted to the next session of Parliament included the requirement to consult with civil society representatives in the appointment of Commission members.

698. On the issue of the death penalty, Malaysia reiterated that this was only applied to the most heinous crimes, such as drug trafficking, murder, treason and kidnapping, and the Government was considering proposals to commute the penalty to life imprisonment.

699. Malaysia was concerned at all instances of abuse, including those against foreign workers, who were protected by domestic employment laws and had access to legal remedies. Employment disputes may be referred to both the Labour Department and the Industrial Court. Foreign workers who filed cases against their Malaysian employers were granted an adequate period of stay and would be issued with a special pass while awaiting trial. Additionally, a 24-hour hotline had been established to deal with complaints of abuse from foreign workers. Guidelines for employers for the recruitment of foreign workers had been introduced.

700. Malaysia reiterated that its efforts to secure the protection and promotion of human rights had been very much focused on achieving inter-racial harmony in society and equitable socio-economic development.

2. Views expressed by Member and observer States of the Council on the review outcome

701. The United Arab Emirates appreciated Malaysia's efforts to implement the result of the universal periodic review and its commitment to cooperate with human rights mechanisms. It highly valued the efforts to entrench fundamental freedoms and human rights through additional mechanisms and activities, particularly to strengthen the rights of the child. It noted that a technical committee had been established to implement the review recommendations, and paid tribute to the social and economic efforts made to guarantee integrity and harmony in society.

702. Cuba stated that Malaysia had achieved a high level of economic and social development. Malaysia had accepted a majority of the recommendations, which covered a wide range of civil, cultural, economic, political and social rights. Cuba acknowledged the undeniable progress made in the country, and referred with interest to an electronic system of clinical management that

helped guarantee the right to health, and the positive outcomes achieved in the areas of education, women's rights, employment, culture, adequate housing and fighting poverty.

703. Brunei Darussalam was encouraged by Malaysia's cooperation during the review in responding to the recommendations. It commended the voluntary commitments to the promotion and protection of human rights in the country. Brunei Darussalam appreciated the Government's close cooperation and regular engagements with stakeholders, the United Nations, relevant agencies and the international community to make more efforts to raise the economic and social status of its people.

704. Qatar was pleased with Malaysia's fruitful and constructive cooperation with the Working Group. As a member of the troika, Qatar noted the understanding shown by Malaysia by accepting 60 recommendations. It paid tribute to the efforts made to strengthen and promote economic, social and cultural rights, particularly the rights to education, health and housing; to combat poverty, promote the rights of the elderly; and to fight against human trafficking. It welcomed Malaysia's effort to promote good governance, the rule of law and poverty alleviation.

705. Algeria noted with appreciation Malaysia's endorsement of more than 72 per cent of the recommendations. It expressed understanding for the explanations given regarding recommendations that did not enjoy Malaysia's support, and commended its transparency and openness. Algeria welcomed the intention to take appropriate steps to consider the possibility of ratifying the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as the Convention against Torture and the International Convention on the Elimination of All Forms of Racial Discrimination. It commended Malaysia for its efforts to eliminate all forms of discrimination against women and for spearheading progress towards gender equality and the advancement of women. It paid tribute to the effective policies adopted to guarantee adequate housing at a reasonable cost for all citizens. Malaysia's sustained efforts to strengthen poverty eradication programmes were also highlighted.

706. Uzbekistan appreciated Malaysia's comprehensive information and comments on the recommendations made by the Working Group. Malaysia had participated constructively in the process, and had held open-ended consultations in the preparation of its report. It had made

efforts to promote human rights and fundamental freedoms as part of its international obligations. The implementation of practical measures and the Government's commitment would promote efforts to strengthen further the system for the protection and promotion of human rights. Uzbekistan considered that it was very positive that Malaysia had accepted all recommendations.

707. Pakistan was encouraged that Malaysia had accepted most of the recommendations and had started implementation through human rights awareness and training, and harmonization of national legislation with international instruments. It had noted the steps taken to improve relevant legislation to improve the protection and promotion of the rights of children, foreign workers and detainees. Amendments made in the national human rights commission act would also add to its independence and operational effectiveness. Pakistan appreciated the Government's resolve to continue to follow policies that underscored the importance of achieving socio-economic and development goals as a way of ensuring harmony and unity in an ethnically diverse nation.

708. Thailand appreciated the fact that Malaysia had accepted most of the recommendations and was actively implementing them. It highlighted the importance of human rights awareness and training, as well as international cooperation for capacity-building, as key elements. It welcomed the efforts to review and amend certain domestic legislation and policies relating to children. Thailand placed great importance on the human rights of women and children, and expressed its interest in learning more from Malaysia's experience and best practices, and looked forward to furthering cooperation in this regard.

709. Egypt stated that Malaysia's flexibility in accepting most of the recommendations demonstrated not only its cooperative approach but also its determination to further the human rights of its people. It commended Malaysia for the special attention paid to combating human trafficking and to the protection of the rights of women and children, as well as the measures taken to consolidate national human rights infrastructure and the emphasis placed on the advancement of economic, social and cultural rights, with priority given to utilizing the full potential of the diversity of its society. It expressed its firm belief in Malaysia's continued commitment to pursue its goals in implementing the recommendations with diligence.

710. Bahrain welcomed the fact that Malaysia had accepted most recommendations, including those made by Bahrain. It noted the participation of women in decision-making in the public sphere and Malaysia's role in combating trafficking and the thorough protection afforded to victims. Malaysia was continuing to provide adequate housing to persons with low incomes. The efforts to guarantee access to free health services were also commendable.

711. China appreciated the serious and responsible attitude shown by Malaysia during the universal periodic review process, having accepted most of the recommendations. Malaysia's constant investment in human rights legislation, health services and infrastructure for education had resulted in a large reduction in the poverty rate. Malaysia had taken active measures to protect the rights of foreign workers. It believed Malaysia would continue to make an effort to implement national human rights policies through a serious analysis and implementation of the recommendations made during the review and dialogue with the international community.

712. Viet Nam congratulated Malaysia on the new achievements recorded and the plan on the implementation of the recommendations made, which Malaysia had accepted. Viet Nam stated that, as a multicultural and multi-ethnic country, it had always studied and learned from Malaysia's good practices and experience in maintaining harmony in society as well as the protection and promotion of human rights and fundamental freedoms.

3. General comments made by other relevant stakeholders

713. The Human Rights Commission of Malaysia commended the country for the steps taken to amend the Human Rights Commission Act to comply with the Paris Principles. It welcomed the release of 13 detainees under the Internal Security Act, and the fact that the Act would be reviewed. It urged the review also of the Emergency Ordinance Act and the Dangerous Drugs Act, as well as of the police practice of arresting and detaining suspects before investigation. It expressed concern at the arrest of lawyers who defend detained persons. It encouraged Malaysia to ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture, strengthen the independence of the judiciary, review the death penalty and intensify its fight against all forms of trafficking in women and girls. The Commission also noted the absence of a national human rights plan of action and the fact that the Government had not acted on most of the Commission's recommendations.

714. Amnesty International was disappointed that Malaysia did not support key recommendations to protect refugees, asylum-seekers and migrant workers; to end the practice of whipping for immigration offences; to abolish the death penalty and corporal punishment; and to reform restrictive laws used to suppress peaceful political dissent. It urged Malaysia to reconsider these. Concern was expressed about Malaysia's rejection of recommendations to further the right to peaceful assembly in the light of recent arrests of up to 160 people for illegal assembly. The Government's assurances that conditions in immigration detention centres were adequate should be re-examined. It regretted the rejection of recommendations to ratify the Convention relating to the Status of Refugees and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, urging that Malaysia reconsider this stance.

715. The Asian Forum for Human Rights and Development stated that Malaysia should immediately establish an independent police complaints and misconduct commission to conduct inquests within a month of each death in custody. Malaysia should immediately implement all recommendations made by the Special Rapporteur on the right to education in relation to indigenous communities. It encouraged Malaysia to respond positively to the nine pending requests for visits and make standing invitations to all special procedures mandate holders and make genuine efforts to ratify core international human rights instruments, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

716. Action Canada for Population and Development referred to Malaysia's acknowledgments regarding the penal code and the Minor Offences Act. It considered that the enforcement of these laws was targeted at people of non-normative sexual orientation, gender identity and expression. It encouraged Malaysia to promote non-discrimination and tolerance, and to amend the penal code and all laws that discriminated against people of diverse sexual orientation, gender identity and expression, including decriminalizing consensual sexual acts and allowing for the change of a person's name and sex on identification papers, and to train law enforcement officers and the judiciary.

717. The Commission of the Churches on International Affairs of the World Council of Churches stated that Malaysia continued to refuse to ratify the Convention relating to the Status

of Refugees. The Office of the United Nations High Commissioner for Refugees in Malaysia had registered approximately 47,000 persons of concern, primarily from Myanmar, and estimated that a similar number remained unregistered. Refugees, asylum-seekers and undocumented migrants faced the risk of arrest and were being detained in immigration detention centres. Another concern was freedom of expression and freedom of assembly, which had been denied to citizens of Malaysia.

718. The Islamic Human Rights Commission referred to its research showing routine use of the Internal Security Act and the Emergency Public Order Preventive Ordinance against individuals suspected of being an actual or potential threat to national security or public order. It referred to one detainee arrested under the Internal Security Act in April 2002, and stated that even though his renewed detention had ended in June 2008, he was reportedly informed that the chances of his release were unlikely. It considered that the right to be free from arbitrary detention, the rights to due process and to a fair trial, as well as to the right to freedom of expression, had been violated. The Commission called for the abolition of the Act and the release of all persons held under it.

719. Persatuan Aliran Kesedaran Negara - National Consciousness Movement stated that the Internal Security Act was extremely broadly worded and allowed for indefinite detention without trial. Under the Act, the Malaysian judiciary had been systematically excluded from playing any meaningful role in ensuring that those detained were treated in accordance with international human rights norms. There was no effective judicial review. Judges could not review grounds of detention and were not shown the purported evidence against detainees.

720. The Arab Commission for Human Rights welcomed the transparent replies provided by Malaysia. It however regretted that the document containing the written replies had not been translated, thus impeding genuine dialogue. It recommended clarification of an apparent contradiction in paragraph 105, which rejected the recommendation made in paragraph 71. It welcomed the possibility that Malaysia would ratify the Convention against Torture and establish a national commission to prevent torture and allow prison visits. Given that recommendation 55 had been accepted, the Commission encouraged Malaysia to also adhere to the UNESCO Convention against Discrimination in Education, and invited Malaysia to present a follow-up report to the Council at its fourteenth session.

4. Concluding remarks of the State under review

721. Malaysia stated that all comments had been duly noted and would be deliberated upon. It appreciated the recognition of progress made in the protection and promotion of human rights but acknowledged that challenges remained and that necessary actions would be taken. Certain issues raised by civil society representatives had been addressed in detail in the national report, the addendum to the Working Group report and in its earlier statements to the Council. Regarding preventive detention, Malaysia reiterated its view that these laws remained necessary for the protection of national security and public order, and that existing legislation contained sufficient safeguards in accordance with international law. The Government would, however, review the Internal Security Act. It pointed out that article 10 of the Federal Constitution guaranteed the right to peaceful assembly and without arms. This right was, however, not absolute and could be restricted for legitimate reasons, such as security, public order or morality. Malaysia stated that the universal periodic review process had been an opportunity to assess and reflect on achievements and shortcomings. Malaysia was pleased to co-sponsor a draft text to ensure that all review outcome reports were translated into the six official languages of the United Nations and that the universal periodic review process was allocated the necessary resources.

B. General debate on agenda item 6

722. At its 19th and 20th meetings, on 12 June 2009, the Council held a general debate on agenda item 6, during which the following made statements:

(a) Representatives of States Members of the Council: Azerbaijan, Bahrain, Brazil, China, Cuba, Czech Republic¹ (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine); Egypt (on behalf of the Group of African States), Germany, Japan, Pakistan, Republic of Korea, Russian Federation, Slovenia, Switzerland, Ukraine, United Arab Emirates¹ (on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Armenia, Australia, Austria, Chad, Colombia, Denmark, Georgia, Morocco, Sri Lanka, Turkey, United Arab Emirates, United States of America;

(c) Observer for an intergovernmental organization: Organisation internationale de la Francophonie;

(d) Observer for a national human rights institution: Commission on Human Rights of the Philippines;

(e) Observers for the following non-governmental organizations: Amnesty International, Arab Commission for Human Rights, Colombian Commission of Jurists, Commission to Study the Organization of Peace, Indian Movement Tupaj Amaru, International Service for Human Rights, Jubilee Campaign, United Nations Watch.

723. At the 20th meeting, on 12 June 2009, the representative of the Council Secretariat made a statement in relation to the procedure of the list of speakers for the Working Group on the Universal Periodic Review.

724. At the same meeting, a statement in exercise of the right of reply was made by the representative of Sri Lanka.

725. Also at the same meeting, the President made a statement in relation to the universal periodic review in general and to the status of documentation for the review.

C. Consideration of and action on draft proposals

Germany

726. At its 14th meeting, on 9 June 2009, the Council adopted draft decision 11/101 without a vote (for the text adopted, see part one, chap. II).

Djibouti

727. At its 14th meeting, on 9 June 2009, the Council adopted draft decision 11/102 without a vote (for the text adopted, see part one, chap. II).

Canada

728. At its 14th meeting, on 9 June 2009, the Council adopted draft decision 11/103 without a vote (for the text adopted, see part one, chap. II).

Bangladesh

729. At its 15th meeting, on 10 June 2009, the Council adopted draft decision 11/104 without a vote (for the text adopted, see part one, chap. II).

Russian Federation

730. At its 15th meeting, on 10 June 2009, the Council adopted draft decision 11/105 without a vote (for the text adopted, see part one, chap. II).

Cameroon

731. At its 16th meeting, on 10 June 2009, the Council adopted draft decision 11/106 without a vote (for the text adopted, see part one, chap. II).

Cuba

732. At its 16th meeting, on 10 June 2009, the Council adopted draft decision 11/107 without a vote (for the text adopted, see part one, chap. II).

Saudi Arabia

733. At its 16th meeting, on 10 June 2009, the Council adopted draft decision 11/108 without a vote (for the text adopted, see part one, chap. II).

Senegal

734. At its 17th meeting, on 11 June 2009, the Council adopted draft decision 11/109 without a vote (for the text adopted, see part one, chap. II).

China

735. At its 17th meeting, on 11 June 2009, the Council adopted draft decision 11/110 without a vote (for the text adopted, see part one, chap. II).

Azerbaijan

736. At its 18th meeting, on 11 June 2009, the Council adopted draft decision 11/111 without a vote (for the text adopted, see part one, chap. II).

Nigeria

737. At its 18th meeting, on 11 June 2009, the Council adopted draft decision 11/112 without a vote (for the text adopted, see part one, chap. II).

Mexico

738. At its 18th meeting, on 11 June 2009, the Council adopted draft decision 11/113 without a vote (for the text adopted, see part one, chap. II).

Mauritius

739. At its 18th meeting, on 11 June 2009, the Council adopted draft decision 11/114 without a vote (for the text adopted, see part one, chap. II).

Malaysia

740. At its 19th meeting, on 12 June 2009, the Council adopted draft decision 11/116 without a vote (for the text adopted, see part one, chap. II).

Jordan

741. At its 19th meeting, on 12 June 2009, the Council adopted draft decision 11/115 without a vote (for the text adopted, see part one, chap. II).

Issuance of reports of the Working Group on the Universal Periodic Review in all official languages of the United Nations

742. At the 28th meeting, on 18 June 2009, the representative of Mexico introduced draft decision A/HRC/11/L.2, sponsored by Mexico and co-sponsored by Argentina, Azerbaijan, Bangladesh, Cameroon, Canada, Chile, China, Cuba, Djibouti, Jordan, Malaysia, Nicaragua, Nigeria and Uruguay. Subsequently, Algeria, Andorra, Australia, Austria, Bolivia (Plurinational State of), Bulgaria, Burkina Faso, Chad, Colombia, Croatia, the Czech Republic, the Dominican Republic, Estonia, France, Guatemala, Honduras, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Monaco, Morocco, the Netherlands, Peru, Poland, Portugal, the Republic of

Moldova, Romania, the Russian Federation, Senegal, Serbia, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Venezuela (Bolivarian Republic of) and Viet Nam joined the sponsors.

743. At the same meeting, the representative of Mexico orally revised the draft decision by modifying the first, third and fourth preambular paragraphs and paragraph 1, merging paragraphs 2 and 3 and modifying the text of the merged operative paragraph.

744. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft decision (see annex II).

745. At the same meeting, the draft decision, as orally revised, was adopted without a vote (for the text as adopted, see part one, chap. II, decision 11/117).

746. Also at the same meeting, the representative of Brazil made a statement in explanation of vote after the vote.

VII. Human rights situation in Palestine and other occupied Arab territories

A. Follow-up to Human Rights Council resolution S-9/1

747. At the 21st meeting, on 15 June 2009, the President made a statement in relation to the fact-finding mission established in accordance with Council resolution S-9/1.

748. At the same meeting, the High Commissioner made a statement in relation to the human rights situation in Gaza and the status of periodic reports, as required by Council resolution S-9/1.

749. Also at the same meeting, the representative of Palestine made a statement as a concerned party.

750. During the ensuing general debate at the same meeting, the following made statements:

(a) Representatives of States Members of the Council: China, Cuba (on behalf of the Non-Aligned Movement), Czech Republic¹ (on behalf of the European Union), Egypt (also on behalf of the Group of African States), Indonesia, Japan, Mauritius, Pakistan (on behalf of the Organization of the Islamic Conference), United Arab Emirates¹ (on behalf of the Group of Arab States);

(b) Representatives of the following observer States: Algeria, Lebanon, Norway;

(c) Observer for an intergovernmental organization: Organization of the Islamic Conference;

(d) Observers for the following non-governmental organizations: Amnesty International, Arab Commission for Human Rights, International Commission of Jurists, United Nations Watch.

B. General debate on agenda item 7

751. At its 23rd meeting, on 16 June 2009, the Council held a general debate on agenda item 7, during which the following made statements:

(a) The representatives of Israel and the Syrian Arab Republic, as concerned countries; the representative of Palestine, as a concerned party; the representative of Egypt made a statement in relation to agenda item 7;

(b) Representatives of States Members of the Council: Bahrain, Cuba (on behalf of the Non-Aligned Movement), Czech Republic¹ (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Montenegro, the Republic of Moldova, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Egypt (also on behalf of the Group of African States), Jordan, Malaysia, Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Russian Federation, Saudi Arabia, South Africa, Switzerland, United Arab Emirates¹ (on behalf of the Group of Arab States);

(c) Representatives of the following observer States: Algeria, Iceland, Iran (Islamic Republic of), Iraq, Kuwait, Lebanon, Morocco, Tunisia, Turkey, United Arab Emirates, United States of America, Yemen;

(d) Observer for an intergovernmental organization: League of Arab States;

(e) Observers for the following non-governmental organizations: Al-Hakim Foundation, Arab Commission for Human Rights, Cairo Institute for Human Rights Studies, Coordinating Board of Jewish Organizations (also on behalf of B'nai B'rith International), Mouvement contre le racisme et pour l'amitié entre les peuples, Nord-Sud XXI, Union of Arab Jurists, United Nations Watch, World Union for Progressive Judaism.

VIII. Follow-up to and implementation of the Vienna Declaration and Programme of Action

A. General debate on agenda item 8

752. At its 24th and 25th meetings, on 16 June 2009, the Council held a general debate on agenda item 8, during which the following made statements:

(a) Representatives of States Members of the Council: Brazil, Colombia¹ (also on behalf of Bosnia and Herzegovina, Burkina Faso, Chile, Congo, Côte d'Ivoire, France, Hungary, Mexico, Norway, Slovenia, Switzerland and Uruguay), Czech Republic¹ (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, the former Yugoslav Republic of Macedonia and Ukraine), Nigeria, Paraguay¹ (also on behalf of Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Ecuador, Peru, Uruguay and Venezuela (Bolivarian Republic of)), Russian Federation, Senegal, Slovenia;

(b) Representatives of the following observer States: Austria, Colombia, Spain, United States of America;

(c) Observers for national human rights institutions: Commission nationale des droits de l'homme et des libertés fondamentales du Niger;

(d) Observers for the following non-governmental organizations: Arab Commission for Human Rights, Asian Forum for Human Rights and Development, Asian Legal Resource Centre, Association for World Education, Canadian HIV/AIDS Legal Network, Centrist Democratic International, Commission to Study the Organization of Peace, European Union of Public Relations, France Libertés: Fondation Danielle Mitterrand, Human Rights Council of Australia, Indian Council of South America, International Federation of University Women (also on behalf of the Pan Pacific and South East Asia Women's Association), International Humanist and Ethical Union, United Nations Watch.

753. At the 25th meeting, the representative of Peru made a statement in exercise of the right of reply.

B. Consideration of and action on draft proposals

Promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind

754. At the 29th meeting, on 18 June 2009, the representative of the Russian Federation introduced draft resolution A/HRC/11/L.1, sponsored by the Russian Federation and co-sponsored by Singapore, Sri Lanka and Viet Nam.

755. At the same meeting, at the request of the representative of the Russian Federation, the draft resolution was deferred for consideration by the Council at its twelfth session.

IX. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

A. Interactive dialogue with special procedures

756. At the 25th meeting, on 16 June 2009, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai, presented his reports (A/HRC/11/36 and Add.1-3).

757. At the same meeting, the representatives of Mauritania and the United States of America made statements, as concerned countries.

758. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Brazil, China, Czech Republic¹ (on behalf of the European Union), Egypt (on behalf of the Group of African States), Germany, India, Indonesia, Nigeria, Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Russian Federation, Senegal, Switzerland, United Arab Emirates¹ (on behalf of the Group of Arab States);

(b) Representatives of the following observer States: Algeria, Morocco, Sweden, Turkey, United States of America;

(c) Observers for the following non-governmental organizations: Arab Commission for Human Rights, Commission to Study the Organization of Peace, European Union of Public Relations, Indian Council of South America, International Human Rights Association of American Minorities.

759. At the same meeting, the Special Rapporteur answered questions and made his concluding remarks.

B. General debate on agenda item 9

760. At its 25th meeting, on 16 June 2009, and its 26th meeting, on 17 June 2009, the Council held a general debate on agenda item 9, during which the following made statements:

(a) Representatives of States Members of the Council: Azerbaijan, Cuba (on behalf of the Non-Aligned Movement), Czech Republic¹ (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Nigeria, Republic of Korea, Russian Federation, Switzerland;

(b) Representatives of the following observer States: Israel, United States of America;

(c) Observer for Palestine;

(d) Observers for the following non-governmental organizations: Amnesty International, Arab Commission for Human Rights, Association for World Education (also on behalf of the World Union for Progressive Judaism), Civicus - World Alliance for Citizen Participation, Interfaith International, International Educational Development, International Humanist and Ethical Union, International Movement against All Forms of Discrimination and Racism, International Youth and Student Movement for the United Nations (also on behalf of the Women's International League for Peace and Freedom), Islamic Human Rights Commission, Mbororo Social and Cultural Development Association, Mouvement contre le racisme et pour l'amitié entre les peuples, Nord-Sud XXI, Rencontre africaine pour la défense des droits de l'homme (also on behalf of the Al-Hakim Foundation), United Nations Watch, World Association for the School as an Instrument of Peace.

761. At the 26th meeting, on 17 June 2009, the representatives of Morocco and Sri Lanka made statements in exercise of the right of reply.

C. Consideration of and action on draft proposals

Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action

762. At the 29th meeting, on 18 June 2009, the representative of Nigeria introduced draft resolution A/HRC/11/L.15, sponsored by Nigeria (on behalf of the Group of African States). Subsequently, Belarus, Cuba, Guatemala, Honduras, Indonesia, Nicaragua and Venezuela (Bolivarian Republic of) joined the sponsors.

763. At the same meeting, the representative of Nigeria (on behalf of the Group of African States) orally revised the draft resolution by modifying the second, third and fourth preambular paragraphs.

764. Also at the same meeting, the representative of Argentina (also on behalf of Bolivia (Plurinational State of), Brazil, Chile, Mexico and Uruguay) made general comments in relation to the draft resolution.

765. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution (see annex II).

766. Also at the same meeting, the representative of Canada made a statement in explanation of vote before the vote.

767. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chap. I, resolution 11/12).

768. Also at the same meeting, the representatives of Italy (also on behalf of the Netherlands) and Germany made statements in explanation of vote after the vote.

X. Technical assistance and capacity-building

A. Interactive dialogue with special procedures

769. At the 26th meeting, on 17 June 2009, the independent expert on the situation of human rights in Haiti, Michel Forst, presented his report (A/HRC/11/5).

770. At the same meeting, the representative of Haiti made a statement, as the concerned country.

771. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Argentina, Brazil, Canada, Czech Republic¹ (on behalf of the European Union), France, Mexico, United Kingdom of Great Britain and Northern Ireland;

(b) Representatives of the following observer States: Luxembourg, Norway, Peru, Sweden, United States of America;

(c) Observer for a national human rights institution: Commission nationale des droits de l'homme et des libertés fondamentales du Niger (also on behalf of the national human rights institutions of Canada, France, Germany, Greece, Ireland, Luxembourg, Senegal and Togo);

(d) Observers for the following non-governmental organizations: International Centre for Human Rights and Democratic Development, International Federation of Human Rights Leagues.

772. At the same meeting, the independent expert answered questions and made his concluding remarks.

773. Also at the same meeting, the representative of Haiti made a statement in exercise of the right of reply.

B. General debate on agenda item 10

774. At its 26th meeting, on 17 June 2009, the Council held a general debate on agenda item 10, during which the following made statements:

(a) Representatives of States Members of the Council: Brazil, Czech Republic¹ (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Montenegro, the Republic of Moldova, the former Yugoslav Republic of Macedonia, Turkey and Ukraine);

(b) Representative of an observer State: United States of America;

(c) Observer for a non-governmental organization: Arab Commission for Human Rights.

ANNEXES

ANNEX I

Attendance

States Members of the Human Rights Council

Angola	France	Philippines
Argentina	Gabon	Qatar
Azerbaijan	Germany	Republic of Korea
Bahrain	Ghana	Russian Federation
Bangladesh	India	Saudi Arabia
Bolivia (Plurinational State of)	Indonesia	Senegal
Bosnia and Herzegovina	Italy	Slovakia
Brazil	Japan	Slovenia
Burkina Faso	Jordan	South Africa
Cameroon	Madagascar	Switzerland
Canada	Malaysia	Ukraine
Chile	Mauritius	United Kingdom of Great Britain and Northern Ireland
China	Mexico	Uruguay
Cuba	Netherlands	Zambia
Djibouti	Nicaragua	
Egypt	Nigeria	
	Pakistan	

States Members of the United Nations represented by observers

Afghanistan	Democratic People's Republic of Korea	Iraq
Albania	Democratic Republic of the Congo	Ireland
Algeria	Denmark	Israel
Andorra	Dominican Republic	Jamaica
Armenia	Ecuador	Kazakhstan
Australia	El Salvador	Kenya
Austria	Equatorial Guinea	Kuwait
Belarus	Ethiopia	Lao People's Democratic Republic
Belgium	Finland	Latvia
Bhutan	Georgia	Lebanon
Botswana	Greece	Libyan Arab Jamahiriya
Brunei Darussalam	Guatemala	Liechtenstein
Bulgaria	Haiti	Lithuania
Chad	Honduras	Luxembourg
Colombia	Hungary	Maldives
Costa Rica	Iceland	Malta
Croatia	Iran (Islamic Republic of)	Mauritania
Cyprus		Monaco
Czech Republic		

Morocco	San Marino	Tunisia
Myanmar	Serbia	Turkey
Nepal	Singapore	United Arab Emirates
New Zealand	Somalia	United Republic of Tanzania
Norway	Spain	United States of America
Oman	Sri Lanka	Uzbekistan
Panama	Sudan	Venezuela (Bolivarian Republic of)
Paraguay	Sweden	Viet Nam
Peru	Syrian Arab Republic	Yemen
Poland	Thailand	Zimbabwe
Portugal	The former Yugoslav Republic of Macedonia	
Republic of Moldova	Togo	
Romania		

Non-Member States represented by observers

Holy See

Other observers

Palestine

United Nations

Joint United Nations Programme on
HIV/AIDS

United Nations Relief and Works Agency
for Palestine in the Near East

Specialized agencies and related organizations

International Labour Office
International Organization for Migration

World Health Organization
World Trade Organization

Intergovernmental organizations

African, Caribbean and Pacific Group of
States
Commonwealth Secretariat
Council of Europe
Council of the European Union

European Commission
International Organization of
la Francophonie
League of Arab States
Organization of the Islamic Conference

Other entities

Sovereign Military Order of Malta

*National human rights institutions, international coordinating committees
and regional groups of national institutions*

Canadian Human Rights Commission	Human Rights Commission of Malaysia (SUHAKAM)
Comisión Nacional de los Derechos Humanos (Mexico)	Human Rights Commissioner (Ombudsman) (Azerbaijan)
Comité sénégalais des droits de l'homme	Independent Human Rights Commission (Afghanistan)
Commission nationale des droits de l'homme (Algeria)	International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights
Commission nationale des droits de l'homme et des libertés fondamentales du Niger	Kenya National Commission on Human Rights
Danish Institute for Human Rights	National Centre for Human Rights (Jordan)
Defensor del Pueblo (Ecuador)	National Council for Human Rights (Egypt)
Defensoría del Pueblo de la República del Paraguay	Philippines Commission on Human Rights
Deutsches Institut für Menschenrechte	
Equality and Human Rights Commission of Great Britain	

Non-governmental organizations

Action Canada for Population and Development	Catholic Organisation for Relief and Development
Action Internationale pour la paix et le développement dans la région des Grands Lacs	Centre Europe Tiers-Monde
African-American Society for Humanitarian Aid and Development	Centre for Economic and Social Rights
Al-Hakim Foundation	Centre for International Environmental Law
Al-Zubair Charity Foundation	Centre for Reproductive Rights
American Bar Association	Centre for Women's Global Leadership
Amnesty International	Centrist Democratic International
Arab Commission for Human Rights	Centro de Derechos Humanos Miguel Agustín Pro Juárez
Asia Pacific Forum on Women, Law and Development	Centro de Estudios sobre la Juventud
Asian Forum for Human Rights and Development (Forum-Asia)	École de recherche sur les droits et les devoirs de la personne humaine
Asian Indigenous and Tribal Peoples Network	Charitable Institute for Protecting Social Victims
Asian Legal Resource Centre	Child Development Foundation
Association for the Prevention of Torture	China Association for Preservation and Development of Tibetan Culture
Association for World Education	China Care and Compassion Society
Association of World Citizens	China NGO Network for International Exchanges
Association Points-Coeur	China Society for Human Rights Studies
BADIL Resource Center for Palestinian Residency and Refugee Rights	Collectif sénégalais des Africaines pour la promotion de l'éducation relative à l'environnement
Baha'i International Community	Colombian Commission of Jurists
Cairo Institute for Human Rights Studies	Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples
Canadian HIV/AIDS Legal Network	
Caritas Internationalis	

Commission of the Churches on
International Affairs of the World Council
of Churches
Commission to Study the Organization of
Peace
Commonwealth Human Rights Initiative
Conectas Direitos Humanos
Cooperativa Tecnico Scientifica di Base
Coordination Board of Jewish Organizations
Defence for Children International
Dominicans for Justice and Peace (Order of
Preachers)
Equality Now
Espace Afrique International
European Bureau for Lesser-Used
Languages
European Union of Public Relations
Federación de Asociaciones de Defensa y
Promoción de los Derechos Humanos
Federation for Women and Family Planning
Federation of Cuban Women
Federation of Western Thrace Turks in
Europe
Foundation of Japanese Honorary Debts
France Libertés: Fondation Danielle
Mitterrand
Franciscans International
Fraternité Notre Dame
Freedom House
Friedrich Ebert Foundation
Friends World Committee for Consultation
(Quakers)
General Federation of Iraqi Women
Grupo de Información en Reproducción
Elegida
Hadassah Women's Zionist Organization of
America
Hawa Society for Women
Helsinki Foundation for Human Rights
Human Rights Advocates, Inc.
Human Rights Council of Australia
Human Rights Watch
Indian Council of Education
Indian Council of South America
Indian Movement Tupaj Amaru
Ingénieurs du Monde
Inter-African Committee on Traditional
Practices
Interfaith International
International Association of Democratic
Lawyers
International Bridges to Justice
International Catholic Child Bureau
International Centre for Human Rights and
Democratic Development (Rights and
Democracy)
International Commission of Jurists
International Committee for the Indians of
the Americas
International Educational Development, Inc.
International Federation of ACAT (Action
by Christians for the Abolition of Torture)
International Federation of Human Rights
Leagues
International Federation of Pharmaceutical
Manufacturers and Associations
International Federation of Social Workers
International Federation of University
Women
Terre des Hommes International Federation
International Human Rights Association of
American Minorities
International Humanist and Ethical Union
International Institute for Non-Aligned
Studies
International Institute for Peace
International Islamic Federation of Student
Organizations
International Lesbian and Gay Association
(ILGA-EUROPE)
International Movement against all Forms
of Discrimination and Racism
International Movement ATD Fourth World
International Organization for the
Elimination of All Forms of Racial
Discrimination
International Organization for the Right to
Education and Freedom of Education
International Organization of Indigenous
Resource Development
International Pen
International Save The Children Alliance
International Service for Human Rights
International Volunteerism Organisation for
Women, Education and Development -
VIDES
International Work Group for Indigenous
Affairs

International Youth and Student Movement
for the United Nations
Inuit Circumpolar Council
Iranian Elite Research Center
Islamic Human Rights Commission
Istituto Internazionale Maria Ausiliatrice
Jubilee Campaign
Lawyers' Rights Watch Canada
Liberation
Ligue internationale contre le racisme et
l'antisémitisme
Lutheran World Federation
Mbororo Social and Cultural Development
Association
Microteam Education Apprentissage et
Nouvelles Technologies
Migrants Rights International
Minbyun - Lawyers for a Democratic
Society
Minority Rights Group International
Mouvement contre le racisme et pour
l'amitié entre les peuples
National Association of Cuban Economists
Network of Women's Non-Governmental
Organizations in the Islamic Republic of
Iran
Nord-Sud XXI
Norwegian Refugee Council
Organisation pour la communication en
Afrique et de promotion de la coopération
économique internationale (Ocaproce
International)
Organization for Defending Victims of
Violence
Organization for the Solidarity of the
Peoples of Asia, Africa and Latin America
Pasumai Thaayagam Foundation
Pax Christi International, International
Catholic Peace Movement
Pax Romana (International Catholic
Movement for Intellectual and Cultural
Affairs and International Movement of
Catholic Students)
Permanent Assembly for Human Rights
Persatuan Aliran Kesed Aran Negara -
National Consciousness Movement
Planetary Association for Clean Energy
Rencontre africain pour la défense des droits
de l'homme
Reporters without Borders
Servas International
Social Service Agency of the Protestant
Church in Germany
Society for the Protection of Unborn
Children
Society for Threatened Peoples
Society Studies Center
Sudan Association For Combating
Landmines (Jasmar) - (Jasmar Human
Security Organization)
Sudan Council of Voluntary Agencies
Sudanese Women General Union
Union de l'action féminine
Union of Arab Jurists
United Nations Association of China
United Nations Watch
Women's International Democratic
Federation
Women's International League for Peace
and Freedom
Women's International Zionist Organization
Women's World Summit Foundation
World Alliance for Citizen Participation
World Association for the School as an
Instrument of Peace
World Federation of Trade Unions
World Federation of United Nations
Associations
World Muslim Congress
World Organization against Torture
World Peace Council
World Russian People's Council
World Union for Progressive Judaism
World Vision International
World Young Women's Christian
Association
Worldwide Organization for Women

ANNEX II

Administrative and programme budget implications of resolutions adopted by the Council at its eleventh session

11/117. Issuance of the reports of the Working Group on the Universal Periodic Review in all official languages of the United Nations

1. In paragraphs 1 to 4 of draft decision A/HRC/11/L.2 (adopted as decision 11/117), the Council decided to adopt the following decision and to submit it to the General Assembly, as a matter of priority:

(a) To request the Secretary-General to issue all the reports adopted by the Working Group on the Universal Periodic Review at its fourth and fifth sessions and the additional information submitted by the States under review before the adoption of the outcome by the Council, as official documents in all official languages of the United Nations prior to the holding of the twelfth session of the Council;

(b) To recall that the Working Group should endeavour to apply in its reports the word limits established in the annex to President's statement 9/2, bearing in mind that the Working Group is entrusted with the authority to decide on the adoption of reports that exceptionally exceed those word limits;

(c) To decide that all reports adopted by the Working Group should be issued as official documents in all official languages of the United Nations, in a timely manner before their consideration by the Council, and to request the Secretary-General to ensure the necessary support to that effect.

2. The requirements for the translation of reports called for under the terms of the decision are estimated at \$1,439,800 each for the biennium 2008-2009 and at \$4,378,900 for the biennium 2010-2011, under section 2 (General Assembly and Economic and Social Council Affairs and Conference Management). The requirements for translation of the reports of the Working Group were not included in the programme budget for the biennium 2008-2009. They have however been included in the proposed programme budget for the biennium 2010-2011.

3. It is estimated that the total additional requirements for the biennium 2008-2009 of \$1,439,800 could be met from within the overall resources appropriated under section 2 of the programme budget for the biennium 2008-2009, through the mechanism of integrated global management of resources. With regard to the requirements for the biennium 2010-2011, provisions have been made in the proposed programme budget for the biennium 2010-2011.

1/11. Open-ended Working Group on an optional protocol to the Convention on the Rights of the Child to provide a communications procedure

4. In paragraphs 1 to 4 of draft resolution A/HRC/11/L.3 (adopted as resolution 1/11), the Council:

(a) Decided to establish an Open-ended Working Group of the Council to explore the possibility of elaboration of an optional protocol to the Convention on the Rights of the Child to provide a communications procedure complementary to the reporting procedure under the Convention;

(b) Decided also that the working group would hold its first session for five working days in Geneva before the end of 2009, within existing resources;

(c) Further decided to invite a representative of the Committee on the Rights of the Child to attend the session of the working group as a resource person, and, where appropriate, relevant United Nations special procedures and other relevant independent experts, and also invited them to submit inputs to the working group for its consideration;

(d) Requested the Working Group to submit a report on progress made thereon to the Council for consideration at its thirteenth session.

5. To implement the activities called for under the terms of the resolution, an estimated \$282,700 would be required for the biennium 2008-2009, as follows: (a) under section 2 (General Assembly and Economic and Social Council Affairs and Conference Management) to provide conference servicing (\$199,200); (b) under section 23 (Human Rights) to provide for a staff member at the P-3 level for four months to provide support to the work of the Working Group (\$56,000) and for travel of a member of the Committee on the Rights of the Child to attend the Working Group session (\$23,800); and (c) under section 28 E (Administration,

Geneva), for conference servicing (\$3,700). The requirements in support of the activities of the Working Group have not been included in the programme budget for the biennium 2008-2009. Although it is anticipated that a total additional amount of \$282,700 would be required for the biennium 2008-2009, no additional resources are requested at this time as the Secretariat will seek to identify areas from which resources can be redeployed to meet the requirements within the appropriations approved for sections 2, 23 and 28 E for the biennium 2008-2009.

6. With regard to paragraph 2, attention is drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990 and subsequent resolutions, the most recent of which is resolution 62/236 of 22 December 2007, in which the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

11/9. The human rights of migrants in detention centres

7. In paragraphs 1 and 3 of draft resolution A/HRC/11/L.4, the Council:

(a) Decided to hold a panel of discussion on the human rights of migrants in detention centres at its twelfth session, with equitable geographic and gender participation of Governments, relevant experts and representatives of civil society, including national institutions;

(b) Requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to provide the necessary assistance and support for holding the panel.

8. To implement the activities called for by the Council in paragraph 1, an estimated \$29,000 would be required for the biennium 2008-2009 under section 23 (Human Rights) to provide for travel and the daily subsistence allowance of five experts. Although it is anticipated that an additional amount of \$29,000 would be required in support of the activities for the biennium 2008-2009 under section 23, additional resources are not requested at this time, as the Secretariat will to the extent possible absorb the additional requirements within the appropriations for section 23 (Human Rights) for the biennium 2008-2009.

9. With regard to paragraph 3, attention is drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990 and subsequent resolutions, the

most recent of which is resolution 62/236 of 22 December 2007, in which the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

11/2. Accelerating efforts to eliminate all forms of violence against women

10. In subparagraph 12 (d) of draft resolution A/HRC/11/L.5 (orally revised and adopted as resolution 11/2), the Council requested OHCHR to convene, in 2010, in cooperation with other relevant entities of the United Nations system, an expert workshop to discuss specific measures for overcoming obstacles and challenges that States may face in preventing, investigating, prosecuting and punishing the perpetrators of violence against women and girls, as well as measures for providing protection, support, assistance and redress for victims, and requested it to prepare, within existing resources, a summary report thereon to be submitted to the Council.

11. To implement the activities called for by the Council in subparagraph 12 (d), an estimated \$172,800 would be required for the biennium 2010-2011, as follows: (a) under section 2 (General Assembly and Economic and Social Council Affairs and Conference Management), to provide conference servicing (\$110,800); (b) under section 23 (Human Rights), to provide for the travel of 10 experts to attend the workshop (\$60,400); and (c) under section 28 E (Administration, Geneva), for conference servicing (\$1,600). The requirements in support of the activities have not been included in the proposed programme budget for the biennium 2010-2011. During the sixty-fourth session of the General Assembly, a determination will be made in the revised estimates report on decisions taken by the Council on whether they can be met from within the provisions proposed under the proposed programme budget for the biennium 2010-2011.

11/3. Trafficking in persons, especially women and children

12. In paragraphs 9, 10 and 11 of draft resolution A/HRC/11/L.6 (adopted as resolution 11/3), the Council:

(a) Requested OHCHR to organize, within existing resources, and in close coordination with the Special Rapporteur on trafficking in persons, especially women and children, a two-day seminar aimed at identifying opportunities and challenges in the development of rights-based

responses to trafficking in persons with a view to acknowledging emerging good practices and further promoting the practical application of the Recommended Principles and Guidelines on Human Rights and Human Trafficking, with the participation of Governments, the Special Rapporteur and other relevant special procedures, treaty bodies, United Nations specialized agencies and programmes, regional, intergovernmental and non-governmental organizations, national human rights institutions, academics, medical experts and representatives of victims, and to submit a report on the proceedings of the seminar to the Council;

(b) Also requested OHCHR to disseminate the Recommended Principles and Guidelines on Human Rights and Human Trafficking, and to collect the views of stakeholders, including Governments, observers of the United Nations, relevant United Nations bodies, specialized agencies and programmes, regional bodies, non-governmental organizations, and national human rights institutions on the Recommended Principles and Guidelines on Human Rights and Human Trafficking, as well as on experiences and emerging good practices while applying them, and to make available to the Council a compilation of those views as an addendum to the above-mentioned report;

(c) Requested the Secretary-General to provide OHCHR with sufficient resources to fulfil its mandate in relation to combating trafficking in persons, especially women and children.

13. To implement the activities called for by the Council, an estimated \$268,700 would be required for the biennium 2010-2011, as follows: (a) under section 2 (General Assembly and Economic and Social Council Affairs and Conference Management), to provide conference servicing (\$110,800); (b) under section 23 (Human Rights), to provide for consultancy services (\$14,000) and for travel of experts (\$90,600) and special procedures mandate holders (\$51,700) to attend the seminar; and (c) under section 28 E (Administration, Geneva), for conference servicing (\$1,600).

14. Although provisions have not been included under sections 2, 23 and 28 E of the proposed programme budget for the biennium 2010-2011 to implement activities called for by the Council in paragraphs 9, 10 and 11 of the draft resolution, the estimated requirements of \$268,700 are not required at this time, as the Secretariat will review the potential absorptive capacity from within sections 23 and 28 E of the proposed programme budget for the biennium 2010-2011, which will

be considered by the General Assembly at its sixty-fourth session. The determination will be made in the report of the Secretary-General on the revised estimates of requirements arising from the decisions and resolutions adopted by the Council for 2009, which will be reported subsequently to the Assembly at its sixty-fourth session.

15. With regard to paragraphs 9 and 11, attention is drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990 and subsequent resolutions, the most recent of which is resolution 62/236 of 22 December 2007, in which the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

11/4. Promotion of the right of peoples to peace

16. In paragraphs 11 and 12 of draft resolution A/HRC/7/L.7 (adopted as resolution 11/4), the Council requested the United Nations High Commissioner for Human Rights:

(a) To convene, before February 2010, and taking into account previous practices, a workshop on the right of peoples to peace, with the participation of experts from all regions of the world;

(b) To report on the outcome of the workshop to the Council at its fourteenth session.

17. A total amount of \$186,800 for the biennium 2010-2011 would be required to implement the activities requested by the Council, to provide for: (a) general temporary assistance at the P-3 level (\$14,000); (b) travel and daily subsistence allowance for 10 experts from five regions (\$60,400); and (c) conference services for a three-day workshop in 2010 (\$112,400), as follows:

	United States dollars
Section 2, General Assembly and Economic and Social Council Affairs and Conference Management	110 800
Section 23, Human Rights	74 400
Section 28 E, Administration, Geneva	1 600
Total	186 800

18. The requirements have not been included under sections 2, 23 and 28 E of the proposed programme budget for the biennium 2010-2011.

19. Although provisions have not been included under sections 2, 23 and 28 E of the proposed programme budget for the biennium 2010-2011 to implement the activities called for in paragraphs 11 and 12 of the draft resolution, the Secretariat will review the potential absorptive capacity to meet the estimated requirements of \$186,800 from within sections 2, 23 and 28 E of the proposed programme budget for the biennium 2010-2011, which will be considered by the General Assembly at its sixty-fourth session. The determination of the absorptive capacity will be made in the report of the Secretary-General on the revised estimates of the requirements arising from the decisions and resolutions adopted by the Council for 2009, which will be reported subsequently to the Assembly at its sixty-fourth session.

20. In the event that the workshop is held prior to 2010, the Secretariat will, to the extent possible, absorb the additional requirements within the appropriations for sections 2, 23 and 28 E for the biennium 2008-2009.

11/12. Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action

21. In paragraph 1 of draft resolution A/HRC/11/L.15 (orally revised and adopted as resolution 11/12), the Council decided to extend the mandate of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action for a period of three years.

22. To implement the activities called for in the resolution, an estimated \$369,700 would be required for the biennium 2010-2011, as follows: (a) under section 2 (General Assembly and Economic and Social Council Affairs and Conference Management), to provide conference servicing (\$362,400); and (b) under section 28 E, (Administration, Geneva), (\$7,300). The requirements in support of the activities have been included in the proposed programme budget for the biennium 2010-2011.

11/8. Preventable maternal mortality and morbidity and human rights

23. In paragraph 6 of draft resolution A/HRC/11/L.16 (adopted as resolution 11/8), the Council requested OHCHR to prepare a thematic study on preventable maternal mortality and morbidity and human rights, in collaboration with the World Health Organization and the United Nations Population Fund, as well as all relevant stakeholders, including the United Nations Children's

Fund and the World Bank, and requested that the study include identification of the human rights dimensions of preventable maternal mortality and morbidity; an overview of initiatives and activities within the United Nations system to address all causes of preventable maternal mortality and morbidity; identification of how the Council could add value to existing initiatives through a human rights analysis; identification of options for the Council to support and increase existing efforts in the United Nations system, including efforts to achieve Millennium Development Goal 5 on improving maternal health, and recommendations for better addressing the human rights dimension of preventable maternal mortality and morbidity throughout the United Nations system.

24. To implement the activities called for in paragraph 6 of the resolution, an estimated \$73,300 would be required under section 23 (Human Rights) to provide for consultancy services. Although provisions have not been included under section 23 of the proposed programme budget for the biennium 2010-2011 to implement activities called for in paragraph 6 of the draft resolution, the Secretariat will review the potential absorptive capacity to meet the estimated requirements of \$73,300 from within section 23 of the proposed programme budget for the biennium 2010-2011, which will be considered by the General Assembly at its sixty-fourth session. The determination of the absorptive capacity will be made in the report of the Secretary-General on the revised estimates of requirements arising from the decisions and resolutions adopted by the Human Rights Council for 2009, which will be reported subsequently to the Assembly at its sixty-fourth session.

A/HRC/11/L.19. Amendments to draft resolution A/HRC/11/L.17 on the situation of human rights in the Sudan

25. With regard to the amendments proposed under draft text A/HRC/11/L.19, the adoption of the amendments would replace the current mandate of Special Rapporteur with that of an independent expert on the situation of human rights in the Sudan. The related financial implications would amount to a total of \$64,600 per year. However, the requirements for that mandate have been included in the programme budget for 2008-2009 and requested under the proposed programme budget for 2010-2011; therefore, there would be no additional appropriations as a result of the adoption of the amendments proposed.

ANNEX III

Agenda

- Item 1. Organizational and procedural matters
- Item 2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General
- Item 3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development
- Item 4. Human rights situations that require the Council's attention
- Item 5. Human rights bodies and mechanisms
- Item 6. Universal periodic review
- Item 7. Human rights situation in Palestine and other occupied Arab territories
- Item 8. Follow-up to and implementation of the Vienna Declaration and Programme of Action
- Item 9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action
- Item 10. Technical assistance and capacity-building.

ANNEX IV

**List of documents issued for the eleventh session
of the Human Rights Council**

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/1 and Corr.1	1	Annotations to the agenda for the eleventh session of the Human Rights Council: note by the Secretary-General
A/HRC/11/2	3	Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston
A/HRC/11/2/Add.1	3	Summary of cases transmitted to Governments and replies received
A/HRC/11/2/Add.2	3	Mission to Brazil
A/HRC/11/2/Add.3	3	Mission to the Central African Republic
A/HRC/11/2/Add.4	3	Mission to Afghanistan
A/HRC/11/2/Add.5	3	Mission to the United States of America
A/HRC/11/2/Add.6	3	Mission to Kenya
A/HRC/11/2/Add.7	3	Mission to Guatemala (follow-up)
A/HRC/11/2/Add.8	3	Mission to the Philippines (follow-up)
A/HRC/11/3	2	Report of the Secretary-General on the workshop on regional arrangements for the promotion and protection of human rights
A/HRC/11/4	3	Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue
A/HRC/11/4/Add.1	3	Summary of cases transmitted to Governments and replies received
A/HRC/11/4/Add.2	3	Mission to Honduras
A/HRC/11/4/Add.3	3	Mission to Maldives
A/HRC/11/5	10	Report of the independent expert on the situation of human rights in Haiti, Michel Forst

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/6	3	Report of the Special Rapporteur on violence against women, its causes and consequences, Yakin Ertürk
A/HRC/11/6/Add.1	3	Communications to and from Governments
A/HRC/11/6/Add.2	3	Mission to Tajikistan
A/HRC/11/6/Add.3	3	Mission to Saudi Arabia
A/HRC/11/6/Add.4	3	Mission to the Republic of Moldova
A/HRC/11/6/Add.5	3	15 years of the United Nations Special Rapporteur on violence against women, its causes and consequences (1994-2009): a critical view
A/HRC/11/6/Add.6	3	The political economy of women's human rights
A/HRC/11/7	3	Report of the Special Rapporteur on the human rights of migrants, Jorge Bustamante
A/HRC/11/7/Add.1	3	Communications sent to and replies received from Governments
A/HRC/11/7/Add.2	3	Mission to Mexico
A/HRC/11/7/Add.3	3	Mission to Guatemala
A/HRC/11/8	3	Report of the Special Rapporteur on the right to education, Vernor Muñoz
A/HRC/11/8/Add.1	3	Communications sent to and replies received from Governments
A/HRC/11/8/Add.2	3	Mission to Malaysia
A/HRC/11/8/Add.3	3	Mission to Guatemala
A/HRC/11/9	3	Report of the independent expert on the question of human rights and extreme poverty, Magdalena Sepúlveda Carmona
A/HRC/11/9/Add.1	3	Mission to Ecuador
A/HRC/11/10	3	Report of the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights, Cephass Lumina
A/HRC/11/11	3	Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen: mission to Bolivia

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/12	3	Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover
A/HRC/11/12/Add.1	3	Summary of communications sent to and replies received from Governments and other actors
A/HRC/11/12/Add.2	3	Mission to GlaxoSmithKline
A/HRC/11/13	3	Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie; on business and human rights: towards operationalizing the “protect, respect and remedy” framework
A/HRC/11/13/Add.1	3	State obligations to provide access to remedy for human rights abuses by third parties, including business: an overview of international and regional provisions, commentary and decisions.
A/HRC/11/14	4	Report of the Special Rapporteur on the situation of human rights in the Sudan, Sima Samar
A/HRC/11/14/Add.1	4	Status of implementation of recommendations compiled by the Group of Experts mandated by the Human Rights Council
A/HRC/11/15	6	Report of the Working Group on the Universal Periodic Review on Germany
A/HRC/11/15/Add.1	6	Addendum
A/HRC/11/16	6	Report of the Working Group on the Universal Periodic Review on Djibouti
A/HRC/11/17	6	Report of the Working Group on the Universal Periodic Review on Canada
A/HRC/11/17/Add.1	6	Addendum
A/HRC/11/18	6	Report of the Working Group on the Universal Periodic Review on Bangladesh
A/HRC/11/18/Add.1	6	Addendum
A/HRC/11/19	6	Report of the Working Group on the Universal Periodic Review on Russian Federation
A/HRC/11/19/Add.1	6	Addendum
A/HRC/11/19/Add.1/Rev.1	6	Revision

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/20	6	Report of the Working Group on the Universal Periodic Review on Azerbaijan
A/HRC/11/20/Add.1	6	Addendum
A/HRC/11/21	6	Report of the Working Group on the Universal Periodic Review on Cameroon
A/HRC/11/21/Add.1	6	Addendum
A/HRC/11/22	6	Report of the Working Group on the Universal Periodic Review on Cuba
A/HRC/11/23	6	Report of the Working Group on the Universal Periodic Review on Saudi Arabia
A/HRC/11/23/Add.1	6	Addendum
A/HRC/11/23/Add.1/Corr.1		Corrigendum
A/HRC/11/24	6	Report of the Working Group on the Universal Periodic Review on Senegal
A/HRC/11/24/Add.1	6	Addendum
A/HRC/11/25	6	Report of the Working Group on the Universal Periodic Review on China
A/HRC/11/26	6	Report of the Working Group on the Universal Periodic Review on Nigeria
A/HRC/11/27	6	Report of the Working Group on the Universal Periodic Review on Mexico
A/HRC/11/28	6	Report of the Working Group on the Universal Periodic Review on Mauritius
A/HRC/11/28/Add.1	6	Addendum
A/HRC/11/29	6	Report of the Working Group on the Universal Periodic Review on Jordan
A/HRC/11/30	6	Report of the Working Group on the Universal Periodic Review on Malaysia
A/HRC/11/30/Add.1	6	Addendum
A/HRC/11/31	2	Report of the Office of the United Nations High Commissioner for Human Rights on the outcome of the expert consultation on the issue of protecting the human rights of civilians in armed conflict

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/32	2	Report of the United Nations High Commissioner for Human Rights on the draft guiding principles on extreme poverty and human rights: the rights of the poor
A/HRC/11/33	2	The right to development: note by the Secretariat
A/HRC/11/35	6	Note verbale dated 3 March 2009 from the Permanent Mission of Georgia to the Office of the United Nations High Commissioner for Human Rights
A/HRC/11/36	9	Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai
A/HRC/11/36/Add.1	9	Summary of cases transmitted to Governments and replies received
A/HRC/11/36/Add.2	9	Mission to Mauritania
A/HRC/11/36/Add.3	9	Mission to the United States of America
A/HRC/11/38	2	Report on the implementation of Human Rights Council resolution 8/9 on the promotion of the right of peoples to peace: note by the Secretariat
A/HRC/11/39	2	Report of the United Nations High Commissioner for Human Rights on integrating the human rights of women throughout the United Nations system
A/HRC/11/40	10	Report of the independent expert on the situation of human rights in Burundi, Akich Okola: note by the Secretariat
A/HRC/11/41	3	Report of the Special Rapporteur on the independence of judges and lawyers, Leandro Despouy
A/HRC/11/41/Add.1	3	Summary of cases transmitted to Governments and replies received
A/HRC/11/41/Add.2	3	Mission to the Russian Federation
A/HRC/11/41/Add.3	3	Mission to Guatemala
A/HRC/11/42	3	Information note dated 11 June 2009 submitted by the United Nations Relief and Works Agency for Palestine Refugees in the Near East: note of the Secretariat

Documents issued in the limited series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/L.1	8	Promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind
A/HRC/11/L.2	6	Issuance of reports of the Working Group on the Universal Periodic Review in all official languages of the United Nations
A/HRC/11/L.3	3	Open-ended Working Group on an optional protocol to the Convention on the Rights of the Child to provide a communications procedure
A/HRC/11/L.4	3	The human rights of migrants in detention centres
A/HRC/11/L.5	3	Accelerating efforts to eliminate all forms of violence against women
A/HRC/11/L.6	3	Trafficking in persons, especially women and children
A/HRC/11/L.7	3	Promotion of the right of peoples to peace
A/HRC/11/L.8	5	Enhancement of the system of special procedures
A/HRC/11/L.9	3	The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights
A/HRC/11/L.10	1	Draft report of the Human Rights Council on its eleventh session
A/HRC/11/L.11	1	Draft report of the Human Rights Council on its eleventh session
A/HRC/11/L.12	3	The right to education: follow-up to Human Rights Council resolution 8/4
A/HRC/11/L.13	3	Guidelines for the Alternative Care of Children
A/HRC/11/L.14	3	Draft guiding principles on extreme poverty and human rights
A/HRC/11/L.15	9	Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action
A/HRC/11/L.16	3	Preventable maternal mortality and morbidity and human rights

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/L.16/Rev.1	3	Preventable maternal mortality and morbidity and human rights
A/HRC/11/L.17 and Corr.1	4	Situation of human rights in the Sudan
A/HRC/11/L.18	4	Situation of human rights in the Sudan
A/HRC/11/L.19	4	Amendments to draft resolution A/HRC/11/L.17

Documents issued in the Government series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/G/1	9	Note verbale dated 17 June 2009 from the Permanent Mission of Greece addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/11/G/2	9	Note verbale dated 27 April 2009 from the Permanent Mission of the Islamic Republic of Iran to the Office of the United Nations High Commissioner for Human Rights
A/HRC/11/G/3	3	Nota verbal con fecha de 16 de junio de 2009 de la Misión Permanente de Guatemala dirigida a la Alta Comisionada de las Naciones Unidas para los Derechos Humanos

Documents issued in the non-governmental organizations series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NGO/1	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/11/NGO/2	4	Idem
A/HRC/11/NGO/3	3	Idem
A/HRC/11/NGO/4	3	Idem
A/HRC/11/NGO/5	3	Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NGO/6	3	Idem
A/HRC/11/NGO/7	3	Idem
A/HRC/11/NGO/8	3	Idem
A/HRC/11/NGO/9	4	Idem
A/HRC/11/NGO/10	7	Idem
A/HRC/11/NGO/11	6	Exposé écrit par la Fédération Internationale de l'ACAT (Action des Chrétiens pour l'abolition de la Torture-FIACAT), organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/11/NGO/12	3	Joint written statement submitted by Catholic Organisation for Relief and Development (CORDAID) and Minority Rights Group International (MRG), non-governmental organizations in special consultative status
A/HRC/11/NGO/13	6	Written statement submitted by Franciscans International (FI), a non-governmental organization in general consultative status
A/HRC/11/NGO/14	3	Written statement submitted by the Al Zubair Charity Foundation (ZCF), a non-governmental organization in special consultative status
A/HRC/11/NGO/15	3	Exposición escrita presentada por Federación de Mujeres Cubanas (FMC), organización no gubernamental reconocida como entidad consultiva especial
A/HRC/11/NGO/16	6	Written statement submitted by the Women's International Democratic Federation (WIDF), a non-governmental organization in general consultative status
A/HRC/11/NGO/17	3	Written statement submitted by Human Rights Advocates, Inc. (HRA), a non-governmental organization in special consultative status
A/HRC/11/NGO/18	3	Idem
A/HRC/11/NGO/19	4	Written statement submitted by International Educational Development (IED), Inc., a non-governmental organization on the roster

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NGO/20	3	Written statement submitted by People's Solidarity for Participatory Democracy (PSPD), a non-governmental organization in special consultative status
A/HRC/11/NGO/21	3	Exposición escrita presentada por Federación Democrática Internacional de Mujeres, organización no gubernamental reconocida como entidad consultiva especial
A/HRC/11/NGO/22	3	Written statement submitted by the Society Studies Centre (SSC), a non-governmental organization in special consultative status
A/HRC/11/NGO/23	3	Idem
A/HRC/11/NGO/24	4	Written statement submitted by Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), a non-governmental organization on the Roster
A/HRC/11/NGO/25	9	Written statement submitted by the Federation of Western Thrace Turks in Europe (ABTTF), a non-governmental organization in special consultative status
A/HRC/11/NGO/26	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/11/NGO/27	3	Written statement submitted by Defence for Children International (DCI), a non-governmental organization in special consultative status
A/HRC/11/NGO/28	4	Written statement submitted by the Korean Progressive Network "Jinbonet", a non-governmental organization in special consultative status
A/HRC/11/NGO/29	3	Joint written Statement submitted by the International Alliance of Women (IAW), the Commission of the Churches on International Affairs of the World Council of Churches (CCIA/WCC), the International Association of Soldiers for Peace, Zonta International, the International Federation of Settlements and Neighbourhood Centres (IFS), the International Council Of Women (ICW-CIF), the International Federation of Business and Professional Women

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NGO/29 (<i>cont'd</i>)	3	(BPWI), the International Youth and Student Movement for the United Nations (ISMUN), Soroptimist International (SI), the Asian Legal Resource Centre (ALRC), CIVICUS: World Alliance for Citizen Participation, World Vision International (WVI), Buddha's Light International Association, the International Council on Social Welfare (ICSW) and the World Young Women's Christian Association (World YWCA), non-governmental organizations with general consultative status, and Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos (España), Interfaith International, Pax Romana (the International Catholic Movement for Intellectual and Cultural Affairs and the International Movement of Catholic Students), Temple of Understanding (TOU), the Women's International League for Peace and Freedom (WILPF), the Women's World Summit Foundation (WWSF), the International Society for Human Rights (ISHR), the International Federation of University Women (IFUW), Femmes Africa Solidarité (FAS), the Lutheran World Federation (LWF), the Worldwide Organization for Women (WOW), the Anglican Consultative Council (ACC), the Union of Arab Jurists, Rencontre africaine pour la defense des droits de l'homme (RADDHO), the Foundation for the Refugee Education Trust (RET), International Bridges to Justice (IBJ), the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children (IAC), the American Association of Jurists (AAJ), the Lassalle-Institut, the UNESCO Centre of Catalonia, the Anti-Racism Information Service (ARIS), the Colombian Commission of Jurists (CCJ), the Pan Pacific and South East Asia Women's Association (PPSEAWA), the Ius Primi Viri International Association (IPV), the Permanent Assembly for Human Rights (APDH), the International Movement for Fraternal Union Among Races and Peoples (UFER), the International Federation of Women Lawyers (FIDA), the International Federation of Women in Legal Careers (FIFCJ), the Canadian Federation of

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/11/NGO/29 (<i>cont'd</i>)	3 University Women (CFUW), the International Association for Women's Mental Health (IAWMH), the European Union of Women (EUW), the African Services Committee, Inc., the International Federation of Family Associations of Missing Persons from Armed Conflict (IFFAMPAC), African Action on AIDS, the International Society for Traumatic Stress Studies (ISTSS), the Lama Gangchen World Peace Foundation (LGWPF), the Pax Christi International, the International Catholic Peace Movement, the Tandem Project, the Al-Hakim Foundation, Canadian Voice of Women for Peace (VOW), the Organization for Defending Victims of Violence (ODVV), Solar Cookers International (SCI), the World Federation for Mental Health (WFMH), the United States Federation for Middle East Peace, Network Women in Development Europe, Nord-Sud XXI, General Arab Women Federation, the United Towns Agency for North-South Cooperation, the World Association for the School as an Instrument of Peace, the International Organization for the Elimination of All Forms of Racial Discrimination, the African Women's Association (AWA), the United Nations Association of Spain (ANUE), Maryknoll Fathers and Brothers, Maryknoll Sisters of St. Dominic, the International Forum for Child Welfare, the BADIL Resource Center for Palestinian Residency and Refugee Rights, the African Commission on Health and Human Rights Promoters, the Arab Lawyers Union, the General Federation of Iraqi Women, the International Federation of Social Workers (IFSW), the International Association of Peace Messenger Cities (IAPMC), the Committee for Hispanic Children and Families, Peace Boat, Paix et developpement dans la Region des Grands Lacs (AIPD), the Federation for Peace and Conciliation (FPC), the Cairo Institute for Human Rights Studies (CIHRS), the World for the World Organisation (WFWO), the Universal Esperanto Association, the National Council of German Women's Organisations, Associated Country

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NGO/29 (<i>cont'd</i>)	3	Women of the World (ACWW), International Grail, the Council of American Overseas Research Centres, ICVolunteers (ICV), the International Association for the Defence of Religious Liberty (AIDLR), Zenab for Women in Development, The Grail, UNANIMA International, Fondation SURGIR, the Association for Democratic Initiatives (ADI) and Congregation of our Lady of Charity of the Good Shepherd, non-governmental organizations with special consultative status, and the Institute for Planetary Synthesis (IPS), the International Peace Bureau (IPB), the UNESCO Centre for the Basque Country (UNESCO ETXEA), the 3HO Foundation (Healthy, Happy, Holy Organization), the Dzeno Association, the Country Women Association of Nigeria (COWAN), the International Movement against all Forms of Discrimination and Racism (IMADR), the Association Nigerienne des Scouts de l'Environnement (ANSEN), the International Peace Research Association (IPRA), the Asia Pacific Forum on Women, Law and Development (APWLD), the International Progress Organization (IPO), Gray Panthers and the European Federation of Road Traffic Crash Victims (FEVR), non-governmental organizations on the Roster
A/HRC/11/NGO/30	3	Written statement submitted by the Women's International League for Peace and Freedom (WILPF), a non-governmental organization in special consultative status
A/HRC/11/NGO/31	4	Written statement submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status
A/HRC/11/NGO/32	4	Idem
A/HRC/11/NGO/33	4	Idem
A/HRC/11/NGO/34	4	Idem
A/HRC/11/NGO/35	4	Idem
A/HRC/11/NGO/36	4	Idem
A/HRC/11/NGO/37	4	Idem

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NGO/38	4	Idem
A/HRC/11/NGO/39	3	Written statement submitted by the International Fellowship of Reconciliation (IFOR), a non-governmental organization in special consultative status
A/HRC/11/NGO/40	9	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the Roster
A/HRC/11/NGO/41	4	Joint written statement submitted by the World Organisation against Torture, a non-governmental organization in special consultative status, and Centro de Derechos Humanos Miguel Agustín Pro Juárez, a non-governmental organization on the Roster
A/HRC/11/NGO/42	4	Written statement submitted by the Centro de Derechos Humanos Miguel Agustín Pro Juárez, a non-governmental organization on the Roster
A/HRC/11/NGO/43	3	Joint written Statement submitted by Nord-Sud XXI, a non-governmental organization in special consultative status, and the Indian Council of South America (CISA), the International Human Rights Association of American Minorities (IHRAAM) and International Education Development (IED), Inc., non-governmental organizations on the Roster
A/HRC/11/NGO/44	3	Joint written statement submitted by Caritas Internationalis (International Confederation of Catholic Charities), CIVICUS - World Alliance For Citizen Participation, the Commission of the Churches on International Affairs of the World Council of Churches (CCIA/WCC), Franciscans International (FI), the International Council of Women (ICW-CIF), and International Movement ATD Fourth World, non-governmental organizations in general consultative status, and Dominicans for Justice and Peace (Order of Preachers), the International Federation of Social Workers (IFSW), the Lutheran World Federation (LWF), Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NGO/44 (<i>cont'd</i>)	3	Students), the International Catholic Child Bureau (ICCB) and the World Organisation against Torture, non-governmental organizations in special consultative status, and the FoodFirst Information and Action Network (FIAN), non-governmental organizations on the Roster
A/HRC/11/NGO/45	4	Written statement submitted by the International Humanist and Ethical Union (IHEU), a non-governmental organization in special consultative status
A/HRC/11/NGO/46	3	Joint written statement submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status, and Lawyers Rights Watch Canada, a non-governmental organization in special consultative status
A/HRC/11/NGO/47	3	Joint written statement submitted by the Sudan National Committee on Harmful Traditional Practices (SNCTP), a non-governmental organization in special consultative status, and the African-American Society for Humanitarian Aid and Development (ASHAD), a non-governmental organization on the Roster
A/HRC/11/NGO/48	4	Joint written statement submitted by the Sudan Council Of Voluntary Agencies (SCOVA), a non-governmental organization in special consultative status, and the African-American Society for Humanitarian Aid and Development (ASHAD), a non-governmental organization on the Roster
A/HRC/11/NGO/49	6	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/11/NGO/50	4	Joint written statement submitted by the Sudan Council of Voluntary Agencies (SCOVA), a non-governmental organization in special consultative status, and the African-American Society for Humanitarian Aid and Development (ASHAD), a non-governmental organization on the Roster

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NGO/51	3	Joint written statement submitted by the Assembly of First Nations - National Indian Brotherhood (AFN), the International Indian Treaty Council (IITC) and the International Organization of Indigenous Resource Development (IOIRD), non-governmental organizations with special consultative status
A/HRC/11/NGO/52	3	Written statement submitted by the International Indian Treaty Council (IITC), a non-governmental organization in special consultative status
A/HRC/11/NGO/53	3	Idem
A/HRC/11/NGO/54	4	Written statement submitted by Article 19 - the International Centre Against Censorship, a non-governmental organization on the Roster
A/HRC/11/NGO/55	4	Written statement submitted by MINBYUN-Lawyers for a Democratic Society (MINBYUN), a non-governmental organization in special consultative status

Documents issued in the national institutions series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NI/1	3	Information submitted by the Office of Ombudsman of the Russian Federation: note by the Secretariat
A/HRC/11/NI/2	3	Information submitted by the National Human Rights Commission of Malaysia: note by the Secretariat
A/HRC/11/NI/3	6	Universal Periodic Review: information submitted by the National Human Rights Commission of Malaysia: note by the Secretariat
A/HRC/11/NI/4	3	Information submitted by the Commission on Human Rights of the Philippines: note by the Secretariat

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/11/NI/5	3	Information submitted by the Kenya National Commission on Human Rights: note by the Secretariat
A/HRC/11/NI/6	3	Information submitted by the Afghanistan Independent Human Rights Commission: note by the Secretariat
A/HRC/11/NI/7	3	Idem

ANNEX V

**List of special procedures mandate holders appointed
by the Council at its eleventh session**

Working Group of Experts on People of African Descent

Sicilianos Linos-Alexander (Greece)

Working Group on Arbitrary Detention

Mads Andenas (Norway)

Working Group on Enforced or Involuntary Disappearances

Osman El-Hajje (Lebanon)

Special Rapporteur on the independence of judges and lawyers

Gabriela Carina Silva Knaul De Albuquerque e Silva (Brazil)

Special Rapporteur on violence against women, its causes and consequences

Rashida Manjoo (South Africa)
