



General Assembly

Distr.: General
22 October 2012

Original: English

Human Rights Council

Eighteenth session

Agenda item 1

Organizational and procedural matters

Report of the Human Rights Council on its eighteenth session

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Part One

Resolutions, decisions and President's statements

I. Resolutions

18/1

The human right to safe drinking water and sanitation

The Human Rights Council,

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

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

Recalling also the holding of the General Assembly plenary meeting of 27 July 2011 entitled "The human right to water and sanitation",

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

Recalling the relevant provisions of declarations and programmes with regard to access to safe drinking water and sanitation adopted by major United Nations conferences and summits, and by the General Assembly at its special sessions and during follow-up meetings, inter alia, the Mar del Plata Action Plan on Water Development and Administration, adopted at the United Nations Water Conference in March 1977, Agenda 21 and the Rio Declaration on Environment and Development, adopted at the United Nations Conference on Environment and Development in June 1992, and the Habitat Agenda, adopted at the second United Nations Conference on Human Settlements in June 1996, Assembly resolutions 54/175 of 17 December 1999 on the right to development, and 58/217 of 23 December 2003 proclaiming the International Decade for Action, "Water for Life" (2005–2015),

Noting with interest relevant commitments and initiatives promoting the human right to safe drinking water and sanitation, including the Abuja Declaration, adopted at the first Africa-South America Summit, in 2006, the message from Beppu, adopted at the first Asia-Pacific Water Summit, in 2007, the Delhi Declaration, adopted at the third South Asian Conference on Sanitation, in 2008, the Sharm el-Sheikh Final Document, adopted at the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, in 2009, and the Colombo Declaration, adopted at the fourth South Asian Conference on Sanitation, in 2011,

Bearing in mind the commitments made by the international community to achieve fully the Millennium Development Goals, and stressing, in that context, the resolve of Heads of State and Government, as expressed in the United Nations Millennium Declaration, to halve, by 2015, the proportion of people unable to reach or afford safe drinking water, and to halve the proportion of people without access to basic sanitation, as

agreed in the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”) and the outcome document adopted at the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals entitled “Keeping the promise: united to achieve the Millennium Development Goals”,

Recalling World Health Assembly resolution 64/24 of May 2011, in which the Assembly urged Member States to, inter alia, “ensure that national health strategies contribute to the realization of water- and sanitation-related Millennium Development Goals while coming in support to the progressive realization of the human right to water and sanitation that entitles everyone, without discrimination, to water and sanitation that is sufficient, safe, acceptable, physically accessible and affordable for personal and domestic uses”,

Deeply concerned that approximately 884 million people lack access to improved water sources and that more than 2.6 billion people do not have access to improved sanitation as defined by the World Health Organization and the United Nations Children’s Fund in their 2010 Joint Monitoring Programme report, and alarmed that, every year, approximately 1.5 million children under five years of age die and 443 million school days are lost as a result of water- and sanitation-related diseases,

Affirming the need to focus on local and national perspectives in considering the issue, leaving aside questions of international watercourse law and all transboundary water issues,

1. *Welcomes* the recognition of the human right to safe drinking water and sanitation by the General Assembly and the Human Rights Council, and the affirmation by the latter that the human right to safe drinking water and sanitation is derived from the right to an adequate standard of living and inextricably related to the right to the highest attainable standard of physical and mental health, as well as the right to life and human dignity;

2. *Also welcomes* the work of the Special Rapporteur on the right to safe drinking water and sanitation, including the progress in collecting good practices, the comprehensive, transparent and inclusive consultations conducted with relevant and interested actors from all regions for her thematic reports and collection of good practices, as well as the undertaking of country missions;

3. *Acknowledges with appreciation* the third annual report of the Special Rapporteur,¹ and takes note with interest of her recommendations and clarifications with regard to national and local planning for the implementation of the right to safe drinking water and sanitation;

4. *Welcomes* the submission of the compilation of good practices on the right to safe drinking water and sanitation,² in which the Special Rapporteur put particular emphasis on practical solutions with regard to the implementation of the human right to safe drinking water and sanitation;

5. *Reaffirms* that States have the primary responsibility to ensure the full realization of all human rights, and must take steps, nationally and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, to achieve progressively the full realization of the right to safe drinking

¹ A/HRC/18/33.

² A/HRC/18/33/Add.1.

water and sanitation by all appropriate means, including particularly the adoption of legislative measures in the implementation of their human rights obligations;

6. *Also reaffirms* the important role that national plans of action can play as tools for the promotion and protection of human rights, as highlighted in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, including for the promotion and protection of the human right to safe drinking water and sanitation;

7. *Calls upon* States:

(a) To continuously monitor and regularly analyse the status of the realization of the right to safe drinking water and sanitation on the basis of the criteria of availability, quality, acceptability, accessibility and affordability;

(b) To assess existing policies, programmes and activities in the sectors of water and sanitation, giving due consideration to waste-water management, including treatment and reuse, and to monitor resources allocated to increase adequate access, as well as to identify actors and their capacity;

(c) To develop comprehensive plans and strategies, including the definition of responsibilities for all water and sanitation sector actors, to achieve progressively the full realization of the right to safe drinking water and sanitation for all, or re-examine and revise them where necessary to ensure consistency with human rights standards and principles;

(d) To assess whether the existing legislative and policy framework is in line with the right to safe drinking water and sanitation, and to repeal, amend or adapt it in order to meet human rights standards and principles;

(e) To ensure full transparency of the monitoring and assessment of the implementation of plans of action, projects and programmes in the sectors of water and sanitation and to ensure, including in the planning process, the free, effective, meaningful and non-discriminatory participation of all people and communities concerned, particularly people living in disadvantaged, marginalized and vulnerable situations;

(f) To set access targets to be reached in short-time periods for universal service provision, giving priority to realizing a basic level of service for everyone before improving service levels for those already served;

(g) To set indicators, including disaggregated data, based on human rights criteria,³ to monitor progress and to identify shortcomings to be rectified and challenges to be met;

(h) To ensure financing to the maximum of available resources in order to implement all the necessary measures to ensure that water and sanitation systems are sustainable and that services are affordable for everyone, while ensuring that allocated resources are not limited to infrastructure but also include resources for regulatory activities, operation and maintenance, the institutional and managerial structure and structural measures, including increasing capacity;

(i) To provide for a regulatory framework aimed at ensuring that all water and sanitation service providers respect and protect human rights and do not cause human rights violations or abuses, and to ensure that national minimum standards, based on human rights criteria, are in place when water and sanitation services are decentralized, in order to ensure coherence and countrywide compliance with human rights;

³ See A/65/254, paras. 22–48 and 53–60.

(j) To provide for a framework of accountability that provides for adequate monitoring mechanisms and legal remedies, including measures to overcome obstacles in access to justice and other accountability mechanisms, and lack of awareness of the law, human rights and opportunities to claim these rights;

8. *Invites* States to continue to promote, at all levels, including at the highest level, the full realization of the human right to safe drinking water and sanitation in forthcoming national, regional and international initiatives, inter alia, the Global Forum on Sanitation and Hygiene of the Water Supply and Sanitation Collaborative Council in October 2011, in Mumbai, India, and the sixth World Water Forum in March 2012, in Marseille, France;

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

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

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

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

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

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

*34th meeting
28 September 2011*

[Adopted without a vote.]

18/2 Preventable maternal mortality and morbidity and human rights

The Human Rights Council,

Recalling its resolutions 11/8 of 17 June 2009 and 15/17 of 30 September 2010 on preventable maternal mortality and morbidity and human rights,

Reaffirming the Beijing Declaration and Platform for Action, the Programme of Action of the International Conference on Population and Development and its review conferences, including the outcome document of the 15-year review of the Programme of Action contained in Commission on Population and Development resolution 2009/1 of 3 April 2009, Commission on the Status of Women resolution 54/5 of 12 March 2010, and the targets and commitments regarding the reduction of maternal mortality and universal

access to reproductive health, including those contained in the 2000 Millennium Declaration⁴ and the 2005 World Summit Outcome,⁵

Welcoming recent regional and international initiatives relevant to preventable maternal mortality and morbidity and human rights, including the Secretary-General's Global Strategy for Women's and Children's Health, and the related establishment of the Commission on Information and Accountability for Women's and Children's Health, and noting that the report of the Commission, "Keeping promises, measuring results", contains recommendations relevant to eliminating preventable maternal mortality and morbidity using a human rights-based approach,

Welcoming also the outcome document of the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals, held in New York from 20 to 22 September 2010, entitled "Keeping the promise: united to achieve the Millennium Development Goals", and reaffirming in particular the deep concern expressed therein by the Assembly at the alarming global levels of maternal and child mortality and its grave concern at the slow progress being made on reducing maternal mortality and improving maternal and reproductive health, as well as the commitments to accelerate progress in order to achieve Millennium Development Goal 5, on improving maternal health, and Goal 8, on a global partnership for development,

1. *Takes note with interest* of the analytical compilation of good or effective practices that exemplify a human rights-based approach to eliminating preventable maternal mortality and morbidity prepared by the Office of the United Nations High Commissioner for Human Rights,⁶ and takes note also of the contribution of the said compilation, together with the thematic study on preventable maternal mortality and morbidity and human rights prepared by the Office of the High Commissioner,⁷ towards a human rights-based approach to reducing preventable maternal mortality and morbidity;

2. *Recognizes* that, as illustrated by the above-mentioned thematic study and analytic compilation, a human rights-based approach to eliminate preventable maternal mortality and morbidity is an approach underpinned by the principles of, inter alia, accountability, participation, transparency, empowerment, sustainability, non-discrimination and international cooperation;

3. *Encourages* States and other relevant stakeholders, including national human rights institutions and non-governmental organizations, to take action at all levels to address the interlinked root causes of maternal mortality and morbidity, such as poverty, malnutrition, harmful practices, lack of accessible and appropriate health-care services, information and education, and gender inequality, and to pay particular attention to eliminating all forms of violence against women and girls;

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

5. *Requests* the Office of High Commissioner to convene, within existing resources, in cooperation with other relevant entities of the United Nations system, an expert workshop, open also to the participation of Governments, regional organizations, relevant United Nations bodies and civil society organizations, to prepare concise technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity;

⁴ General Assembly resolution 55/2.

⁵ General Assembly resolution 60/1.

⁶ A/HRC/18/27.

⁷ A/HRC/14/39.

6. *Also requests* the Office of the High Commissioner to present the technical guidance to the Human Rights Council;

7. *Decides* to continue considering the issue at its twenty-first session under the same agenda item.

*34th meeting
28 September 2011*

[Adopted without a vote.]

18/3

Panel to commemorate the twentieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The Human Rights Council,

Recalling all resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Noting that 2012 will mark the twentieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Affirming that the above-mentioned anniversary offers an important opportunity to reflect on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as well as on achievements, best practices and challenges with regard to the implementation of the Declaration,

Emphasizing the need for reinforced efforts to meet the goal of the full realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

1. *Decides* to convene, at its nineteenth session, a panel discussion to commemorate the twentieth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, with a particular focus on its implementation as well as on achievements, best practices and challenges in this regard;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to organize the panel discussion within existing resources, and to liaise with the independent expert on minority issues, States, relevant United Nations bodies and agencies, as well as with civil society, non-governmental organizations and national human rights institutions with a view to ensuring their participation in the panel discussion;

3. *Also requests* the Office of the High Commissioner to prepare a report on the outcome of the panel discussion in the form of a summary.

*35th meeting
29 September 2011*

[Adopted without a vote.]

18/4**The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination**

The Human Rights Council,

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

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

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

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

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

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

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

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

Recalling the holding of regional consultations in all five regions from 2007 to 2010, in which participants noted that the enjoyment and exercise of human rights were increasingly impeded by the emergence of several new challenges and trends relating to mercenaries or their activities and by the role played by private military and security companies registered, operating or recruiting personnel in each region, and expressing its appreciation to the Office of the United Nations High Commissioner for Human Rights for its support for the holding of those consultations,

Convinced that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form they take to acquire a semblance of legitimacy, they are a

threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

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

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

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

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

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

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

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

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

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

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

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

12. *Acknowledges* with appreciation the work and contributions made by the Working Group, and takes note of its latest report;⁸

13. *Takes note* of the summary of the first session of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies, and expresses satisfaction at the participation of experts, including of the members of the Working Group on the use of mercenaries, as resource persons at the above-mentioned session, and requests the Working Group and other experts to continue to do so;

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

15. *Requests* the Working Group to continue the work already done by previous mandate holders on the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition of a mercenary drafted by the Special Rapporteur in his report submitted to the Commission on Human Rights at its sixtieth session;⁹

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

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

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

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

20. *Requests* the Secretary-General and the High Commissioner to provide the Working Group with all the assistance and support necessary for the fulfilment of its

⁸ A/HRC/18/32.

⁹ See E/CN.4/2004/15.

mandate, both professional and financial, including through the promotion of cooperation between the Working Group and other components of the United Nations system that deal with countering mercenary-related activities, in order to meet the demands of its current and future activities;

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

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

*35th meeting
29 September 2011*

[Adopted by a recorded vote of 31 to 11, with 4 abstentions. The voting was as follows:

In favour:

Angola, Bangladesh, Benin, Botswana, Burkina Faso, Cameroon, Chile, China, Congo, Costa Rica, Cuba, Djibouti, Ecuador, Guatemala, India, Indonesia, Jordan, Kuwait, Kyrgyzstan, Malaysia, Mauritius, Nigeria, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay

Against:

Austria, Belgium, Czech Republic, Hungary, Italy, Norway, Poland, Republic of Moldova, Romania, Spain, United States of America

Abstaining:

Maldives, Mauritania, Mexico, Switzerland]

18/5 Human rights and international solidarity

The Human Rights Council,

Reaffirming all previous resolutions adopted by the Commission on Human Rights and the Human Rights Council on the issue of human rights and international solidarity, including Commission resolution 2005/55 of 20 April 2005, Council resolutions 6/3 of 27 September 2007, 7/5 of 27 March 2008, 9/2 of 24 September 2008, 12/9 of 1 October 2009, 15/13 of 30 September 2010 and 17/6 of 16 June 2011, and Council decision 16/118 of 25 March 2011, and taking note of the reports submitted by the independent expert on human rights and international solidarity, in particular the latest report,¹⁰

Underlining the fact that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations and international law,

Recalling that, at the World Conference on Human Rights, held in June 1993, States pledged to cooperate with each other in ensuring development and eliminating obstacles to development, and stressed that the international community should promote effective

¹⁰ A/HRC/15/32.

international cooperation for the realization of the right to development and the elimination of obstacles to development,

Reaffirming the fact that article 4 of the Declaration on the Right to Development states that sustained action is required to promote more rapid development of developing countries and, as a complement to the efforts of developing countries, effective international cooperation is essential in order to provide these countries with the appropriate means and facilities to foster their comprehensive development,

Taking into account the fact that article 2 of the International Covenant on Economic, Social and Cultural Rights states that each State party to the Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the Covenant by all appropriate means, including, in particular, the adoption of legislative measures,

Persuaded that sustainable development can be promoted by peaceful coexistence, friendly relations and cooperation among States with different social, economic or political systems,

Reaffirming the fact that the widening gap between economically developed and developing countries is unsustainable and that it impedes the realization of human rights in the international community and makes it all the more imperative for every nation, according to its capacities, to make the maximum possible effort to close this gap,

Expressing its concern at the fact that the immense benefits resulting from the process of globalization and economic interdependence have not reached all countries, communities and individuals, and at the increasing marginalization from their benefits of several developing countries, particularly least developed and African countries, as well as the small and vulnerable economies,

Expressing its deep concern at the number and scale of natural disasters, diseases and agricultural pests and their increasing impact in recent years, which have resulted in a massive loss of life and long-term negative social, economic and environmental consequences for developing countries, in particular the most vulnerable countries throughout the world,

Reaffirming the crucial importance of increasing the resources allocated for official development assistance, recalling the pledge of industrialized countries to allocate 0.7 per cent of their gross national product for official development assistance, and recognizing the need for new and additional resources to finance the development programmes of developing countries,

Reaffirming also the fact that the achievement of the Millennium Development Goals and the realization of the right to development call for a more enlightened approach, mindset and action based on a sense of community and international solidarity,

Determined to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours by an increased and sustained effort of international cooperation and solidarity,

Asserting the necessity of establishing new, equitable and global links of partnership and intra-generational solidarity for the perpetuation of humankind,

Recognizing that the attention paid to the importance of international solidarity as a vital component of the efforts made by developing countries to realize the right to development of their peoples and to promote the full enjoyment of economic, social and cultural rights by everyone has been insufficient,

Resolved to strive to ensure that present generations are fully aware of their responsibilities towards future ones, and that a better world is possible for both present and future generations,

1. *Reaffirms* the recognition set forth in the declaration adopted by the Heads of State and Government at the Millennium Summit of the fundamental value of solidarity to international relations in the twenty-first century in stating that global challenges must be managed in a way that distributes costs and burdens fairly, in accordance with basic principles of equity and social justice, and that those who suffer or benefit least deserve help from those who benefit most;

2. *Affirms* that international solidarity is not limited to international assistance and cooperation, aid, charity or humanitarian assistance; it is a broader concept and principle that includes sustainability in international relations, especially international economic relations, the peaceful coexistence of all members of the international community, equal partnerships and the equitable sharing of benefits and burdens;

3. *Expresses* its determination to contribute to the solution of current world problems through increased international cooperation, to create conditions that will ensure that the needs and interests of future generations are not jeopardized by the burden of the past, and to hand over a better world to future generations;

4. *Urges* the international community to consider urgently concrete measures to promote and consolidate international assistance to developing countries in their development endeavours and for the promotion of conditions conducive to the full realization of all human rights;

5. *Calls upon* the international community to promote international solidarity and cooperation as an important tool to help to overcome the negative effects of the current economic, financial and climate crises, particularly in developing countries;

6. *Reaffirms* the fact that the promotion of international cooperation is a duty for States, that it should be implemented without any conditionality and on the basis of mutual respect, in full compliance with the principles and purposes of the Charter of the United Nations, in particular respect for the sovereignty of States, and taking into account national priorities;

7. *Affirms* that much more is needed owing to the magnitude of global and local challenges, the alarming increase in natural and man-made disasters and the continuing rises in poverty and inequality; ideally, solidarity should be preventive rather than simply reactive to massive irreversible damage already caused, and must address both natural and man-made disasters;

8. *Recognizes* that there is an overwhelming manifestation of solidarity by States, individually and collectively, civil society, global social movements and countless people of goodwill reaching out to others;

9. *Also recognizes* that the so-called “third-generation rights” closely interrelated with the fundamental value of solidarity need further progressive development within the United Nations human rights machinery in order to be able to respond to the increasing challenges of international cooperation in this field;

10. *Requests* all States, United Nations agencies, other relevant international organizations and non-governmental organizations to mainstream the right of peoples and individuals to international solidarity into their activities, and to cooperate with the independent expert on human rights and international solidarity in her mandate, to supply all necessary information requested by her and to give serious consideration to responding

favourably to her requests to visit their country to enable her to fulfil her mandate effectively;

11. *Takes note* of the note by the Secretariat on the report of the independent expert,¹¹ and regrets the non-submission of the report requested by the Human Rights Council in its resolution 15/13;

12. *Also takes note* of the work plan presented by the independent expert to the Human Rights Council at its eighteenth session, and requests the independent expert to continue to identify areas to be addressed, the main concepts and norms that can form the basis of a framework, and good practices to inform the future development of law and policy with regard to human rights and international solidarity;

13. *Requests* the independent expert to continue her work in the preparation of a draft declaration on the right of peoples and individuals to international solidarity and in further developing guidelines, standards, norms and principles with a view to promoting and protecting this right by addressing, inter alia, existing and emerging obstacles to its realization;

14. *Also requests* the independent expert to take into account the outcomes of all major United Nations and other global summits and ministerial meetings in the economic, social and climate fields and to seek views and contributions from Governments, United Nations agencies, other relevant international organizations and non-governmental organizations in the discharge of her mandate;

15. *Takes note* of the steps taken by the drafting group established by the Human Rights Council Advisory Committee to consider this issue, and reiterates its requests to the Advisory Committee to prepare, in close cooperation with the independent expert, inputs to contribute to the elaboration of the draft declaration on the right of peoples and individuals to international solidarity, and to the further development of guidelines, standards, norms and principles with a view to promoting and protecting this right;

16. *Requests* the United Nations High Commissioner for Human Rights to convene in 2012, prior to the twenty-first session of the Human Rights Council, a workshop for an exchange of views on, inter alia, the gender implications of international solidarity, the impact of a right to international solidarity, the role of international solidarity in achieving the Millennium Development Goals and the realization of the right to development, with the participation of representatives from all interested States, the independent expert, the members of the Advisory Committee dealing with this issue, and civil society;

17. *Requests* the independent expert to present to the Human Rights Council a summary of the discussions held at the workshop, in conformity with the programme of work of the Council;

18. *Also requests* the independent expert to submit a report on the implementation of the present resolution to the Human Rights Council at its twenty-first session;

19. *Decides* to continue its examination of this issue at its twenty-first session under the same agenda item.

*35th meeting
29 September 2011*

¹¹ A/HRC/18/34.

[Adopted by a recorded vote of 33 to 12, with 1 abstention. The voting was as follows:

In favour:

Angola, Bangladesh, Benin, Botswana, Burkina Faso, Cameroon, Chile, China, Congo, Costa Rica, Cuba, Djibouti, Ecuador, Guatemala, India, Indonesia, Jordan, Kuwait, Kyrgyzstan, Malaysia, Maldives, Mauritius, Mexico, Nigeria, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay

Against:

Austria, Belgium, Czech Republic, Hungary, Italy, Norway, Poland, Republic of Moldova, Romania, Spain, Switzerland, United States of America

Abstaining:

Mauritania]

18/6

Promotion of a democratic and equitable international order

The Human Rights Council,

Recalling all previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on this issue, in particular Assembly resolution 65/223 of 21 December 2010 and Council resolution 8/5 of 18 June 2008,

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that, in this regard, the

central role must be played by the United Nations as the most universal and representative organization in the world,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of and technology transfer to developing countries, in particular landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

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

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal adherence to and implementation of the rule of law at both the national and international levels;

4. *Reaffirms* the Universal Declaration of Human Rights, in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, as well as the right to choose representatives freely through periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures;

5. *Calls upon* all Member States to fulfil their commitment expressed during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity, and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

6. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

- (c) The right of every human person and all peoples to development;
- (d) The right of all peoples to peace;
- (e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;
- (f) International solidarity, as a right of peoples and individuals;
- (g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;
- (h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;
- (i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;
- (j) The promotion of a free, just, effective and balanced international information and communications order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;
- (k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;
- (l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;
- (m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;
- (n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;
- (o) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, that should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their

political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

9. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

10. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

11. *Also reaffirms* the need to continue working urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations;

12. *Further reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

13. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

14. *Decides* to establish, for a period of three years, a new special procedures mandate of independent expert on the promotion of a democratic and equitable international order, with the following mandate:

(a) To identify possible obstacles to the promotion and protection of a democratic and equitable international order, and to submit proposals and/or recommendations to the Human Rights Council on possible actions in that regard;

(b) To identify best practices in the promotion and protection of a democratic and equitable international order at the local, national, regional and international levels;

(c) To raise awareness concerning the importance of promoting and protecting of a democratic and equitable international order;

(d) To work in cooperation with States in order to foster the adoption of measures at the local, national, regional and international levels aimed at the promotion and protection of a democratic and equitable international order;

(e) To work in close coordination, while avoiding unnecessary duplication, with intergovernmental and non-governmental organizations, other special procedures of the Human Rights Council, international financial institutions, as well as with other relevant actors representing the broadest possible range of interests and experiences, within their respective mandates, including by attending and following up on relevant international conferences and events;

(f) To integrate a gender perspective and a disabilities perspective into his or her work;

(g) To report regularly to the Human Rights Council and the General Assembly in accordance with their respective programmes of work;

(h) To support the strengthening and promoting of democracy, development and respect for human rights and fundamental freedoms in the entire world;

15. *Calls upon* all Governments to cooperate with and assist the independent expert in the discharge of his or her mandate, to provide him or her with all the necessary information requested by him or her in order to enable him or her to fulfil his or her duties effectively;

16. *Requests* the United Nations High Commissioner for Human Rights to provide all the necessary human and financial resources for the effective fulfilment of the mandate by the independent expert;

17. *Requests* the independent expert to present his or her first report to the Human Rights Council at its twenty-first session;

18. *Requests* the human rights treaty bodies, the Office of the High Commissioner, the special mechanisms extended by the Human Rights Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions to its implementation;

19. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

20. *Requests* the Office of the High Commissioner to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

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

*35th meeting
29 September 2011*

[Adopted by a recorded vote of 29 to 12, with 5 abstentions. The voting was as follows:

In favour:

Angola, Bangladesh, Benin, Botswana, Burkina Faso, Cameroon, China, Congo, Cuba, Djibouti, Ecuador, Guatemala, India, Indonesia, Jordan, Kuwait, Kyrgyzstan, Malaysia, Maldives, Mauritius, Nigeria, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay

Against:

Austria, Belgium, Czech Republic, Hungary, Italy, Norway, Poland, Republic of Moldova, Romania, Spain, Switzerland, United States of America

Abstaining:

Chile, Costa Rica, Mauritania, Mexico, Peru]

18/7

Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977, other relevant international human rights law and international humanitarian law instruments and the Vienna Declaration and Programme of Action,

Recalling the set of principles for the protection and promotion of human rights through action to combat impunity,¹² and the updated version of those principles,¹³

Recalling also General Assembly resolution 60/147 of 16 December 2005 on the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,

Recalling further Commission on Human Rights resolutions 2005/70 of 20 April 2005, on human rights and transitional justice, 2005/81 of 21 April 2005, on impunity, and 2005/66 of 20 April 2005, on the right to the truth, as well as Human Rights Council resolutions 12/11 of 1 October 2009, on human rights and transitional justice, 9/11 of 18 September 2008 and 12/12 of 1 October 2009, on the right to the truth, and 10/26 of 27 March 2009 and 15/5 of 29 September 2010, on forensic genetics and human rights, as well as Council decisions 2/105 of 27 November 2006, on the right to the truth, and 4/102 of 23 March 2007, on transitional justice,

Recalling the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly in its resolution 61/177 of 20 December 2006, in which article 24, paragraph 2, sets out the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person, and sets forth State party obligations to take appropriate measures in this regard, and the preamble reaffirms the right to freedom to seek, receive and impart information to that end,

Recalling also the report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies,¹⁴ including the relevant recommendations contained therein, and the report of the Secretary-General entitled “Uniting our strengths: enhancing United Nations support for the rule of law”,¹⁵

Noting with appreciation the active engagement of the United Nations, including the Office of the United Nations High Commissioner for Human Rights, in assisting States to address gross human rights violations and serious violations of international humanitarian law, in cooperation with and at the request of States,

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

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

Recognizing that the special procedure on the promotion of truth, justice, reparations and guarantees of non-recurrence will deal with situations in which there have been gross violations of human rights and serious violations of international humanitarian law,

¹² E/CN.4/Sub.2/1997/20/Rev.1, annex II.

¹³ E/CN.4/2005/102/Add.1.

¹⁴ S/2004/616.

¹⁵ A/61/636-S/2006/980.

Underlining the fact that, when designing and implementing strategies, policies and measures to address gross human rights violations and serious violations of international humanitarian law, the specific context of each situation must be taken into account with a view to preventing the recurrence of crises and future violations of human rights, to ensure social cohesion, nation-building, ownership and inclusiveness at the national and local levels and to promote reconciliation,

Emphasizing the importance of a comprehensive approach incorporating the full range of judicial and non-judicial measures, including, among others, individual prosecutions, reparations, truth-seeking, institutional reform, vetting of public employees and officials, or an appropriately conceived combination thereof, in order to, inter alia, ensure accountability, serve justice, provide remedies to victims, promote healing and reconciliation, establish independent oversight of the security system and restore confidence in the institutions of the State and promote the rule of law in accordance with international human rights law,

1. *Decides* to appoint, for a period of three years, a special rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, whose tasks will include:

(a) To contribute, upon request, to the provision of technical assistance or advisory services on the issues pertaining to the mandate;

(b) To gather relevant information on national situations, including on normative frameworks, national practices and experiences, such as truth and reconciliation commissions and other mechanisms, relating to the promotion of truth, justice, reparation and guarantees of non-recurrence in addressing gross violations of human rights and serious violations of international humanitarian law, and to study trends, developments and challenges and to make recommendations thereon;

(c) To identify, exchange and promote good practices and lessons learned, as well as to identify potential additional elements with a view to recommend ways and means to improve and strengthen the promotion of truth, justice, reparation and guarantees of non-recurrence;

(d) To develop a regular dialogue and cooperate with, inter alia, Governments, international and regional organizations, national human rights institutions and non-governmental organizations, as well as relevant United Nations bodies and mechanisms;

(e) To make recommendations concerning, inter alia, judicial and non-judicial measures when designing and implementing strategies, policies and measures for addressing gross violations of human rights and serious violations of international humanitarian law;

(f) To undertake a study, in cooperation with and reflecting the views of, inter alia, States and relevant United Nations bodies and mechanisms, international and regional organizations, national human rights institutions and non-governmental organizations, on the ways and means to implement the issues pertaining to the mandate;

(g) To conduct country visits and to respond promptly to invitations from States;

(h) To participate in and contribute to relevant international conferences and events with the aim of promoting a systematic and coherent approach on issues pertaining to the mandate;

(i) To raise awareness concerning the value of a systematic and coherent approach when dealing with gross violations of human rights and serious violations of international humanitarian law, and to make recommendations in this regard;

- (j) To integrate a gender perspective throughout the work of the mandate;
- (k) To integrate a victim-centred approach throughout the work of the mandate;
- (l) To work in close coordination, while avoiding unnecessary duplication, with the Office of the United Nations High Commissioner for Human Rights, intergovernmental and non-governmental organizations, other special procedures of the Human Rights Council and with other relevant actors;

2. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in the discharge of his or her mandate, to provide him or her with all the necessary information requested by him or her and to give serious consideration to responding favourably to his or her requests to visit their country in order to enable him or her to fulfil his or her duties effectively;

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

4. *Requests* the Special Rapporteur to report annually to the Human Rights Council and the General Assembly.

*35th meeting
29 September 2011*

[Adopted without a vote.]

18/8 Human rights and indigenous peoples

The Human Rights Council,

Recalling Commission on Human Rights resolutions 2001/57 of 24 April 2001, 2002/65 of 25 April 2002, 2003/56 of 24 April 2003, 2004/62 of 21 April 2004 and 2005/51 of 20 April 2005 on human rights and indigenous issues,

Recalling also Human Rights Council resolutions 6/12 of 28 September 2007, 6/36 of 14 December 2007, 9/7 of 24 September 2008, 12/13 of 1 October 2009 and 15/7 of 30 September 2010,

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

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

Welcoming General Assembly resolution 65/198 of 21 December 2010, in which the Assembly expanded the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it can assist representatives of indigenous peoples' organizations and communities to participate in sessions of the Human Rights Council and of human rights treaty bodies, based on diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996, and inviting States to contribute to the Fund,

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

Recognizing also that the study on education of the Expert Mechanism on the Rights of Indigenous Peoples¹⁶ highlights the fact that education is an important way to contribute to the maintenance of indigenous cultures,

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

1. *Welcomes* the report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples,¹⁷ and requests the High Commissioner to continue to submit to the Human Rights Council an annual report on the rights of indigenous peoples containing information on relevant developments in human rights bodies and mechanisms and activities undertaken by the Office of the High Commissioner at Headquarters and in the field that contribute to the promotion of, respect for and the full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and follow-up on the effectiveness of the Declaration;

2. *Also welcomes* the work of the Special Rapporteur on the rights of indigenous peoples and the official visits he has made in the past year, takes note with appreciation of his report,¹⁸ and encourages all Governments to respond favourably to his requests for visits;

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

4. *Welcomes* the work of the Expert Mechanism on the Rights of Indigenous Peoples and takes note with appreciation of the report on its fourth session;¹⁹

5. *Also welcomes* the practice adopted during the third and fourth sessions of the Expert Mechanism of devoting specific time to the discussion of updates relevant to past mandated thematic studies of the Expert Mechanism, recommends that the Expert Mechanism adopt this practice on a permanent basis, and encourages States to continue to participate in and contribute to these discussions;

6. *Encourages* States to consider, in cooperation with indigenous peoples and on the basis of past advice of the Expert Mechanism, initiating and strengthening, as appropriate, legislative and policy measures that prioritize education in the design and implementation of national development strategies affecting indigenous peoples, including measures that will strengthen the culture and languages of indigenous peoples;

7. *Welcomes* the completion by the Expert Mechanism of its final study on indigenous peoples and the right to participate in decision-making²⁰ and the inclusion of the examples of good practices at different levels of decision-making therein, including those in connection with the activities of extractive industries, and encourages all interested parties to consider them a practical guide on how to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples;

8. *Requests* the Expert Mechanism to continue to build on its previous studies, including its study on indigenous peoples and the right to participate in decision-making, as laid out in the Expert Mechanism's latest report;

¹⁶ A/HRC/12/33.

¹⁷ A/HRC/18/26.

¹⁸ A/HRC/18/35.

¹⁹ A/HRC/18/43.

²⁰ A/HRC/18/42.

9. *Also requests* the Expert Mechanism to prepare a study on the role of languages and culture in the promotion and protection of the rights and identity of indigenous peoples, and to present it to the Human Rights Council at its twenty-first session;

10. *Further requests* the Expert Mechanism to undertake, with the assistance of the Office of the High Commissioner, a questionnaire to seek the views of States on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples;

11. *Welcomes* the adoption of General Assembly resolution 65/198, in which the Assembly decided to organize a high-level plenary meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, to be held in 2014, in order to share perspectives and best practices on the realization of the rights of indigenous peoples, including to pursue the objectives of the United Nations Declaration on the Rights of Indigenous Peoples, and stresses the importance of the open-ended consultations that will be conducted by the President of the Assembly with Member States and with representatives of indigenous peoples in order to determine the modalities for the meeting, including the participation of indigenous peoples in the Conference;

12. *Also welcomes*, in this regard, the preparatory process, and requests the Expert Mechanism, in accordance with General Assembly resolution 65/198, to discuss the upcoming World Conference and, together with other relevant mechanisms on indigenous peoples' issues, to contribute to the exploration of the modalities for the meeting, including indigenous peoples' participation in the World Conference and its preparatory process;

13. *Requests* the Secretary-General, in cooperation with the Office of the High Commissioner, the Office of Legal Affairs and other relevant parts of the Secretariat, to prepare a detailed document on the ways and means of promoting participation at the United Nations of recognized indigenous peoples' representatives on issues affecting them, given that they are not always organized as non-governmental organizations, and on how such participation might be structured, drawing from, inter alia, the rules governing the participation in various United Nations bodies by non-governmental organizations (including Economic and Social Council resolution 1996/31) and by national human rights institutions (including Human Rights Council resolution 5/1 of 18 June 2007 and Commission on Human Rights resolution 2005/74 of 20 April 2005), and to present it to the Council at its twenty-first session;

14. *Decides* to hold, on an annual basis and within existing resources, a half-day panel discussion on the rights of indigenous peoples and, in this regard, to hold, at its twenty-first session, a half-day panel discussion on access to justice by indigenous peoples;

15. *Welcomes* the role of national human rights institutions established in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) in advancing indigenous issues, and encourages such institutions to develop and strengthen their capacities to fulfil that role effectively, including with the support of the Office of the High Commissioner and, in that regard, welcomes the initiative by the Office and national human rights institutions to develop an operational guide for such institutions with the objective of attaining the goals of the United Nations Declaration on the Rights of Indigenous Peoples, and encourages its widest dissemination upon its completion;

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

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

18. *Encourages* those States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization to consider doing so, and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support by States for that Declaration;

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

20. *Also welcomes* the establishment of the United Nations-Indigenous Peoples Partnership, and encourages the Partnership to carry out its mandate regarding the United Nations Declaration on the Rights of Indigenous Peoples through the mobilization of resources and in close cooperation and coordination with States, indigenous peoples, Human Rights Council mechanisms, United Nations bodies and agencies relating to indigenous peoples, national human rights institutions and other stakeholders;

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

*35th meeting
29 September 2011*

[Adopted without a vote.]

18/9

Resumption of the rights of membership of Libya in the Human Rights Council

The Human Rights Council,

Recalling paragraph 14 of its resolution S-15/1 of 25 February 2011,

Recalling also General Assembly resolution 65/265 of 1 March 2011, in which the Assembly decided to suspend the rights of membership in the Human Rights Council of Libya,

1. *Welcomes* the commitments made by Libya to uphold its obligations under international human rights law, to promote and protect human rights, democracy and the rule of law, and to cooperate with relevant international human rights mechanisms, including the Office of the United Nations High Commissioner for Human Rights and the international commission of inquiry established by the Human Rights Council in its resolution S-15/1;

2. *Recommends* that the General Assembly lift the suspension of the rights of membership of Libya in the Human Rights Council at its current session.

*36th meeting
29 September 2011*

[Adopted without a vote.]

18/10**Human rights and issues related to terrorist hostage-taking**

The Human Rights Council,

Guided by the Charter of the United Nations,

Recalling previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on hostage-taking, on human rights and terrorism and on the promotion and protection of human rights while countering terrorism, in particular Assembly resolutions 61/172 of 19 December 2006 and 64/168 of 18 December 2009, Commission resolutions 2004/44 of 19 April 2004 and 2005/31 of 19 April 2005, Council resolution 13/26 of 26 March 2010, Council decision 15/116 of 7 October 2010 and President's statement PRST/1/2 of 13 November 2006,

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

Recalling further its resolution 5/1 on institution-building of the Human Rights Council of 18 June 2007,

Underlining the importance of all General Assembly resolutions on measures to eliminate international terrorism, including Assembly resolutions 46/51 of 9 December 1991, 60/288 of 8 September 2006 and 64/297 of 8 September 2010, and reaffirming commitments to the United Nations Global Counter-Terrorism Strategy and its four pillars,

Noting Security Council resolutions 1904 (2009) of 17 December 2009, 1963 (2010) of 20 December 2010 and 1989 (2011) of 17 June 2011,

Underlining the importance of the ratification of all relevant international conventions against terrorism, especially the International Convention for the Suppression of the Financing of Terrorism and the International Convention against the Taking of Hostages,

Reaffirming in particular that peace and security, development and human rights are the interrelated pillars of the United Nations system, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Reaffirming that the promotion and protection of human rights for all and the rule of law are essential to the fight against terrorism, and recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals but are complementary and mutually reinforcing,

Expressing concern at the increase in incidents of kidnapping and hostage-taking by terrorists and their negative impact on the realization and the enjoyment of human rights,

Bearing in mind that the Security Council, in its resolution 1963 (2010), noted with concern that terrorism continues to pose a serious threat to international peace and security, the enjoyment of human rights and the social and economic development of all Member States, and undermines global stability and prosperity, that this threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts, and recognized that development, peace and security and human rights are interlinked and mutually reinforcing,

1. *Recognizes* the need to reflect on the question of human rights and issues related to terrorist hostage-taking;

2. *Notes with appreciation* the holding of a panel discussion on the issue of human rights in the context of action taken to address terrorist hostage-taking by the Human Rights Council at its sixteenth session;

3. *Takes note* of the summary of the panel's deliberations prepared by the Office of the United Nations High Commissioner for Human Rights;²¹

4. *Reaffirms* that all acts of terrorism, including acts of hostage-taking, wherever and by whomever they are committed, are serious crimes aimed at the destruction of human rights and are, under all circumstances, unjustifiable;

5. *Recognizes* that the issue of hostage-taking by terrorist groups poses a number of challenges and has an adverse impact not only on the protection of the human rights of hostages but also on the protection and enjoyment of these rights by those living in local communities, including in terms of socio-economic impact and development, in the countries of the regions affected by this scourge, and expresses concern at the fact that actions or measures taken to obtain the release of hostages may compound this adverse impact;

6. *Requests* the Advisory Committee to prepare a study on the issue described in paragraph 5 above for the purposes of promoting awareness and understanding, paying particular attention to its impact on human rights and the role of regional and international cooperation in this field;

7. *Encourages* the Advisory Committee, when elaborating the above-mentioned study, to take into account, as appropriate, and to refrain from duplicating the work done on the issue by competent United Nations bodies and mechanisms, and therefore to adhere strictly to the provisions contained in General Assembly resolution 60/251 and Human Rights Council resolution 5/1;

8. *Requests* the Advisory Committee to submit the study to the Human Rights Council at its twenty-third session and to present an interim report thereon at its twenty-first session.

*36th meeting
29 September 2011*

[Adopted without a vote.]

18/11

Mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Vienna Declaration and Programme of Action,

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

²¹ A/HRC/18/29.

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

Recalling also Human Rights Council resolution 9/1 of 24 September 2008 and all resolutions of the Commission on Human Rights on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, in particular resolutions 1995/81 of 8 March 1995, 2004/17 of 16 April 2004 and 2005/15 of 14 April 2005,

Affirming that the transboundary and national movements and the dumping of hazardous substances and waste may constitute a serious threat to the full enjoyment of human rights,

Affirming also that the way hazardous substances and wastes are managed throughout their lifecycle, including manufacturing, distribution, use and final disposal, may have an adverse impact on the full enjoyment of human rights,

Reiterating that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming that the international community must treat all human rights in a fair and equal manner, on the same footing and with the same emphasis,

Recognizing the importance of not duplicating the work that the United Nations is advancing under multilateral environmental agreements, such as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Stockholm Convention on Persistent Organic Pollutants and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, to globally ensure the environmentally sound management and disposal of hazardous substances and wastes,

1. *Takes note* of the work undertaken by the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights in carrying out his mandate;

2. *Decides* to extend the mandate, with the new title of Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, for a further period of three years;

3. *Requests* the Special Rapporteur to continue to include in his report to the Human Rights Council comprehensive information on the adverse effects that the improper management and disposal of hazardous substances and wastes may have on the enjoyment of human rights, which may include information on:

(a) Human rights issues relating to transnational corporations and other business enterprises regarding environmentally sound management and disposal of hazardous substances and wastes;

(b) The question of rehabilitation of and assistance to victims of human rights violations relating to the management and disposal of hazardous substances and wastes;

(c) The scope of national legislation in relation to the implications for human rights of the management and disposal of hazardous substances and wastes;

(d) The human rights implications of waste-recycling programmes, the transfer of industries, industrial activities and technologies from one country to another and their new trends, including e-wastes and the dismantling of ships;

(e) The question of the ambiguities in international instruments that allow the movement and dumping of hazardous substances and wastes, and any gaps in the effectiveness of international regulatory mechanisms;

4. *Encourages* the Special Rapporteur to carry out his mandate in close cooperation with the United Nations Environment Programme, relevant United Nations agencies, such as the World Health Organization and the International Labour Organization, and the secretariats of relevant international environmental conventions, with a view to mainstreaming human rights into their work and avoiding duplication;

5. *Requests* the Special Rapporteur to develop, in consultation with relevant stakeholders and with the support of the Office of the United Nations High Commissioner for Human Rights, a set of best practices with regard to the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, to be annexed to his final report to the Human Rights Council;

6. *Calls upon* countries to facilitate the work of the Special Rapporteur by providing information and inviting him to undertake country visits;

7. *Encourages* the Special Rapporteur, in accordance with his mandate and with the support and assistance of the Office of the High Commissioner, to continue to provide Governments with an appropriate opportunity to respond to allegations transmitted to him and reflected in his report, and to have their observations reflected in his report to the Human Rights Council;

8. *Requests* the Secretary-General and the High Commissioner to provide the Special Rapporteur with all the necessary assistance for the effective fulfilment of his mandate;

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

*36th meeting
29 September 2011*

[Adopted without a vote.]

18/12

Human rights in the administration of justice, in particular juvenile justice

The Human Rights Council,

Recalling the Universal Declaration of Human Rights and all relevant international treaties, including the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child,

Bearing in mind the numerous other international standards and norms in the field of the administration of justice, in particular of juvenile justice, including the Standard Minimum Rules for the Treatment of Prisoners, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),²² the Basic Principles for the Treatment of Prisoners,²³ the Body of Principles for the Protection of All Persons

²² General Assembly resolution 40/33, annex.

²³ General Assembly resolution 45/111, annex.

under Any Form of Detention or Imprisonment,²⁴ the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines)²⁵ and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules),²⁶ the Guidelines for Action on Children in the Criminal Justice System (the Vienna Guidelines)²⁷ and the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime,²⁸

Welcoming the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), adopted by the General Assembly in its resolution 65/229 on 21 December 2010, as a recent development for due consideration, and the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted by the Assembly in its resolution 65/230 of 21 December 2010,

Recalling all resolutions of the Human Rights Council, the Commission on Human Rights, the General Assembly and the Economic and Social Council relevant to the subject, in particular Human Rights Council resolutions 7/29 of 28 March 2008 and 10/2 of 25 March 2009, Assembly resolutions 62/158 of 18 December 2007, 63/241 of 24 December 2008 and 65/231 of 21 December 2010, and Economic and Social Council resolution 2009/26 of 30 July 2009,

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

Bearing in mind its decision to devote the 2012 full-day meeting on the rights of the child to the question of children and the administration of justice,

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

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

Noting with satisfaction the work of the Interagency Panel on Juvenile Justice and its members, including the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime, the United Nations Development Programme, the Department of Peacekeeping Operations, the Committee on the Rights of the Child and various non-governmental organizations, in particular their coordination in providing technical advice and assistance in juvenile justice, and the active participation of civil society in its respective work,

Reaffirming that an independent and impartial judiciary, an independent legal profession and the integrity of the judicial system are essential prerequisites for the

²⁴ General Assembly resolution 43/173, annex.

²⁵ General Assembly resolution 45/112.

²⁶ General Assembly resolution 45/113.

²⁷ Economic and Social Council resolution 1997/30, annex.

²⁸ Economic and Social Council resolution 2005/20, annex.

protection of human rights and for ensuring that there is no discrimination in the administration of justice,

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

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

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

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

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

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

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

1. *Welcomes* the latest reports of the Secretary-General submitted to the Human Rights Council on human rights in the administration of justice, including juvenile justice;²⁹

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

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

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

5. *Stresses* the special need for national capacity-building in the field of the administration of justice, in particular to establish and maintain stable societies and the rule

²⁹ A/HRC/14/34 and 35.

of law in post-conflict situations, through reform of the judiciary, the police and the penal system, as well as juvenile justice reform;

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

7. *Encourages* States to pay due attention to the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders when developing and implementing relevant legislation, procedures, policies and practices, and invites relevant special procedures mandate holders, the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and all other relevant organizations to take these rules into consideration in their activities;

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

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

10. *Encourages* States to foster close cooperation between the justice sectors, different services in charge of law enforcement, social welfare and education sectors in order to promote the use and improved application of alternative measures in juvenile justice;

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

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

13. *Urges* States to ensure that, under their legislation and practice, neither capital punishment nor life imprisonment without the possibility of release is imposed for offences committed by persons under 18 years of age;

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

15. *Urges* States to take all appropriate measures so that children who are victims of human trafficking are not subject to criminal sanctions for their involvement in unlawful

activities to the extent that such involvement is a direct consequence of their situation as trafficked persons;

16. *Encourages* States to collect relevant information concerning children within their criminal justice systems so as to improve their administration of justice, while being mindful of the children's right to privacy, with full respect for relevant international human rights instruments, and bearing in mind applicable international standards on human rights in the administration of justice;

17. *Calls upon* States to consider establishing independent national or subnational mechanisms to contribute to monitoring and safeguarding the rights of children, including children within their criminal justice systems, and to address children's concerns;

18. *Stresses* the importance of paying greater attention to the impact of the imprisonment of parents on their children, while noting with interest the day of general discussion on the theme "The situation of children of incarcerated parents", to be organized in 2011 by the Committee on the Rights of the Child;

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

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

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

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

23. *Notes with appreciation* the decision to establish an open-ended intergovernmental expert group to exchange information on best practices, as well as on national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices, with a view to making recommendations to the Commission on Crime Prevention and Criminal Justice on possible next steps, and, in this regard, invites the expert group to benefit from the expertise of the Office of the High Commissioner and other relevant stakeholders;

24. *Invites* the Office of the High Commissioner to collaborate, within existing resources, with the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children in the organization of an expert consultation on prevention of and responses to violence against children within the juvenile justice system, and to submit a report thereon;

25. *Requests* the High Commissioner to submit an analytical report to the Human Rights Council at its twenty-first session on the protection of human rights of juveniles deprived of their liberty, mindful of all applicable human rights standards and taking into account the work of all relevant human rights mechanisms of the United Nations;

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

*36th meeting
29 September 2011*

[Adopted without a vote.]

18/13

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

The Human Rights Council,

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

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

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

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

Expressing concern about continued human rights violations around the world,

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

Recalling also Human Rights Council resolution 14/5 of 17 June 2010,

1. *Affirms* the importance of effective preventive measures as a part of overall strategies for the promotion and protection of all human rights;

2. *Recognizes* that States have the primary responsibility for the promotion and protection of all human rights, including the prevention of human rights violations, and that this responsibility involves all branches of the State;

3. *Stresses* that States should promote supportive and enabling environments for the prevention of human rights violations, including, inter alia, by:

- (a) Considering ratifying international human rights conventions and covenants;
- (b) Fully implementing international human rights conventions and covenants to which they are party;
- (c) Developing good governance, democratic systems, the rule of law and accountability;
- (d) Adopting policies to ensure the enjoyment of all human rights;
- (e) Addressing all forms of discrimination, as well as factors, inter alia, inequality and poverty, that may lead to situations in which human rights violations are committed;

- (f) Promoting a free and active civil society;
- (g) Promoting freedom of expression;
- (h) Ensuring, where they exist, strong and independent national human rights institutions, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);
- (i) Promoting human rights education and training, in particular for State actors;
- (j) Ensuring an independent and functioning judiciary;
- (k) Fighting corruption;

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

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

6. *Welcomes* the submission of the report of the Office of the United Nations High Commissioner for Human Rights on the Workshop on the Role of Prevention in the Promotion and Protection of Human Rights,³⁰ and takes note of the conclusions and recommendations therein;

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

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

9. *Encourages* the Office of the High Commissioner to prepare, in close cooperation with the mandate holders of the Human Rights Council, within existing resources, a practical toolkit to support States and other stakeholders in understanding the role of prevention in the promotion and protection of human rights, and to present the toolkit to the Council at its twenty-second session;

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

*36th meeting
29 September 2011*

[Adopted without a vote.]

18/14 Regional arrangements for the promotion and protection of human rights

The Human Rights Council,

³⁰ A/HRC/18/24.

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

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

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

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

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

1. *Takes note with appreciation* of the report of the Office of the United Nations High Commissioner for Human Rights on the workshop on enhancing cooperation between international and regional mechanisms for the promotion and protection of human rights,³¹ held in Geneva on 3 and 4 May 2010, including its conclusions and recommendations;

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

3. *Expresses its appreciation* for the interregional efforts made by the Member States of the Organization of Islamic Cooperation, as manifested by the establishment of the Independent Permanent Human Rights Commission;

4. *Requests* the High Commissioner to hold, in 2012, a workshop on regional arrangements for the promotion and protection of human rights to take stock of developments since the workshop in 2010, including a thematic discussion based on the concrete and practical experience of regional mechanisms, in order to share information on best practices, lessons learned and new possible forms of cooperation, with the participation of relevant experts from international, regional, subregional and interregional human rights mechanisms, as well as of Member States, observers, national human rights institutions and non-governmental organizations;

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

*36th meeting
29 September 2011*

[Adopted without a vote.]

³¹ A/HRC/15/56.

18/15

The incompatibility between democracy and racism

The Human Rights Council,

Guided by the Universal Declaration of Human Rights, the Charter of the United Nations, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international documents,

Recalling the commitment reached in the Vienna Declaration and Programme of Action concerning the elimination of racism, racial discrimination, xenophobia and related intolerance,

Recalling also the Durban Declaration and Programme of Action, adopted in September 2001 at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

Recalling further Human Rights Council decision 2/106 of 27 November 2006 and Commission on Human Rights resolutions 2000/40 of 20 April 2000, 2001/43 of 23 April 2001, 2002/39 of 23 April 2002, 2003/41 of 23 April 2003, 2004/38 of 19 April 2004 and 2005/36 of 19 April 2005, on the incompatibility between democracy and racism,

Acknowledging that the Durban Declaration and Programme of Action, in its paragraphs 81 and 85, and the outcome document of the Durban Review Conference, in its paragraphs 10 and 11, recognize the incompatibility between democracy and racism,

Remaining alarmed by the rise of racism, racial discrimination, xenophobia and related intolerance in political circles, in the sphere of public opinion and in society at large,

Acknowledging that the United Nations Declaration on the Rights of Indigenous Peoples, in its second, third and fifth preambular paragraphs, recognizes, inter alia, that the diversity and richness of civilizations and cultures constitute the common heritage of humankind,

Recognizing that individuals belonging to groups in a vulnerable situation, such as migrants, refugees, asylum seekers and persons belonging to national or ethnic, religious and linguistic minorities, continue to be the main victims of violence and attacks perpetrated or incited by extremist political parties, movements and groups,

Reaffirming that acts of racial violence do not constitute legitimate expressions of opinion, but rather unlawful acts or offences, and that acts of racism and discrimination endorsed by Governments and public authorities may threaten democracy,

Recognizing the importance of freedom of speech and expression and the fundamental role of education and other active policies in the promotion of tolerance and respect for others and in the construction of pluralistic and inclusive societies,

1. *Reaffirms* that racism, racial discrimination, xenophobia and related intolerance condoned by governmental policies violate human rights, as established in the relevant international and regional human rights instruments, and may endanger friendly relations and cooperation among nations, international peace and security and the harmony of persons living side by side within one and the same State;

2. *Also reaffirms* that any form of impunity condoned by public authorities for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such acts;

3. *Emphasizes* that democracy, transparent, responsible, accountable and participatory governance responsive to the needs and aspirations of the people, and respect for human rights, fundamental freedoms and the rule of law are essential for the effective prevention and elimination of racism, racial discrimination, xenophobia and related intolerance;

4. *Also emphasizes* that the elimination of all forms of discrimination as well as diverse forms of intolerance, the promotion and protection of rights of indigenous peoples and the respect for ethnic, cultural and religious diversity contribute to strengthening and promoting democracy and political participation;

5. *Condemns* political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination, as well as legislation and practices based on racism, racial discrimination, xenophobia and related intolerance, as incompatible with democracy and transparent and accountable governance;

6. *Urges* States to reinforce their commitment to promote tolerance and human rights and to fight against racism, racial discrimination, xenophobia and related intolerance as a way to strengthen democracy, the rule of law and transparent and accountable governance;

7. *Also urges* States to ensure that their political and legal systems reflect the multicultural diversity within their societies through promoting diversity, and to improve democratic institutions, making them more fully participatory and inclusive and avoiding marginalization and exclusion of, and discrimination against, specific sectors of society;

8. *Underlines* the key role that political leaders and political parties can and ought to play in strengthening democracy by combating racism, racial discrimination, xenophobia and related intolerance, and encourages political parties to take concrete steps to promote respect, solidarity and tolerance, and, in that respect, recognizes, inter alia, that developing voluntary codes of conduct that include internal disciplinary measures for violations thereof, so their members refrain from public statements and actions that encourage or incite racism, racial discrimination, xenophobia and related intolerance, can help combat such manifestations;

9. *Emphasizes* the obligations of States under international law, as applicable, to exercise due diligence to prevent crimes against migrants perpetrated with racist or xenophobic motivations, to investigate such crimes and to punish the perpetrators, and that not doing so violates — and impairs or nullifies the enjoyment of — the human rights and fundamental freedoms of victims, and urges States to reinforce measures in this regard;

10. *Also emphasizes* that human rights education and training is a key tool in countering the rise of extremist political parties, movements and groups, and that educational measures are crucial in promoting human rights and democratic values at an early age;

11. *Stresses* the need to increase appropriate preventive measures to eliminate all forms of racial discrimination, emphasizes the important role that Governments, political leaders, international and regional organizations, national human rights institutions, the media, non-governmental organizations and civil society can play in developing such measures, and encourages them to remain vigilant against the penetration of racist and xenophobic ideas into the political platforms of democratic parties;

12. *Encourages* States to consider developing public information and awareness-raising and education campaigns with a transdisciplinary approach with a view to combating discrimination and intolerance;

13. *Stresses* the need to implement fully the obligations under the International Convention on the Elimination of All Forms of Racial Discrimination as the principal convention in the fight against racism;

14. *Invites* the relevant mechanisms of the Human Rights Council and United Nations treaty bodies to continue to pay particular attention to violations of human rights stemming from the rise of racism and xenophobia in political circles and society at large, especially with regard to their incompatibility with democracy;

15. *Takes note* of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the implementation of General Assembly resolution 65/199³² and its pertinent recommendations;

16. *Invites* the United Nations High Commissioner for Human Rights to report to the Human Rights Council at its twenty-first session on the implementation of the present resolution.

*36th meeting
29 September 2011*

[Adopted without a vote.]

18/16

Technical assistance for the Sudan in the field of human rights

The Human Rights Council,

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

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

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

Recognizing the developments taking place in the Sudan, and the efforts of the Government of the Sudan in the promotion and protection of human rights,

1. *Takes note*³³ of the report of the independent expert on the situation of human rights in the Sudan and the addendum thereto, submitted to the Human Rights Council at its eighteenth session;

2. *Commends* the cooperation extended by the Government of the Sudan to the independent expert and to the United Nations and African Union missions in the Sudan in the field of human rights and international humanitarian law;

3. *Also commends* the efforts made by the Government of the Sudan in completing the implementation process of the Comprehensive Peace Agreement, and appreciates the genuine role played by the Government in holding the historic referendum on self-determination for South Sudan as scheduled from 9 to 15 January 2011, and urges all parties to continue their efforts to implement the remaining obligations stipulated in the Agreement;

³² A/HRC/18/44.

³³ A/HRC/18/40 and Add.1.

4. *Expresses its appreciation* to the Government of the Sudan for its immediate recognition of the State of South Sudan;
5. *Welcomes* the signing of the Doha Document for Peace in Darfur, and urges non-signatory groups to join it without delay;
6. *Also welcomes* the continued work of the Sudanese Advisory Council for Human Rights aimed at the promotion and protection of human rights in the country;
7. *Welcomes* the submission by the Government of the Sudan of its first report under the universal periodic review mechanism,³⁴ the adoption of its outcome,³⁵ and the commitment made by the Government to implement accepted recommendations, and notes that a number of those recommendations call for the provision of support and technical assistance to the Government;
8. *Notes with concern* the humanitarian situation in the provinces of South Kordofan and Blue Nile, and calls upon all parties to make every effort to immediately end violence and halt clashes, to facilitate access for humanitarian assistance and to take action to strengthen the respect of the rule of law in the two provinces, and to respect all human rights and fundamental freedoms;
9. *Requests* Member States, relevant United Nations agencies and stakeholders to support the national efforts of the Government of the Sudan with a view to further improving the human rights situation in the country, and to respond to its requests for technical assistance;
10. *Urges* the Office of the United Nations High Commissioner for Human Rights to provide the Sudan with the necessary technical support and training;
11. *Decides* to renew for a period of one year the mandate of the independent expert on the situation of human rights in the Sudan under agenda item 10, requests the independent expert to engage with the Government of the Sudan with a view to identifying areas of assistance that will aid the Sudan to fulfil its human rights obligations, and to submit a report to the Human Rights Council for consideration at its twenty-first session, and requests the Secretary-General to provide the independent expert with all the assistance necessary for him to discharge his mandate fully;
12. *Decides* to consider this issue in accordance with its programme of work under agenda item 10.

*36th meeting
29 September 2011*

[Adopted without a vote.]

18/17 Technical assistance and capacity-building for South Sudan in the field of human rights

The Human Rights Council,

Welcoming the Republic of South Sudan as a new State and Member of the United Nations,

³⁴ A/HRC/WG.6/11/SDN/1.

³⁵ A/HRC/18/6.

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and relevant human rights treaties,

Reaffirming the commitment of all States to promote and protect human rights and fundamental freedoms as enshrined in, inter alia, the Charter of the United Nations and the Universal Declaration of Human Rights, and the obligation of all States to comply with international human rights treaties to which they are party,

Welcoming the commitment of the Government of South Sudan to promote and respect human rights and fundamental freedoms,

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

Recalling the reports of the Special Rapporteur and the independent expert on the situation of human rights in the Sudan, and the findings and recommendations contained therein,

1. *Welcomes* the establishment of the Republic of South Sudan on 9 July 2011 upon its proclamation as an independent State;

2. *Also welcomes* the commitments made by the Government of South Sudan to strengthen national mechanisms of promotion and protection of human rights, and calls on the Government to implement those commitments;

3. *Calls upon* the Government of South Sudan to strengthen ongoing cooperation with the United Nations Mission in South Sudan on issues pertaining to the promotion and protection of human rights, and calls upon all parties to make every effort to prevent violence;

4. *Encourages* the international community to provide the Government of South Sudan with technical and financial assistance and to support its efforts to promote and protect human rights;

5. *Invites* the Office of the United High Commissioner for Human Rights, in collaboration with the Government of South Sudan, to identify and assess areas of assistance and, upon its request, to assist the Government in its efforts to promote and protect human rights;

6. *Calls upon* States Members of the United Nations, in the framework of international cooperation, relevant United Nations agencies and international financial institutions, to provide the Government of South Sudan, upon its request, with appropriate technical assistance and capacity-building to promote respect for human rights;

7. *Requests* the Office of the High Commissioner to present a report on the implementation of the present resolution to the Human Rights Council at its twenty-first session.

*36th meeting
29 September 2011*

[Adopted without a vote.]

**18/18
Enhancement of technical cooperation and capacity-building in the
field of human rights**

The Human Rights Council,

Guided by the purposes and principles of the United Nations, particularly with regard to achieving international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

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

Recognizing that the enhancement of international cooperation is essential for the effective promotion and protection of human rights,

Emphasizing that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of States to comply with their human rights obligations for the benefit of all human beings,

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

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

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

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

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

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

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

3. *Decides* to hold, within the framework of agenda item 10, an annual thematic discussion to promote the sharing of experiences and best practices and technical cooperation in the promotion and protection of human rights;

4. *Also decides* that the theme and work format of the discussion shall be approved by the Human Rights Council on an annual basis, in line with Human Rights Council resolution 5/1 and 16/21, and that the first discussion to be held at the nineteenth session of the Council shall be based on the theme “Sharing of best practices and promoting technical cooperation: paving the way towards the second cycle of the universal periodic review”;

5. *Requests* the Office of the United Nations High Commissioner for Human Rights to liaise with States, relevant United Nations bodies and agencies, relevant special procedures and other stakeholders, including, where applicable, those involved in technical cooperation projects that demonstrate best practices, constructive engagement and positive impact on the ground, with a view to ensuring their participation in the discussion;

6. *Takes note* of the information on technical assistance and capacity-building provided in the annual report of the Office of the High Commissioner, and encourages the Office to make available to the public, through its reports and website, on the basis of the request for technical cooperation and capacity building submitted by the State concerned, information on:

(a) Technical assistance and capacity-building provided by the Office and other relevant United Nations agencies to States in the implementation of their human rights obligations and voluntary pledges and commitments, including their accepted universal periodic review recommendations;

(b) The ongoing needs of States, with the consent of the State concerned, for technical assistance from the Office and other relevant United Nations agencies;

(c) Areas of technical assistance where more resources are needed;

7. *Invites* the High Commissioner to make an annual presentation, under agenda item 10, on the overview of and successes, best practices and challenges in technical assistance and capacity-building efforts, particularly those provided by the Office of the High Commissioner and relevant United Nations agencies, starting from the twentieth session of the Council;

8. *Invites* the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights to present a comprehensive report on the Board's work to the Human Rights Council on an annual basis, starting from the twentieth session of the Council, and encourages the chairpersons of the boards of trustees of other funds administered by the Office of the High Commissioner to support activities in the area of technical assistance and capacity-building to make a presentation at the same session;

9. *Encourages* Members and observers of the Human Rights Council to use, where relevant, the general debate under agenda item 10 as a platform to share experiences, challenges and information on assistance needed in the implementation of their human rights obligations and voluntary pledges and commitments, including accepted universal periodic review recommendations, as well as their achievements and good practices in the area of technical cooperation in the field of human rights, particularly in response to the information on technical assistance and capacity-building provided for under paragraphs 7 and 8 above;

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

11. *Encourages* States in need of assistance to consider requesting technical assistance from the Office of High Commissioner and the United Nations representation at the national and regional levels in the implementation of their human rights obligations and voluntary pledges and commitments, including accepted universal periodic review recommendations, and strongly encourages the Office of the High Commissioner and respective United Nations representations to respond favourably to such requests;

12. *Stresses* the importance of enhancing coordination between the Office of the High Commissioner and other United Nations agencies in their technical cooperation and capacity-building efforts, and encourages the sharing of information on a regular basis among the Office, other relevant United Nations agencies and the States concerned on technical assistance and capacity-building efforts undertaken at the national level;

13. *Encourages* special procedures mandate holders, in their interaction with States, to share information of their knowledge relating to best practices and the possibility of technical assistance and capacity-building in the promotion and protection of human rights within their respective mandates;

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

*36th meeting
29 September 2011*

[Adopted without a vote.]

18/19

Technical assistance and capacity-building for Yemen in the field of human rights

The Human Rights Council,

Having conducted broad consultations and discussions with the Government of Yemen, and commending the cooperation that the Government has manifested in dealing with the mission of the Office of the United Nations High Commissioner for Human Rights that visited Yemen from 28 June to 6 July 2011, upon the invitation of the Government, and based on the recommendations contained in the report of the mission³⁶ as well as the comments provided by the Government on the report and the said recommendations, and the statement made by the Government to the Human Rights Council at the present session,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the assessment mission to Yemen³⁶ and the interactive dialogue held during the eighteenth session of the Human Rights Council, as well as the statements, observations and comments made by the Government of Yemen;

2. *Calls upon* the Government of Yemen and the other parties to address the recommendations made in the report of the High Commissioner, while acknowledging the Government's response during the interactive dialogue, in addition to the State's formal replies, comments on the report and willingness to cooperate with the United Nations and the Office of the High Commissioner;

3. *Notes* the announcement of the Government of Yemen that it will launch transparent and independent investigations, which will adhere to international standards, into credible documented allegations of human rights violations through an independent committee and in consultation with political parties;

³⁶ A/HRC/18/21.

4. *Calls upon* all parties to cooperate with the above-mentioned investigations;
5. *Condemns* all violations of human rights in Yemen by all parties;
6. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect human rights;
7. *Calls upon* all parties to move forward with negotiations on an inclusive, orderly and Yemeni-led process of political transition on the basis of the initiative of the Gulf Cooperation Council;
8. *Calls upon* the Government of Yemen and the High Commissioner to develop a framework for continued dialogue and strengthened cooperation in the field of human rights, and the international community to support this cooperation;
9. *Invites* the Office of the High Commissioner to coordinate with donors on ways to assist the Government of Yemen and non-governmental organizations with capacity-building for the establishment of a national human rights institution;
10. *Requests* the Office of the High Commissioner to present a progress report on the situation of human rights in Yemen and the follow-up to the present resolution to the Human Rights Council at its nineteenth session.

*36th meeting
29 September 2011*

[Adopted without a vote.]

18/20

Panel on the promotion and protection of human rights in a multicultural context, including through combating xenophobia, discrimination and intolerance

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant instruments,

Reaffirming the pledge made by all States under the Charter to promote and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Reaffirming also that, as stated in the Universal Declaration of Human Rights, all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling the 2005 World Summit Outcome adopted by the General Assembly in its resolution 60/1 of 16 September 2005, in which the Assembly emphasized the responsibilities of all States, in conformity with the Charter, to respect human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language or religion, political or other opinion, national or social origin, property, birth or other status, and acknowledged the importance of respect and understanding for religious and cultural diversity throughout the world,

Welcoming the resolve expressed in the United Nations Millennium Declaration, adopted by the General Assembly in its resolution 55/2 of 8 September 2000, to take measures to eliminate the increasing acts of racism and xenophobia in many societies and

to promote greater harmony and tolerance in all societies, and looking forward to its effective implementation at all levels,

Reaffirming the landmark importance of the Vienna Declaration and Programme of Action in the pursuit of the universal promotion and protection of human rights and its continued relevance in responding to contemporary challenges,

Recalling the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, approved by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 20 October 2005,

Recalling also that cultural diversity, flourishing within a framework of democracy, tolerance, social justice and mutual respect between peoples and cultures is indispensable for peace and security at the local, national and international levels,

Recognizing the importance of cultural diversity for the full realization of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and other universally recognized instruments,

Recognizing also the contribution that diverse cultures have been making to the development and promotion of human rights and fundamental freedoms,

Bearing in mind that multiculturalism, solidarity, respect and tolerance can play an important role in the promotion and protection of human rights by combating xenophobia, violence and discrimination,

Bearing in mind also that the promotion and upholding of tolerance, respect, pluralism and diversity is essential for the promotion and protection of human rights in multicultural contexts and, in particular, for combating racism, xenophobia, intolerance and discrimination,

Recalling the primary responsibility of States in the promotion and protection of human rights,

Recalling also that, as expressed in the Universal Declaration on Cultural Diversity, no one may invoke cultural diversity to infringe upon the human rights guaranteed by international law, nor to limit their scope,

1. *Emphasizes* that the universal promotion and protection of human rights, including cultural rights, and mutual respect for cultural diversity should reinforce each other;

2. *Stresses* the importance of adopting policies that ensure non-discrimination and equitable access to social, political and economic rights, thus reducing disadvantage and inequality;

3. *Decides* to convene, within existing resources, at its twentieth session, a panel discussion on the promotion and protection of human rights in a multicultural context, including through combating xenophobia, discrimination and intolerance;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to liaise with relevant special procedures and treaty bodies, States and other stakeholders, including relevant United Nations bodies and agencies, with a view to ensuring their participation in the panel discussion;

5. *Also requests* the Office of the High Commissioner to prepare a report on the outcome of the panel discussion in the form of a summary.

*36th meeting
29 September 2011*

[Adopted by a recorded vote of 37 to 1, with 8 abstentions. The voting was as follows:

In favour:

Angola, Bangladesh, Benin, Botswana, Burkina Faso, Cameroon, Chile, China, Congo, Costa Rica, Cuba, Djibouti, Ecuador, Guatemala, India, Indonesia, Italy, Jordan, Kuwait, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Norway, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Spain, Thailand, Uganda, Uruguay

Against:

United States of America

Abstaining:

Austria, Belgium, Czech Republic, Hungary, Poland, Republic of Moldova, Romania, Switzerland]

18/21

The human rights of migrants

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the Vienna Convention on Consular Relations, the Convention on the Rights of Persons with Disabilities and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the relevance of these treaties in the protection of all migrants,

Recalling also previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the protection of the human rights of migrants, and the work of various special mechanisms of the Council that have reported on the situation of human rights and fundamental freedoms of migrants,

Recalling further the importance of the decent work agenda of the International Labour Organization, including for migrant workers, the eight fundamental Conventions of that Organization and the Global Jobs Pact adopted by the International Labour Conference at its ninety-eighth session, as a general framework within which each country can formulate policy packages specific to its situation and national priorities in order to promote a job-intensive recovery and sustainable development,

Recalling General Assembly resolution 65/170 of 20 December 2010, in which the Assembly acknowledged the important nexus between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries of origin, transit and destination,

Acknowledging the successful negotiation of International Labour Organization Convention No. 189 concerning Decent Work for Domestic Workers, adopted on 16 June 2011,

Recognizing the efforts made to ensure respect for the human rights and fundamental freedoms of migrants,

Reaffirming the resolve to take further measures to ensure respect for and protection of the human rights of migrants, migrant workers and members of their families,

Bearing in mind the obligations of States under international law, as applicable, to exercise due diligence to prevent crimes against migrants, including those perpetrated with racist or xenophobic motivations, to investigate such crimes and to punish the perpetrators, and that not doing so violates — and impairs or nullifies the enjoyment of — the human rights and fundamental freedoms of victims, and urging States to reinforce measures in this regard, including international cooperation,

Bearing in mind also that the exercise of human rights and fundamental freedoms may only be subject to limitations and restrictions as provided by international law,

Recalling that migrant workers are among the most vulnerable in the context of the financial and economic crisis and that remittances, which are significant private financial sources for households, have been negatively affected by rising unemployment and weak earnings growth among migrant workers in some countries of destination,

Expressing concern that female migrant workers engaged in domestic services are among the most vulnerable groups of migrant workers, some of whom are subject to a widespread pattern of physical, sexual and psychological abuse and exposure to health and safety threats without adequate information about associated risks and precautions,

Expressing concern also at the fact that the vulnerable situation of migrants may result in violations of their human rights in countries of origin, transit and destination,

Recalling the Global Forum on Migration and Development process, including the debates on migratory mobility, which emphasize the importance of facilitating access to regular forms of migration and, where applicable, to social services, including health, that contribute to the strengthening of the personal development prospects and outcomes for migrants and their families,

Considering that migrants who are non-documented or in an irregular situation are frequently employed under less favourable conditions of work than other workers, and that certain employers find this an inducement to seek such labour in order to reap the benefits of unfair competition,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time when migration flows have increased in the globalized economy and take place in a context of new security concerns,

Mindful of the fact that, in the fulfilment of their obligations to protect human rights, States of origin, transit and destination can benefit from schemes of international cooperation,

1. *Takes note* of the report of the Special Rapporteur on the human rights of migrants,³⁷

³⁷ A/HRC/17/33.

2. *Calls upon* States that have not yet signed, ratified or acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families to consider doing so as a matter of priority, and requests the Secretary-General to continue his efforts to promote and raise awareness of the Convention;

3. *Stresses* the obligation of States to protect the human rights of migrants, regardless of their legal status, and also to take into account the principles and standards set forth in relevant international instruments that protect labour-related human rights;

4. *Expresses its concern* at legislation and measures adopted by some States that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

5. *Calls upon* all States to ensure that their immigration policies are consistent with their obligations under international human rights law;

6. *Reaffirms* the fact that all migrants are entitled to equal protection by the law, and that all persons, regardless of their migratory status, are equal before the courts and tribunals and, in the determination of his/her rights and obligations in a suit at law, are entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law;

7. *Also reaffirms* the rights set forth in the Universal Declaration of Human Rights and the obligations of States under the International Covenants on Human Rights and, in this regard, strongly condemns the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges States to apply and, where needed, reinforce existing laws when xenophobic or intolerant acts, manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

8. *Requests* all States to firmly protect the human rights of migrants relating to their conditions of work, regardless of their migratory status, in particular the right to equal pay for equal work;

9. *Stresses* that migrants have the right, without any discrimination, to just and favourable conditions of work and should have the appropriate means to pursue that right, including through the protection of the rights to peaceful assembly and to freedom of association;

10. *Reaffirms* that, once a migrant assumes an employment relationship, regardless of their immigration status, the State in which he or she is employed has the obligation to ensure the respect of their labour-related human rights, as contained in the international instruments to which the State is a party;

11. *Welcomes* programmes and policies implemented by some States of destination that promote the full respect of the labour-related human rights of migrants, regardless of their immigration status, as well as initiatives of States of origin to promote labour markets;

12. *Urges* all States to strengthen measures to protect the human rights of migrant workers in times of humanitarian crisis;

13. *Encourages* countries of origin, transit and destination to seek technical assistance and/or to collaborate with the Office of the United Nations High Commissioner for Human Rights to better promote and protect the human rights of migrants;

14. *Requests* the Special Rapporteur on the human rights of migrants to continue his efforts to promote and support the building of greater synergies between States to strengthen cooperation for the protection of the human rights of all migrant workers and their families;

15. *Also requests* the Special Rapporteur to continue to report on best practices of States to protect the human rights of all migrant workers.

*37th meeting
30 September 2011*

[Adopted without a vote.]

18/22 Human rights and climate change

The Human Rights Council,

Guided by the Charter of the United Nations, and reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Vienna Declaration and Programme of Action,

Bearing in mind that 2011 marks the twenty-fifth anniversary of the Declaration on the Right to Development,

Recalling its resolutions 7/23 of 28 March 2008 and 10/4 of 25 March 2009, on human rights and climate change, and 16/11 of 24 March 2011, on human rights and the environment,

Reaffirming the United Nations Framework Convention on Climate Change and the objectives and principles thereof, and emphasizing that parties should, in all climate change-related actions, fully respect human rights as enunciated in the outcome of the sixteenth session of the Conference of the Parties to the Convention,³⁸

Reaffirming also the commitment to enable the full, effective and sustained implementation of the United Nations Framework Convention on Climate Change through long-term cooperative action, now, up to and beyond 2012, in order to achieve the ultimate objective of the Convention,

Reaffirming further the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development, and recognizing that human beings are at the centre of concerns for sustainable development and that the right to development must be fulfilled so as to equitably meet the developmental and environmental needs of present and future generations,

Welcoming the decision to organize, in June 2012, the United Nations Conference on Sustainable Development in Rio de Janeiro, and taking note of the invitation of the General Assembly, in its resolution 64/236 of 20 December 2009, to organizations and bodies of the United Nations to contribute to the preparatory process for the Conference,

Recognizing the challenges of climate change to development and to the progress made towards the achievement of the Millennium Development Goals, in particular with

³⁸ FCCC/CP/2010/7/Add.1, dec.1/CP.16.

regard to the goals on the eradication of extreme poverty and hunger, on environmental sustainability and on health,

Acknowledging that, as stated in the United Nations Framework Convention on Climate Change, the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,

Acknowledging also that, as stated in the United Nations Framework Convention on Climate Change, responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding adverse impacts on the latter, taking into full account the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Taking note of the report of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and human rights,³⁹ the panel discussion on the relationship between climate change and human rights, held on 15 June 2009, at the eleventh session of the Human Rights Council, and the 2010 Social Forum, which focused on the relationship between climate change and human rights,

Emphasizing that climate change-related impacts have a range of implications, both direct and indirect, for the effective enjoyment of human rights, including, inter alia, the right to life, the right to adequate food, the right to the highest attainable standard of health, the right to adequate housing, the right to self-determination and the right to safe drinking water and sanitation, and recalling that in no case may a people be deprived of its own means of subsistence,

Expressing concern that, while these implications affect individuals and communities around the world, the effects of climate change will be felt most acutely by those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability,

Recognizing that climate change is a global problem requiring a global solution, and that effective international cooperation to enable the full, effective and sustained implementation of the United Nations Framework Convention on Climate Change in accordance with the provisions and principles of the Convention is important in order to support national efforts for the realization of human rights implicated by climate change-related impacts,

Affirming that human rights obligations, standards and principles have the potential to inform and strengthen international and national policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes,

1. *Reiterates its concern* that climate change poses an immediate and far-reaching threat to people and communities around the world and has adverse implications for the full enjoyment of human rights;
2. *Requests* the Office of the United Nations High Commissioner for Human Rights:

³⁹ A/HRC/10/61.

(a) To convene, prior to the nineteenth session of the Human Rights Council, a seminar on addressing the adverse impacts of climate change on the full enjoyment of human rights, with a view to following up on the call for respecting human rights in all climate change-related actions and policies, and forging stronger interface and cooperation between the human rights and climate change communities;

(b) To invite States and other relevant stakeholders, including academic experts, civil society organizations and representatives of those segments of the population most vulnerable to climate change, to participate actively in the seminar;

(c) To invite the secretariat of the United Nations Framework Convention on Climate Change, the United Nations Environment Programme and the United Nations Development Programme to help organize the seminar, informed by the best available science, including the assessment reports and special reports of the Intergovernmental Panel on Climate Change;

3. *Decides* that the seminar will build on the previous work of the Human Rights Council and its mechanisms, such as the Social Forum and relevant special procedures, while taking into account the outcome of the sixteenth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Cancun, in 2010, and any pertinent issues arising from the seventeenth session of the Conference of the Parties to the Convention, to be held in Durban, in 2011;

4. *Requests* the Office of the High Commissioner:

(a) To submit to the Human Rights Council, at its twentieth session, a summary report on the above-mentioned seminar, including any recommendations stemming therefrom, for consideration of further follow-up action;

(b) To make available to the Conference of the Parties to the United Nations Framework Convention on Climate Change, at its eighteenth session, the summary report of the seminar;

5. *Requests* the Secretary-General and the High Commissioner to provide all the human and technical assistance necessary for the effective and timely realization of the above-mentioned seminar and summary report;

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

*37th meeting
30 September 2011*

[Adopted without a vote.]

18/23

Promoting awareness, understanding and the application of the Universal Declaration of Human Rights through sport and the Olympic ideal

The Human Rights Council,

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

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

Recognizing also that sport and major sporting events can be used to promote awareness, understanding and the application of the Universal Declaration of Human Rights,

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

Recognizing the contribution of the Special Adviser to the Secretary-General on Sport for Development and Peace and the United Nations Office on Sport for Development and Peace to identify synergy and complementarity between sport and the work of the United Nations to promote the values of diversity, tolerance and fairness and as a means to combat all forms of discrimination,

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

Recalling Human Rights Council resolution 9/14 of 18 September 2008, in which the Council urged the United Nations High Commissioner for Human Rights to take measures, in consultation with various international sporting and other organizations, to enable them to contribute to the struggle against racism and racial discrimination,

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

Recognizing also that special attention needs to be paid to ensuring non-discrimination, including the equal enjoyment of all human rights and fundamental freedoms by persons with disabilities, including their active participation in all aspects of society, including sports,

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

Acknowledging also the benefits of regular sport, physical activity and play in the realization of the right to the enjoyment of the highest attainable standard of physical and mental health and as a means to prevent and treat illness and disease,

Recalling General Assembly resolution 65/4 of 18 October 2010, on sport as a means to promote education, health, development and peace, in which the Assembly emphasized and encouraged the use of sport as a vehicle to foster development and strengthen education for children and young persons; prevent disease and promote health, including the prevention of drug abuse; empower girls and women; foster the inclusion and well-being of persons with disabilities; and facilitate social inclusion, conflict prevention and peacebuilding,

Recalling also General Assembly resolution 64/4 of 19 October 2009, on the building of a peaceful and better world through sport and the Olympic ideal and, in this context, welcoming the adoption on the same date of resolution 64/3, in which the Assembly invited the International Olympic Committee to participate in its sessions and work in the capacity of observer,

Acknowledging the valuable contribution that the appeal launched by the International Olympic Committee for an Olympic Truce could make towards advancing the purposes and principles of the Charter,

Recognizing the need to observe, within the framework of the Charter, the Olympic Truce, individually and collectively, throughout the period beginning with the start of the Games of the XXX Olympiad and ending with the closing of the XIV Paralympic Games,

Welcoming the hosting of the 2012 and 2016 Summer Olympic and Paralympic Games in the cities of London and Rio de Janeiro, respectively, the hosting of the 2014 Winter Olympic and Paralympic Games in Sochi and the 2018 Winter Olympic Games in PyeongChang, and stressing the opportunity to make use of these events to promote awareness of the Universal Declaration of Human Rights among those watching and participating and of how the principles of the Olympic Charter, aimed at, inter alia, non-discrimination, equality, inclusion, respect and mutual understanding, relate to the Declaration and can translate into all aspects of society,

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

1. *Decides* to convene, within existing resources, at its nineteenth session, a high-level interactive panel discussion to highlight, examine and suggest ways in which sport and major sporting events, in particular the Olympic and Paralympic Games, can be used to promote awareness and understanding of the Universal Declaration of Human Rights and the application of the principles enshrined therein;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to liaise with relevant special procedures, States and other stakeholders, including relevant United Nations bodies and agencies, with a view to ensuring their participation in the above-mentioned panel discussion;

3. *Also requests* the Office of the High Commissioner to prepare a report on the outcome of the panel discussion in the form of a summary.

*37th meeting
30 September 2011*

[Adopted without a vote.]

18/24

Advisory services and technical assistance for Burundi

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights treaties,

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

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

Bearing in mind Commission on Human Rights resolution 2004/82 of 21 April 2004 and Human Rights Council resolutions 6/5 of 29 September 2007, 9/19 of 24 September 2008 and 16/34 of 25 March 2011,

1. *Commends* the efforts of the Government of Burundi to promote and protect human rights;

2. *Reaffirms* Human Rights Council resolution 9/19, by which the Council extended the mandate of the independent expert on the situation of human rights in Burundi until the establishment of an independent national human rights commission;

3. *Welcomes* in this regard the adoption of Law 1/04 of 5 January 2011 creating an independent national human rights commission, and the effective establishment of a human rights institution on 23 May 2011;

4. *Takes note* of the holding during its seventeenth session of an interactive dialogue on the report of the independent expert and of his presentation on the completion of the mandate, in which he acknowledged the establishment of an independent national human rights commission, in accordance with the Paris Principles, satisfying therefore the requirements of paragraph 8 of resolution 9/19;

5. *Encourages* the independent national human rights commission to submit a request for accreditation to the International Coordinating Committee of National Human Rights Institutions;

6. *Strongly urges* the international community to increase its technical and financial assistance to the Government of Burundi with a view to supporting its efforts to promote and protect human rights.

*38th meeting
30 September 2011*

[Adopted without a vote.]

18/25

Advisory services and technical assistance for Cambodia

The Human Rights Council,

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

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

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

Recalling further Council resolution 15/20 of 30 September 2010 and other relevant resolutions,

Bearing in mind the report of the Secretary-General on the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights,⁴⁰

Recognizing that the tragic history of Cambodia requires special measures to ensure the protection of human rights and the non-return to the policies and practices of the past, as

⁴⁰ A/HRC/18/47.

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

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

I. Khmer Rouge Tribunal

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

2. *Welcomes* the progress made with regard to the Extraordinary Chambers in the Courts of Cambodia, including the commencement of the trial of case 002 against Nuon Chea, Ieng Sary, Ieng Thirith and Khieu Samphan on 27 June 2011, and supports the position of the Government of Cambodia and the United Nations to proceed with the tribunal in a fair, efficient and expeditious manner, given the advanced age and frail health of the persons charged and the long overdue justice for the people of Cambodia;

3. *Also welcomes* the assistance of a number of States to the Extraordinary Chambers in the Courts of Cambodia and the efforts of the Government of Cambodia to work with the United Nations and the States providing assistance to ensure the highest standards of administration of the Extraordinary Chambers, and invites further assistance for the Extraordinary Chambers in a prompt manner in order to ensure its successful functioning;

II. Democracy and situation of human rights

4. *Welcomes*:

(a) The positive engagement of the Government of Cambodia in the universal periodic review process as well as its acceptance of all the recommendations thereon and the progress so far on their implementation;

(b) The cooperation extended by the Government of Cambodia and the constructive dialogue with the Special Rapporteur on the situation of human rights in Cambodia;

(c) The report of the Special Rapporteur on the situation of human rights in Cambodia⁴¹ and the recommendations contained therein;

(d) The efforts and progress made by the Government of Cambodia in promoting legal reform under the leadership of the Council of Legal and Judicial Reform, including adopting and/or enforcing basic laws, such as the civil procedure code, the civil code, the criminal procedure code and the new penal code;

(e) The work being conducted by the Government of Cambodia to submit three basic draft laws to the National Assembly, whose enactment would enhance the independence of the judicial process, namely the draft Law on the Status of Judges and Prosecutors, the draft Law on the Organization and Functioning of the Courts, and the draft amendment to the Law on the Organization and Functioning of the Supreme Council of the Magistracy;

⁴¹ A/HRC/18/46.

(f) The efforts made by the Government of Cambodia in combating corruption, including the implementation of the new penal code and the anti-corruption law as well as the commencement of activities of the Anti-Corruption Unit;

(g) The efforts made by the Government of Cambodia in combating trafficking in persons for both sexual and economic exploitation;

(h) The efforts made by the Government of Cambodia to resolve land issues through, inter alia, the implementation of relevant laws and regulations as well as dialogue with relevant stakeholders;

(i) The commitments made and the progress achieved by the Government of Cambodia to adhere to and implement its obligations under international human rights treaties and conventions, including its commitment to establish a national human rights institution and to encourage that this be done upon sufficient consultation with relevant stakeholders;

(j) The efforts made by the Government of Cambodia to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women in October 2010;

(k) The efforts made by the Cambodian Human Rights Committee, especially in resolving complaints from individuals;

(l) The efforts and progress made by the Government of Cambodia in promoting decentralization and deconcentration reform with the aim of achieving democratic development by strengthening subnational and grass-roots institutions;

5. *Expresses its concern* about some areas of the human rights situation in Cambodia, and urges the Government of Cambodia:

(a) To continue to strengthen its efforts to establish the rule of law, including through the adoption and further implementation of essential laws and codes for establishing a democratic society;

(b) To continue its efforts at judicial reform, including through the swift adoption and implementation of the above-mentioned three basic laws in order to ensure the independence, impartiality, transparency and effectiveness of the judicial system as a whole, as well as the transfer of knowledge of court officials at the Extraordinary Chambers in the Courts of Cambodia and the sharing of good practices at the Court;

(c) To continue its efforts to combat corruption, including through the implementation of an anti-corruption law;

(d) To continue to enhance its efforts to investigate urgently and to prosecute, in accordance with due process of law and its obligations under international human rights treaties, all those who have perpetrated serious crimes, including violations of human rights;

(e) To enhance its efforts to resolve equitably and expeditiously land ownership and tenure issues in a fair and open manner, taking into consideration the rights of and the actual consequences for the parties concerned and in accordance with relevant laws and regulations, such as the 2001 Land law, the Law on Expropriation, the Circular on Settlement of Illegal Temporary Building in Cities and Urban Areas and the National Housing Policy, as well as by strengthening the capacity and effectiveness of relevant institutions, such as the National Authority for Land Dispute Resolution and cadastral committees at the national, provincial and district levels;

(f) To make continuous efforts to promote an environment conducive to the conduct of legitimate political activity by all political parties so that the forthcoming local and national elections will be held in a free and fair manner;

(g) To encourage and enable non-governmental organizations and the media to play a constructive role in consolidating democratic development in Cambodia, including by ensuring and promoting the freedom of association of non-governmental organizations;

(h) To make additional efforts, in concert with the international community, to combat key problems, such as trafficking in persons, the exploitation of labour, sexual violence, domestic violence and the sexual exploitation of women and children;

(i) To take further steps to meet its obligations under international human rights treaties and conventions and, to this end, strengthen further its cooperation with United Nations agencies, including the Office of the High Commissioner, through enhanced dialogue and the development of joint activities;

(j) To continue to promote the rights and dignity of all Cambodians by protecting civil and political rights, including freedom of opinion and expression and, to this end, further ensuring that relevant laws, inter alia, the new penal code, are interpreted and applied in a judicious manner, as well as to promote economic, social and cultural rights in accordance with the rule of law;

(k) To work with the legislature with a view to promoting the latter's independence and effectiveness, including by ensuring the meaningful participation of parliamentarians from various political parties in its deliberations;

III. Conclusion

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

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

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

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

(d) The formulation of a plan of implementation of universal periodic review recommendations, clarifying the areas in which the Government of Cambodia would welcome technical and other assistance;

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

7. *Encourages* the Government of Cambodia and the international community to provide all necessary assistance to the Extraordinary Chambers in the Courts of Cambodia, which would help ensure the non-return to the policies and practices of the past, as envisioned by the 1991 Agreement on a Comprehensive Political Settlement of the Cambodia Conflict;

8. *Takes note* of the need to continue close consultations between the Government of Cambodia and the Special Rapporteur on the situation of human rights in Cambodia towards the further improvement of the situation of human rights in the country and for the continued technical cooperation between the Office of the High Commissioner and the Government of Cambodia;

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

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

11. *Decides* to continue its consideration of the situation of human rights in Cambodia at its twenty-fourth session.

*38th meeting
30 September 2011*

[Adopted without a vote.]

18/26 The right to development

The Human Rights Council,

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

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

Reaffirming also Human Rights Council resolutions 4/4 of 30 March 2007 and 9/3 of 17 September 2008, and recalling all Commission on Human Rights, Council and General Assembly resolutions on the right to development,

Recognizing the renewed commitments to achieve the Millennium Development Goals by their target date of 2015, as set out in the outcome document adopted at the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,⁴²

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

Taking note of the commitment declared by a number of United Nations specialized agencies, funds and programmes and other international organizations to make the right to development a reality for all and, in this regard, encouraging all relevant bodies of the United Nations system and other international organizations to mainstream the right to development into their objectives, policies, programmes and operational activities,

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

⁴² See General Assembly resolution 65/1.

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

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

1. *Welcomes* the holding of the panel entitled “The way forward in the realization of the right to development: between policy and practice” during the eighteenth session of the Human Rights Council as part of the series of events commemorating the twenty-fifth anniversary of the Declaration on the Right to Development;

2. *Takes note* of the note by the Secretariat⁴³ informing the Human Rights Council that the consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development, in compliance with General Assembly resolution 65/219 of 21 December 2010, would be submitted to the Council at its nineteenth session, and that the twelfth session of the intergovernmental open-ended Working Group on the Right to Development was scheduled for 14 to 18 November 2011;

3. *Notes* the efforts under way in the framework of the Working Group on the Right to Development, with a view to completing the tasks entrusted to it by the Human Rights Council in its resolution 4/4, and reaffirms the conclusions and recommendations of the Working Group agreed at its eleventh session;⁴⁴

4. *Also notes* the work of the high-level task force on the implementation of the right to development, the mandate of which ended in 2010, including its consolidation of findings and the list of right to development criteria and corresponding operational sub-criteria;⁴⁵

5. *Recalls* that the Working Group on the Right to Development will consider at its twelfth session the two compilations of views received from Governments, groups of Governments and regional groups, and from other stakeholders, on the work of the high-level task force;

6. *Decides*:

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

(b) That the criteria and corresponding operational sub-criteria mentioned in paragraph 4 above, once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

(c) That the Working Group on the Right to Development shall take appropriate steps to ensure respect for and practical application of the above-mentioned standards, which could take various forms, including guidelines on the implementation of the right to

⁴³ A/HRC/18/22.

⁴⁴ A/HRC/15/23, paras. 45–47.

⁴⁵ See A/HRC/15/WG.2/TF/2 and Add.1 and 2.

development, and evolve into a basis for consideration of an international legal standard of a binding nature through a collaborative process of engagement;

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

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

*38th meeting
30 September 2011*

[Adopted by a recorded vote of 45 to none, with 1 abstention. The voting was as follows:

In favour:

Angola, Austria, Bangladesh, Belgium, Benin, Botswana, Burkina Faso, Cameroon, Chile, China, Congo, Costa Rica, Cuba, Czech Republic, Djibouti, Ecuador, Guatemala, Hungary, India, Indonesia, Italy, Jordan, Kuwait, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Norway, Peru, Philippines, Poland, Qatar, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Spain, Switzerland, Thailand, Uganda, Uruguay

Abstaining:

United States of America]

18/27

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

The Human Rights Council,

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

Recalling also General Assembly resolution 57/195 of 18 December 2002, in which the Assembly assigned responsibilities to the relevant United Nations institutions to ensure the effective implementation of the Durban Declaration and Programme of Action at the international level,

Recalling further Commission on Human Rights resolutions 2002/68 of 25 April 2002 and 2003/30 of 23 April 2003, and Human Rights Council resolution 9/14 of 24 September 2008,

Welcoming General Assembly resolution 65/36 of 6 December 2010, containing the programme of activities for the International Year for People of African Descent,

Recalling General Assembly resolution 65/240 of 24 December 2010,

Underlining the fact that the tenth anniversary of the adoption of the Durban Declaration and Programme of Action represents an important opportunity for the world community to reaffirm its political will and commitment to the eradication of racism, racial discrimination, xenophobia and related intolerance, and that maximum efforts should be made to celebrate the anniversary in all regions through a wide range of activities,

Welcoming the political declaration of the High-level Meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, adopted on 22 September 2011,⁴⁶ which reaffirmed the political commitment to the full and effective implementation of the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference, and their follow-up processes at the national, regional and international levels,

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

Appreciating the contributions of the Durban follow-up mechanisms to the tenth anniversary commemorations as well as the contributions of non-governmental organizations, which were broad-based, regionally balanced and consistent with the objectives of the commemoration,

1. *Welcomes* the efforts made by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action in its constructive work aimed at the effective implementation of the Durban Declaration and Programme of Action, as well as the outcome document of the Durban Review Conference, including by increasing efforts to complement the work of other Durban follow-up mechanisms with a view to achieving better coordination and synergy with other human rights mechanisms, thereby avoiding duplication of initiatives;

2. *Takes note* of the report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action;⁴⁷

3. *Welcomes and acknowledges* the importance and significance of the work of the Working Group of Experts on People of African Descent in examining the current situation and conditions and the extent of racism against Africans and people of African descent and, in this regard, takes note of the report of the Working Group;⁴⁸

4. *Welcomes* the political declaration adopted by the General Assembly during its High-level Meeting to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action,⁴⁶ held in New York on 22 September 2011, which reaffirmed the political commitment to and mobilized the political will for the full and effective implementation of the Durban Declaration and Programme of Action;

5. *Calls for* renewed efforts to mobilize political will for the full and effective implementation of the Durban Declaration and Programme of Action;

6. *Requests* the Secretary-General and the Office of the United Nations High Commissioner for Human Rights to implement fully paragraphs 53 and 57 of General Assembly resolution 65/240, on the establishment of an outreach programme and a public information campaign for the commemoration and follow-up thereto, including by distributing copies of the Durban Declaration and Programme of Action widely and with translations thereof;

7. *Decides* that the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action should convene its tenth session from 8 to 19 October 2012;

⁴⁶ General Assembly resolution 66/3.

⁴⁷ A/HRC/16/64.

⁴⁸ A/HRC/18/45.

8. *Requests* the Secretary-General to make available to the Human Rights Council at its twentieth session his progress report submitted to the General Assembly pursuant to Assembly resolution 65/36;

9. *Encourages* the High Commissioner to initiate consultations with various international sporting and other organizations, enabling them to contribute to the struggle against racism and racial discrimination;

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

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

*38th meeting
30 September 2011*

[Adopted by a recorded vote of 35 to 1, with 10 abstentions. The voting was as follows:

In favour:

Angola, Bangladesh, Benin, Botswana, Burkina Faso, Cameroon, Chile, China, Congo, Costa Rica, Cuba, Djibouti, Ecuador, Guatemala, India, Indonesia, Jordan, Kuwait, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Norway, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay

Against:

United States of America

Abstaining:

Austria, Belgium, Czech Republic, Hungary, Italy, Poland, Republic of Moldova, Romania, Spain, Switzerland]

18/28

Mandate of the Working Group of Experts on People of African Descent

The Human Rights Council,

Recalling Commission on Human Rights resolutions 2002/68 of 25 April 2002 and 2003/30 of 23 April 2003,

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

Reaffirming the obligations of States under relevant international human rights instruments, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the General Assembly in its resolution 2106 (XX) of 21 December 1965,

Recalling all previous resolutions and decisions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the elimination of racism, racial discrimination, xenophobia and related intolerance, in particular Council resolution 9/14 of 18 September 2008 on the mandate of the Working Group of Experts on People of African Descent,

Recalling also Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the code of conduct for special procedures mandate holders of the

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

Stressing the imperative need for the Working Group of Experts on People of African Descent to accomplish its mandate, including in accordance with paragraphs 5 to 7 of the Durban Declaration and Programme of Action,

1. *Decides* to extend the mandate of the Working Group of Experts on People of African Descent for a further period of three years, in accordance with the terms of reference contained in Human Rights Council resolution 9/14;

2. *Also decides* that the Working Group shall undertake a minimum of two country visits per year;

3. *Requests* all Governments to cooperate fully with the Working Group in the discharge of its mandate, including by responding promptly to the Working Group's communications and by providing the information requested;

4. *Requests* the Working Group to submit an annual report to the Human Rights Council on all activities relating to its mandate;

5. *Requests* States, non-governmental organizations, relevant human rights treaty bodies, special procedures and other mechanisms of the Human Rights Council, national human rights institutions, international, financial and development institutions, and specialized agencies, programmes and funds of the United Nations to collaborate with the Working Group, including by, inter alia, providing it with the necessary information and, where possible, reports in order to enable the Working Group to carry out its mandate, including with regard to field missions;

6. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Working Group with all the human, technical and financial assistance necessary for the effective fulfilment of its mandate;

7. *Recalls* the establishment of a voluntary fund to provide additional resources for, inter alia, the participation of people of African descent, representatives of developing countries, especially the least developed countries, non-governmental organizations and experts, in the open-ended sessions of the Working Group, and invites States to contribute to that fund.

*38th meeting
30 September 2011*

[Adopted without a vote.]

II. Decisions

18/101

Outcome of the universal periodic review: Belgium

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Belgium on 2 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Belgium which is constituted of the report of the Working Group on Belgium (A/HRC/18/3), together with the views of Belgium concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/3, chapter VI).

*18th meeting
21 September 2011*

[Adopted without a vote.]

18/102

Outcome of the universal periodic review: Denmark

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Denmark on 2 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Denmark which is constituted of the report of the Working Group on Denmark (A/HRC/18/4), together with the views of Denmark concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/4/Add.1).

*18th meeting
21 September 2011*

[Adopted without a vote.]

18/103**Outcome of the universal periodic review: Palau**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Palau on 3 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Palau which is constituted of the report of the Working Group on Palau (A/HRC/18/5), together with the views of Palau concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/5/Add.1).

*18th meeting
21 September 2011*

[Adopted without a vote.]

18/104**Outcome of the universal periodic review: Somalia**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Somalia on 3 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Somalia which is constituted of the report of the Working Group on Somalia (A/HRC/18/6), together with the views of Somalia concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI).

*20th meeting
21 September 2011*

[Adopted without a vote.]

18/105**Outcome of the universal periodic review: Seychelles**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in

accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Seychelles on 4 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Seychelles which is constituted of the report of the Working Group on Seychelles (A/HRC/18/7), together with the views of Seychelles concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI).

*20th meeting
21 September 2011*

[Adopted without a vote.]

18/106

Outcome of the universal periodic review: Solomon Islands

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of the Solomon Islands on 4 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on the Solomon Islands which is constituted of the report of the Working Group on the Solomon Islands (A/HRC/18/8 and A/HRC/18/8/Corr.1), together with the views of the Solomon Islands concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI).

*20th meeting
21 September 2011*

[Adopted without a vote.]

18/107

Outcome of the universal periodic review: Latvia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Latvia on 5 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Latvia which is constituted of the report of the Working Group on Latvia (A/HRC/18/9), together with the views of Latvia concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/9/Add.1).

*21st meeting
22 September 2011*

[Adopted without a vote.]

18/108

Outcome of the universal periodic review: Sierra Leone

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Sierra Leone on 5 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Sierra Leone which is constituted of the report of the Working Group on Sierra Leone (A/HRC/18/10), together with the views of Sierra Leone concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/10/Add.1).

*21st meeting
22 September 2011*

[Adopted without a vote.]

18/109

Outcome of the universal periodic review: Singapore

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Singapore on 6 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Singapore which is constituted of the report of the Working Group on Singapore (A/HRC/18/11), together with the views of Singapore concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/11/Add.1).

21st meeting
22 September 2011

[Adopted without a vote.]

18/110
Outcome of the universal periodic review: Suriname

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Suriname on 6 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Suriname which is constituted of the report of the Working Group on Suriname (A/HRC/18/12), together with the views of Suriname concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/12/Add.1).

23rd meeting
22 September 2011

[Adopted without a vote.]

18/111
Outcome of the universal periodic review: Greece

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Greece on 9 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Greece which is constituted of the report of the Working Group on Greece (A/HRC/18/13), together with the views of Greece concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/13/Add.1).

23rd meeting
22 September 2011

[Adopted without a vote.]

18/112**Outcome of the universal periodic review: Samoa**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Samoa on 9 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Samoa which is constituted of the report of the Working Group on Samoa (A/HRC/18/14), together with the views of Samoa concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/14/Add.1).

*23rd meeting
22 September 2011*

[Adopted without a vote.]

18/113**Outcome of the universal periodic review: Saint Vincent and the Grenadines**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Saint Vincent and the Grenadines on 10 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Saint Vincent and the Grenadines which is constituted of the report of the Working Group on Saint Vincent and the Grenadines (A/HRC/18/15), together with the views of Saint Vincent and the Grenadines concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/15/Add.1).

*25th meeting
23 September 2011*

[Adopted without a vote.]

18/114**A. Outcome of the universal periodic review: Sudan**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of the Sudan on 10 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on the Sudan which is constituted of the report of the Working Group on the Sudan (A/HRC/18/16), together with the views of the Sudan concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/16/Add.1).

B. Outcome of the universal periodic review: South Sudan

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of South Sudan on 10 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on South Sudan which is constituted of the report of the Working Group on South Sudan (A/HRC/18/16), together with the views of South Sudan concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI).

*25th meeting
23 September 2011*

[Adopted without a vote.]

18/115

Outcome of the universal periodic review: Hungary

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Hungary on 11 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Hungary which is constituted of the report of the Working Group on Hungary (A/HRC/18/17), together with the views of Hungary concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/17/Add.1).

*25th meeting
23 September 2011*

[Adopted without a vote.]

18/116

Outcome of the universal periodic review: Papua New Guinea

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Papua New Guinea on 11 May 2011 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Papua New Guinea which is constituted of the report of the Working Group on Papua New Guinea (A/HRC/18/18 and A/HRC/18/18/Corr.1), together with the views of Papua New Guinea concerning the recommendations and/or conclusions, as well as 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 (A/HRC/18/2, chapter VI and A/HRC/18/18/Add.1).

*38th meeting
30 September 2011*

[Adopted without a vote.]

18/117

Reporting by the Secretary-General on the question of the death penalty

At its 34th meeting, on 28 September 2011, the Human Rights Council decided to adopt the following text:

"The Human Rights Council,

Recalling article 3 of the Universal Declaration of Human Rights, article 6 of the International Covenant on Civil and Political Rights and articles 6 and 37 (a) of the Convention on the Rights of the Child,

Taking note of Commission on Human Rights resolution 2005/59 of 20 April 2005 and Human Rights Council decision 2/102 of 6 October 2006,

Requests the Secretary-General to continue to submit to the Human Rights Council, in consultation with Governments, specialized agencies and intergovernmental and non governmental organizations, a yearly supplement to his quinquennial report on capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty, paying special attention to the imposition of the death penalty on persons younger than 18

years of age at the time of the offence, on pregnant women and on persons with mental or intellectual disabilities.”

[Adopted without a vote.]

18/118

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

At its 35th meeting, on 29 September 2011, the Human Rights Council decided to adopt the following text:

“The Human Rights Council,

Recalling General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007, and 16/21 of 25 March 2011,

Recalling also General Assembly resolution 65/281 of 17 June 2011, in which the Assembly adopted the text entitled ‘Outcome of the review of the work and functioning of the Human Rights Council’,

Recalling further that, in paragraph 30 of the above-mentioned outcome document, the Human Rights Council strongly rejects any act of intimidation or reprisal against individuals and groups who cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, and urges States to prevent and ensure adequate protection against such acts,

Recalling Human Rights Council resolution 12/2 of 1 October 2009 and all relevant resolutions of the Commission on Human Rights, the last being resolution 2005/9 of 14 April 2005,

Taking note of the latest reports of the Secretary-General on this question,⁴⁹

1. *Urges* States to take all necessary measures to prevent the occurrence of reprisals and intimidation, bearing in mind that free and unhindered contact and cooperation with individuals and civil society are indeed indispensable to enable the United Nations and its mechanisms to fulfil their mandates;

2. *Also urges* States to investigate any alleged acts of intimidation or reprisal, and encourages them to inform the Human Rights Council, on a voluntary basis, of all measures taken to address acts of intimidation or reprisal, including preventive actions and investigative efforts, as well as, where confirmed, on remedies provided, including prosecution, and to share best practices in this regard;

3. *Decides* to convene, within existing resources, at its twenty-first session, a panel discussion under agenda item 5 on the issue of intimidation or reprisal against individuals and groups who cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to prepare a report on the outcome of the panel discussion in the form of a summary;

⁴⁹ A/HRC/14/19 and A/HRC/18/19.

5. *Encourages* Members and observers of the Human Rights Council to address the issue of cooperation of individuals and groups with the United Nations, its representatives and mechanisms in the field of human rights in the general debate under agenda item 5.”

[Adopted without a vote.]

18/119

Panel on freedom of expression on the Internet

At its 36th meeting, on 29 September 2011, the Human Rights Council decided to adopt the following text:

“The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and relevant international human rights treaties, including the International Covenant on Civil and Political Rights,

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council on the right to freedom of opinion and expression, in particular Council resolution 12/16 of 2 October 2009,

Noting that freedom of expression on the Internet is an issue of increasing interest as the rapid pace of technological development enables people all over the world to use new communications technology,

Taking note of the report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, submitted to the Human Rights Council at its seventeenth session, on freedom of expression on the Internet,⁵⁰

1. *Decides* to convene, within existing resources, at its nineteenth session, a panel discussion on the promotion and protection of freedom of expression on the Internet, with a particular focus on the ways and means to improve its protection in accordance with international human rights law;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to liaise with relevant special procedures, States and other stakeholders, including relevant United Nations bodies and agencies, with a view to ensuring multi-stakeholder participation in the panel discussion;

3. *Also requests* the Office of the High Commissioner to prepare a report on the outcome of the panel discussion in the form of a summary.”

[Adopted without a vote.]

18/120

Human rights and unilateral coercive measures

At its 38th meeting, on 30 September 2011, the Human Rights Council decided to adopt the following text:

“The Human Rights Council,

⁵⁰ A/HRC/17/27.

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

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

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

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

Reaffirming Human Rights Council resolution 15/24 of 6 October 2010, in which the Council requested the Office of the United Nations High Commissioner for Human Rights to prepare a thematic study on the impact of unilateral coercive measures on the enjoyment of human rights, including recommendations on actions aimed at ending such measures, taking into account all previous reports, resolutions and relevant information available to the United Nations system in this regard, and to present the study to the Council at its eighteenth session,

Taking note of the note by the Secretariat⁵¹ informing the Human Rights Council that the above-mentioned thematic study was under preparation, required additional time for its completion and would therefore be submitted to the Human Rights Council at its nineteenth session,

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

[Adopted by a recorded vote of 34 to 12, with no abstentions. The voting was as follows:

In favour:

Angola, Bangladesh, Benin, Botswana, Burkina Faso, Cameroon, Chile, China, Congo, Costa Rica, Cuba, Djibouti, Ecuador, Guatemala, India, Indonesia, Jordan, Kuwait, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay

Against:

Austria, Belgium, Czech Republic, Hungary, Italy, Norway, Poland, Republic of Moldova, Romania, Spain, Switzerland, United States of America]

18/121

Procedural decision on the annual cycle of the Advisory Committee

At its 38th meeting, on 30 September 2011, the Human Rights Council decided to adopt the following text:

“The Human Rights Council,

Recalling its resolution 16/21 of 12 April 2011, on the review of the work and functioning of the Human Rights Council and, in particular, section III of the

⁵¹ A/HRC/18/28.

annex to that resolution, entitled 'Advisory Committee', providing for the annual report of the Advisory Committee to be submitted to the Council at its September session and to be the subject of an interactive dialogue with the Committee Chairperson,

Taking note of the letter addressed by the Chairperson of the Advisory Committee to the President of the Human Rights Council on 12 August 2011 concerning the Committee cycle,

1. *Decides* that the cycle of the Advisory Committee shall be adjusted to run from 1 October to 30 September, to ensure that the annual reporting of the Committee to the Council and the interactive dialogue thereon will take place at the end of the cycle;

2. *Also decides* that, as a transitional measure, the period of office of members of the Advisory Committee ending in March 2012 will be exceptionally extended until 30 September 2012.”

[Adopted without a vote.]

III. President's statements

PRST 18/1

Technical assistance and capacity-building for Haiti

At the 37th meeting, held on 30 September 2011, the President of the Council read out the following statement:

“Upon the request of the authorities of Haiti, the Human Rights Council has decided to technically extend the mandate of the independent expert on the situation of human rights in Haiti until the nineteenth session of the Council.”

PRST 18/2

At the 38th meeting, held on 30 September 2011, the President of the Human Rights Council read out the following statement:

“The Human Rights Council,

Acknowledging the need for constructive dialogue between the Office of the United Nations High Commissioner for Human Rights and the Human Rights Council, and recognizing the progress already made by the High Commissioner in presenting information on sources and allocation of funding to her Office in her annual report,

Emphasizing the importance of further enhancing cooperation of the Office of the High Commissioner with the Human Rights Council in fulfilling its mandate, and noting the need for regular and transparent exchanges of information in this regard,

Reaffirming that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters,

Invites the High Commissioner to include in her annual report detailed information on:

- (a) Allocations of the regular budget, according to programme and mandates;
- (b) Voluntary contributions received by the Office of the High Commissioner and their specific allocation;
- (c) Allocation of earmarked and unearmarked contributions, according to programmes and mandates;
- (d) Allocation of funding for the special procedures;

which would be considered at a mutually agreed forum.”

Part Two

Summary of proceedings

I. Organizational and procedural matters

A. Opening and duration of the session

1. The Human Rights Council held its eighteenth session at the United Nations Office at Geneva from 12 to 30 September and on 21 October 2011. The President of the Council opened the session.
2. In accordance with rule 8 (b) of the rules of procedure of the Human Rights Council, as contained in part VII of the annex to Council resolution 5/1, the organizational meeting of the eighteenth session was held on 26 August 2011.
3. The eighteenth session consisted of 38 meetings over 16 days.

B. Attendance

4. The session was attended by representatives of States Members of the Human Rights 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

5. At its 1st meeting, on 12 September 2011, the Human Rights Council adopted the agenda and programme of work of its eighteenth session.

D. Meetings and documentation

6. The Council held 38 fully serviced meetings during its eighteenth session.
7. The text of the resolutions and decisions adopted by the Council is contained in Part One of the present report.
8. Annex I contains the list of attendance.
9. Annex II contains the agenda of the Council, as included in section V of the annex to Human Rights Council resolution 5/1.
10. Annex III contains the list of documents issued for the eighteenth session of the Human Rights Council.
11. Annex IV contains the list of special procedures mandate holders appointed by the Human Rights Council at its eighteenth session.

E. Visits

12. At the 1st meeting, on 12 September 2011, the Minister for Foreign Affairs of Uruguay, Luis Almagro, the Minister for Plantation Industries and Special Envoy of the President on Human Rights of Sri Lanka, Mahinda Samarasinghe, and the Minister for Justice, Legislation and Human Rights of Benin, Maitre Maire-Elise Gbedo, delivered statements to the Human Rights Council.

13. At the 3rd meeting, on 13 September 2011, the Minister for Foreign Affairs of Myanmar, Wunna Maung Lwin, and the Minister for Justice and Human Rights of the Democratic Republic of the Congo, Luzolo Bambi Lessa, delivered statements to the Human Rights Council.

14. At the 11th meeting, on 16 September 2011, the Minister for Justice of the Sudan, Mohamed Bushara Dousa, delivered a statement to the Human Rights Council.

15. At the 12th meeting, on 19 September 2011, the State Secretary for European and International Affairs of Austria, Wolfgang Waldner, delivered a statement to the Human Rights Council.

16. At the 14th meeting, on 19 September 2011, the President of Costa Rica, Laura Chinchilla Miranda, delivered a statement to the Human Rights Council.

F. Consideration of and action on draft proposals

Reporting of the Secretary-General on the question of the death penalty

17. At the 34th meeting, on 28 September 2011, the representative of Belgium introduced draft decision A/HRC/18/L.28, sponsored by Belgium and co-sponsored by Argentina, Australia, Austria, Benin, Brazil, Canada, Chile, Colombia, Costa Rica, Croatia, the Czech Republic, Denmark, Djibouti, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Algeria, Andorra, Bulgaria, Cyprus, Iceland, Latvia, Liechtenstein, Malta, Nicaragua, South Africa, Ukraine and Venezuela (Bolivarian Republic of) joined the sponsors.

18. At the same meeting, the draft decision was adopted without a vote (for the text as adopted, see part one, chapter II, decision 18/117).

Resumption of rights of membership of Libya in the Human Rights Council

19. At the 36th meeting, on 29 September 2011, the representative of Libya introduced draft resolution A/HRC/18/L.35, sponsored by Morocco, on behalf of the Group of Arab States, and co-sponsored by Algeria, Bahrain, Botswana, Chad, Djibouti, Egypt, France, Ghana, Italy, Jordan, Kuwait, Lebanon, Libya, Maldives, Nigeria, Norway, Oman, Palestine, Portugal, Qatar, Saudi Arabia, Senegal, Spain, the Sudan, Thailand, Tunisia, Turkey, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Albania, Australia, Austria, Azerbaijan, Benin, Bulgaria, Burkina Faso, Cape Verde, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Iraq, Iran (Islamic Republic of), Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Monaco, Montenegro, the Netherlands, Pakistan (on behalf of the Organization of Islamic Corporation), Poland, the Republic of Korea, the Republic of Moldova, Romania, Senegal (on behalf of the Group of African States), Singapore, Slovakia, Slovenia, Somalia,

Sweden, Switzerland, the Syrian Arab Republic, the United States of America and Yemen joined the sponsors.

20. At the same meeting, the representatives of Cuba, Ecuador, Italy, Maldives and Uruguay made general comments in relation to the draft resolution.

21. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/9).

G. Selection and appointment of mandate holders

22. At its 38th meeting, on 30 September and 21 October 2011, the Human Rights Council appointed special procedures mandate holders in accordance with Council resolutions 5/1, 6/36 and 16/21 (see annex IV).

H. Adoption of the report of the session

23. At the 38th meeting, on 30 September 2011, the representatives of Algeria, Argentina, Bolivia (Plurinational State of), France, Honduras, the Netherlands, Slovenia, South Africa, Sri Lanka and the United Kingdom of Great Britain and Northern Ireland made statements as observer States.

24. At the same meeting, the Rapporteur and Vice-President of the Human Rights Council made a statement in connection with the draft report of the Council (A/HRC/18/2) and the annual report of the Council to the General Assembly.

25. Also at the same meeting, the Human Rights Council adopted the draft report *ad referendum* and decided to entrust the Rapporteur with its finalization.

26. At the same meeting, the representative of Senegal, on behalf of the Group of African States, and the observers for Amnesty International and International Service for Human Rights made general remarks in relation to the session.

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

27. At the 1st meeting, on 12 September 2011, the United Nations High Commissioner for Human Rights made a statement providing an update of the activities of her Office.

28. During the ensuing general debate at the same meeting, and at the 2nd meeting, on the same day, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Austria, Bangladesh, Belgium, China, Congo, Costa Rica, Cuba, Czech Republic, Ecuador, Egypt⁵² (on behalf of the Non-Aligned Movement and the Group of Arab States), India, Indonesia, Italy, Jordan, Kyrgyzstan, Malaysia, Maldives, Mexico, Norway, Pakistan⁵² (on behalf of the Organization of Islamic Cooperation), Philippines, Poland (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Iceland, Liechtenstein, Montenegro, Serbia and the former Yugoslav Republic of Macedonia), Qatar, Republic of Moldova, Romania, Russian Federation, Senegal (on behalf of the Group of African States), Spain, Switzerland, Thailand, United States of America;

(b) Representatives of the following observer States: Afghanistan, Algeria, Australia, Azerbaijan, Brazil, Canada, Egypt, Ethiopia, France, Germany, Honduras, Iran (Islamic Republic of), Japan, Kenya, Morocco, Nepal, Pakistan, Paraguay, Republic of Korea, Sri Lanka, Sudan, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Viet Nam;

(c) Observers for the following non-governmental organizations: Amnesty International, Asian Forum for Human Rights and Development, Canadian HIV/AIDS Legal Network (also on behalf of the European Region of the International Lesbian and Gay Federation), France Libertés : Fondation Danielle Mitterrand, Indian Council of South America, Indian Movement Tupaj Amaru, International Human Rights Association of American Minorities, International Humanist and Ethical Union, Lawyer's Rights Watch Canada, Mouvement contre le racisme et pour l'amitié entre les peuples, North-South XXI, United Nations Watch.

B. Interactive dialogue on human rights in Yemen

29. At the 12th meeting, on 19 September 2011, the Deputy High Commissioner presented the report by the High Commissioner on her Office's visit to Yemen (A/HRC/18/21).

30. At the same meeting, the representative of Yemen made a statement as the concerned country.

31. During the ensuing interactive dialogue, at the same meeting, the following made statements and asked the Deputy High Commissioner questions:

(a) Representatives of States Members of the Human Rights Council: Benin, China, Czech Republic, Egypt⁵² (on behalf of the Group of Arab States), India, Maldives,

⁵² Observer of the Human Rights Council speaking on behalf of Member and observer States.

Mexico, Norway, Pakistan⁵² (on behalf of the Organization of Islamic Cooperation), Philippines, Romania, Russian Federation, Saudi Arabia, Spain, Switzerland, Thailand, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Canada, France, Germany, Greece, Israel, Kuwait, Netherlands, Slovakia, Sudan, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for the United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF);

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

(e) Observers for non-governmental organizations: Amman Center for Human Rights Studies, Amnesty International, Human Rights Information and Training Center, Human Rights Watch, Worldwide Organization for Women (also on behalf of the Union of Arab Jurists).

32. At the same meeting, the representative of Yemen answered questions and made concluding remarks as the country concerned.

33. Also at the same meeting, the Deputy High Commissioner answered questions and made her concluding remarks.

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

34. At the 8th meeting, on 15 September 2011, the Deputy High Commissioner for Human Rights presented thematic reports prepared by the Office of the High Commissioner (OHCHR) and the Secretary-General.

35. At its 8th and 9th meetings, on the same day, the Human Rights Council held a general debate on thematic reports presented by the Deputy High Commissioner (see chapter III, section D).

D. Consideration of and action on draft proposals

Transparency in funding and staffing of the Office of the United Nations High Commissioner for Human Rights

36. At the 38th meeting, on 30 September 2011, the representative of Pakistan introduced draft resolution A/HRC/18/L.14, sponsored by Cuba, Pakistan and Sri Lanka and co-sponsored by Algeria, Bangladesh, Belarus, Bolivia (Plurinational State of), Indonesia, Malaysia, Palestine, Qatar, Saudi Arabia and Venezuela (Bolivarian Republic of). Subsequently, Honduras and Nicaragua joined the sponsors.

37. At the same meeting, the representative of Pakistan, on behalf of sponsors of the draft resolution, announced that the draft resolution would be deferred.

38. Also at the same meeting, in consideration of the deferral of the draft resolution by the sponsors, the President of the Human Rights Council made a statement in relation to the funding of OHCHR.

39. At the same meeting, the representatives of Cuba and the Russian Federation made comments in relation to the deferral of the draft resolution and the President's statement.

40. For the text of the President's statement, see part one, chapter III, PRST/18/2.

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

A. Special Representative of the Secretary-General for Children and Armed Conflict

41. At the 2nd meeting, on 12 September 2011, the Special Representative of the Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy, presented her report (A/HRC/18/38).

42. During the ensuing interactive dialogue at the 3rd meeting, on 13 September 2011, the following made statements and asked the Special Representative questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Belgium, China, Costa Rica, Cuba, Djibouti, Ecuador, Egypt⁵² (also on behalf of the Group of Arab States), India, Indonesia, Italy, Mexico, Norway, Pakistan⁵² (on behalf of the Organization of Islamic Cooperation), Philippines, Romania, Russian Federation, Senegal (on behalf of the Group of African States), Switzerland, Thailand, United States of America, Uruguay;

(b) Representatives of the following observer States: Afghanistan, Algeria, Armenia, Australia, Azerbaijan, Brazil, Chad, Croatia, France, Georgia, Germany, Greece, Iran (Islamic Republic of), Israel, Morocco, New Zealand, Portugal, Republic of Korea, Sri Lanka, Sudan, Syrian Arab Republic, United Arab Emirates, Venezuela (Bolivarian State of), Viet Nam;

(c) Observer for Palestine;

(d) Observer for United Nations entities, specialized agencies and related organizations: UNICEF;

(e) Observer for an intergovernmental organization: European Union;

(f) Observers for the following non-governmental organizations: Colombian Commission of Jurists, Defence for Children International, International Muslim Women Union, International Save the Children Alliance.

43. At the same meeting, the Special Representative answered questions and made her concluding remarks.

44. At the 4th meeting, on 13 September 2011, the representatives of Armenia, Azerbaijan, Georgia and the Russian Federation made statements in exercise of the right of reply.

45. At the same meeting, the representatives of Armenia and Azerbaijan made statements in exercise of a second right of reply.

B. Interactive dialogue with special procedures

Independent expert on human rights and international solidarity

46. At the 4th meeting, on 13 September 2011, the independent expert on human rights and international solidarity, Virginia Dandan, presented her oral report.

47. 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 Human Rights Council: Bangladesh, China, Cuba, Pakistan⁵² (on behalf of the Organization of Islamic Cooperation), United States of America;

(b) Representatives of the following observer States: Algeria, Venezuela (Bolivarian Republic of);

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

(d) Observers for non-governmental organizations: Associazione Comunità Papa Giovanni XXIII, Federation of Cuban Women, International Association of Peace Messenger Cities, International Institute for Peace, North-South XXI, United School International.

48. At the same meeting, the independent expert answered questions and made her concluding remarks.

Working Group on the use of mercenaries as a means of violating human rights and impeding the right of peoples to self-determination

49. At the 4th meeting, on 13 September 2011, the Chairperson of the Working Group on the use of mercenaries as a means of violating human rights and impeding the right of peoples to self-determination, Faiza Patel, presented the reports of the Working Group (A/HRC/18/32 and Add.2-4).

50. At the same meeting, the representatives of Equatorial Guinea, Iraq and South Africa made statements as countries concerned.

51. During the ensuing interactive dialogue, at the same meeting, the following made statements and asked the Chairperson of the Working Group questions:

(a) Representatives of States Members of the Human Rights Council: Argentina, China, Cuba, Egypt⁵² (on behalf of the Group of Arab States), Pakistan⁵² (on behalf of the Organization of Islamic Cooperation), Russian Federation, Spain, Switzerland, United States of America;

(b) Representatives of the following observer States: Algeria, Azerbaijan, Egypt, Honduras, Pakistan, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

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

(d) Observers for the following non-governmental organizations: Federation of Cuban Women, North-South XXI, United Towns Agency for North-South Cooperation.

52. At the same meeting, the Chairperson of the Working Group answered questions and made her concluding remarks.

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

53. At the 6th meeting, on 14 September 2011, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian, presented her reports (A/HRC/18/30 and Add.1 and 2).

54. At the same meeting, the representatives of Peru and Romania made statements as the countries concerned.

55. 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 Human Rights Council: Austria, Botswana, China, Costa Rica, Cuba, Ecuador, Indonesia, Pakistan⁵² (on behalf of the Organization of Islamic Cooperation), United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Brazil, Egypt, Iran (Islamic Republic of), United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

(c) Observer for the Holy See;

(d) Observer for United Nations entities, specialized agencies and related organizations: UNICEF;

(e) Observer for an intergovernmental organization: European Union;

(f) Observer for a non-governmental organization: Franciscans International.

56. At the same meeting, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

57. At the 6th meeting, on 14 September 2011, the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, Calin Georgescu, presented his reports (A/HRC/18/31 and Add.2).

58. At the same meeting, the representative of Poland made a statement as the country concerned.

59. 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 Human Rights Council: China, Costa Rica, Côte d'Ivoire⁵² (on behalf of the Group of African States), Cuba, Indonesia, Norway, Pakistan⁵² (on behalf of the Organization of Islamic Cooperation), Romania, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Morocco, South Africa;

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

(d) Observer for a non-governmental organization: Verein Sudwind Entwicklungspolitik.

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

Special Rapporteur on the human right to safe drinking water and sanitation

61. At the 8th meeting, on 15 September 2011, the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque, presented her reports (A/HRC/18/33 and Add.1–4).

62. At the same meeting, the representatives of Japan, Slovenia and the United States of America made statements as the countries concerned.

63. 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 Human Rights Council: China, Cuba, Ecuador, Germany⁵² (also on behalf of Bangladesh, Croatia, France, Maldives, Morocco, Slovenia, Spain and Uruguay), India, Indonesia, Norway, Republic of Moldova, Senegal (on behalf of the Group of African States), Spain, Switzerland, Uruguay;

(b) Representatives of the following observer States: Algeria, Bolivia (Plurinational State of), Brazil, Egypt, Ethiopia, France, Morocco, Portugal, South Africa, Sudan, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

(c) Observer for Palestine;

(d) Observer for United Nations entities, specialized agencies and related organizations: UNICEF;

(e) Observer for an intergovernmental organization: European Union;

(f) Observers for the following non-governmental organizations: Corporate Accountability International, European Disability Forum, Franciscans International, Indian Council of South America, Worldwide Organization for Women.

64. At the same meeting, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

65. At the 16th meeting, on 20 September 2011, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya, presented his reports (A/HRC/18/35 and Add.1–8).

66. At the same meeting, the Chairperson of the Board of Trustees of the Voluntary Trust Fund for Indigenous Populations, Melakou Tegegn, made a statement.

67. Also at the same meeting, the representatives of Congo, Costa Rica, Finland, France, Guatemala, New Zealand, Norway and Sweden made statements as the countries concerned.

68. At the same meeting, the representatives of the national human rights institutions of Guatemala, New Zealand and Norway made statements.

69. During the ensuing interactive dialogue, at the same meeting and at the 19th meeting, on 21 September 2011, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Chile, China, Cuba, Ecuador, Guatemala, Mexico, Peru, Russian Federation, United States of America, Uruguay;

(b) Representatives of the following observer States: Australia, Bolivia (Plurinational State of), Brazil, Canada, Colombia, Denmark, Ethiopia, Germany, Panama, Paraguay, Venezuela (Bolivarian Republic of);

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

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

(e) Observer for a national human rights institution: Defensoria del Pueblo (Peru);

(f) Observers for the following non-governmental organizations: France Libertés : Fondation Danielle Mitterrand, Foundation for Aboriginal and Islander Research Action Aboriginal Corporation, Indian Law Resource Centre, International Association of Schools of Social Work, International Committee for the Indians of the Americas (Incomindios Switzerland), International Indian Treaty Council, Saami Council, VIVAT International.

70. At the 19th meeting, on 21 September 2011, the Special Rapporteur answered questions and made his concluding remarks.

71. At the same meeting, a member of the Expert Mechanism on the Rights of Indigenous Peoples, Wilton Littlechild, answered questions and made his concluding remarks.

C. Panels

Panel discussion on the promotion and protection of human rights in the context of peaceful protest

72. At its 5th meeting, on 13 September 2011, the Human Rights Council held a half-day panel discussion on the promotion and protection of human rights in the context of peaceful protests, in accordance with Council decision 17/120. The Deputy High Commissioner made opening remarks for the panel discussion.

73. At the same meeting, the President of Maldives, Mohamed Nasheed, made a statement as a keynote speaker.

74. At the same meeting, the panellists: Maina Kiai, Santiago Canton, Michael Hamilton, Lake Tee Khaw and Bahey el-din Hassan made statements.

75. During the first segment of the ensuing panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: China (also on behalf of Algeria, Bangladesh, Bahrain, Belarus, Bolivia (Plurinational State of), Congo, Cuba, the Democratic People's Republic of Korea, Djibouti, Ecuador, Iran (Islamic Republic of), Kuwait, the Lao People's Democratic Republic, Malaysia, Mauritania, Myanmar, Namibia, Nicaragua, Pakistan, the Philippines, Qatar, the Russian Federation, Saudi Arabia, Sri Lanka, the Sudan, Tajikistan, Uganda, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe), Costa Rica, Egypt⁵² (on behalf of the Group of Arab States), Indonesia, Russian Federation, Senegal (on behalf of the Group of African States), Switzerland;

(b) Representatives of the following observer States: Australia (also on behalf of Canada and New Zealand), Brazil, Nigeria, Turkey;

(c) Observer for Palestine;

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

(e) Observers for the following non-governmental organizations: Asian Forum for Human Rights and Development, International Federation for Human Rights Leagues.

76. During the second segment of the ensuing panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Cuba, Norway, Thailand, United States of America;

(b) The representative of an observer State: United Kingdom of Great Britain and Northern Ireland;

(c) Observer for a non-governmental organization: Press Emblem Campaign.

77. At the same meeting, the panellists answered questions.

Panel discussion on the realization of the right to development

78. At the 7th meeting, on 14 September 2011, the Human Rights Council held a panel discussion on the realization of the right to development, in accordance with Council decision 16/117. The High Commissioner made opening remarks for the panel discussion.

79. At the same meeting, the panellists: Ariranga G. Pillay, Virginia Dandan and Joseph K. Ingram made statements.

80. Also at the same meeting, the Chairperson-Rapporteur of the Working Group on the Right to Development, Tamara Kunanayakam, made a statement.

81. During the first segment of the panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Burkina Faso, China, Cuba, Egypt⁵² (on behalf of the Non-Aligned Movement), India, Qatar, United States of America, Uruguay;

(b) Representatives of the following observer States: Brazil, Germany, Honduras (also on behalf of Costa Rica), Morocco;

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

(d) Observers for the following non-governmental organizations: Indian Council of South America, North-South XXI.

82. During the second segment of the panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Belgium, Ecuador, Italy, Norway, Pakistan⁵² (on behalf of the Organization of Islamic Cooperation), Saudi Arabia, Thailand;

(b) Representatives of the following observer States: Egypt, Ethiopia, France, Iran (Islamic Republic of), South Africa, Venezuela (Bolivarian Republic of);

(c) Observer for United Nations entities, specialized agencies and related organizations: United Nations Development Programme (UNDP);

(d) Observers for the following non-governmental organizations: Hope International, Rencontre africaine pour la défense des droits de l'homme.

83. At the same meeting, the panellists answered questions and made their concluding remarks.

Panel discussion on the realization of the right to health of older persons

84. At the 10th meeting, on 16 September 2011, the Human Rights Council held a half-day panel discussion on the realization of the right to health of older persons, in accordance with Council resolution 15/22. The High Commissioner made opening remarks for the panel discussion.

85. At the same meeting, the panellists: Anand Grover, Chung Chinsung, Alexandre Kalache, Helena Nygren-Krug and Bridget Sleep made statements.

86. During the first segment of the panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: China, Egypt⁵² (on behalf of the Group of Arab States), Indonesia (on behalf of member States of the Association of Southeast Asian Nations (ASEAN)), Pakistan⁵² (on behalf of the Organization of Islamic Cooperation), Peru, Saudi Arabia, Senegal (on behalf of the Group of African States), Uruguay;

(b) Representatives of the following observer States: Argentina, Brazil, Nepal;

(c) Observer for the Holy See;

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

(e) Observers for the following non-governmental organizations: European Disability Forum, Federation for Cuban Women.

87. During the second segment of the panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Bangladesh, Cuba, Ecuador, Indonesia, Qatar, Russian Federation, Spain, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Germany, Israel, Kuwait, Morocco, Turkey, Venezuela (Bolivarian Republic of);

(c) Observers for the following non-governmental organizations: International Association for Democracy in Africa, International Institute for Peace.

88. At the same meeting, the panellists answered questions and made their concluding remarks.

Panel discussion on the role of languages and culture in the protection of the well-being and identity of indigenous peoples

89. At the 17th meeting, on 20 September 2011, the Human Rights Council held a half-day panel discussion on the role of languages and culture in the protection of the well-being and identity of indigenous peoples, in accordance with Council resolution 15/7. The Deputy High Commissioner made opening remarks for the panel discussion.

90. At the same meeting, the panellists: James Anaya, Vital Bambanze, Lester Coyne and Javier Lopez Sanchez made statements.

91. During the first segment of the panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Chile, Guatemala, Mexico, Norway, Peru;

(b) Representatives of the following observer States: Australia, Bolivia (Plurinational State of), Brazil, Canada, Nepal;

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

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

(e) Observers for the following non-governmental organizations: European Bureau for Lesser Used Languages, International Work Group for Indigenous Affairs.

92. During the second segment of the panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representative of a State Member of the Human Rights Council: Russian Federation;

(b) Representatives of the following observer States: Denmark, Finland, Honduras, New Zealand, Panama, Paraguay;

(c) Observers for the following non-governmental organizations: International Committee for the Indians of the Americas (Incomindios Switzerland), Mouvement contre le racisme et pour l'amitié entre les peuples.

93. At the same meeting, the panellists: James Anaya, Vital Bambanze, Wilton Littlechild, Lester Coyne and Javier Lopez Sanchez answered questions.

D. General debate on agenda item 3

94. At its 8th and 9th meetings, on 15 September 2011, the Human Rights Council held a general debate on thematic reports under agenda items 2 and 3, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Argentina, Bangladesh, Botswana, Burkina Faso, Costa Rica, Cuba, Hungary, Indonesia, Norway, Poland (also 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), Russian Federation, Senegal (on behalf of the Group of African States), Spain, Switzerland, United States of America;

(b) Representatives of the following observer States: Algeria, Argentina, Armenia, Australia, Belarus, Bolivia (Plurinational State of), Canada, Egypt, Namibia, New Zealand, Pakistan, Sudan;

(c) Observer for the Holy See;

(d) Observer for United Nations entities, specialized agencies and related organizations: United Nations Population Fund (UNFPA) (also on behalf of the World Health Organization (WHO) and UNICEF);

(e) Observers for the following non-governmental organizations: Agence internationale pour le développement, Agir ensemble pour les droits de l'homme, Canners International Permanent Committee, Center for Environmental and Management Studies, Center for Human Rights, Peace and Advocacy, Centrist Democratic International, Colombian Commission of Jurists, Commission to Study the Organization of Peace, Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples, Commission to Study the Organization of Peace, Defence for Children International (also on behalf of the International Save the Children Alliance), European Union of Public Relations, Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos, France Libertés : Fondation Danielle Mitterrand, Incomindios, Indian Council of South America, Indian Movement Tupaj Amaru (also on behalf of the World Peace Council), International Association against Torture, International Association for Democracy in Africa, International Educational Development, Inc., International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Peace, International Islamic Federation of Student Organizations, International Service for Human Rights, Lawyers Rights Watch Canada, Mouvement contre le racisme et pour l'amitié entre les peuples, Organisation pour la communication en Afrique et de promotion de la coopération économique internationale –

OCAPROCE Internationale, Press Emblem Campaign, Save the Children International, Society for Threatened Peoples, Union de l'action féminine, United Schools International, United Nations Watch, United Towns Agency for North-South Cooperation, World Environment and Resources Council, World Muslim Congress.

95. At the 9th meeting, on 15 September 2011, a statement in exercise of the right of reply was made by the representative of China.

E. Consideration of and action on draft proposals

The human right to safe drinking water and sanitation

96. At the 34th meeting, on 28 September 2011, the representatives of Germany and Spain introduced draft resolution A/HRC/18/L.1, sponsored by Germany and Spain and co-sponsored by Albania, Algeria, Armenia, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Cambodia, Cape Verde, Chad, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, El Salvador, Estonia, Finland, France, Georgia, Greece, Guatemala, Honduras, Hungary, Iceland, Italy, Lithuania, Luxembourg, Morocco, the Netherlands, Nigeria, Norway, Panama, Palestine, Peru, Poland, Portugal, the Republic of Moldova, Romania, Saint Kitts and Nevis, Senegal, Serbia, Slovakia, Slovenia, the Solomon Islands, Switzerland, Tajikistan, Tunisia, Uruguay and Zimbabwe. Subsequently, Andorra, Austria, Botswana, Colombia, Denmark, Djibouti, Ireland, Latvia, Maldives, Monaco, Montenegro, Qatar, Sweden, the former Yugoslav Republic of Macedonia, Ukraine and Yemen joined the sponsors.

97. At the same meeting, the representative of Ecuador made general comments in relation to the draft resolution.

98. Also at the same meeting, the representative of the United States of America made a statement in explanation of the vote before the vote.

99. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/1).

Preventable maternal mortality and morbidity and human rights

100. At the 34th meeting, on 28 September 2011, the representatives of Burkina Faso, Colombia and New Zealand introduced draft resolution A/HRC/18/L.8, sponsored by Burkina Faso, Colombia and New Zealand and co-sponsored by Algeria, Australia, Austria, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Chile, the Congo, Costa Rica, Côte d'Ivoire, Croatia, the Czech Republic, Denmark, Djibouti, the Dominican Republic, Ecuador, El Salvador, France, Germany, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Latvia, Liechtenstein, Luxembourg, Maldives, Mauritius, Mexico, Morocco, the Netherlands, Nicaragua, Norway, Panama, Peru, Portugal, Senegal, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Andorra, Bangladesh, Botswana, Cambodia, Chad, Cyprus, Djibouti, Estonia, Finland, India, Indonesia, Japan, Lithuania, Malaysia, Monaco, Montenegro, Nepal, Nigeria, Poland, the Republic of Korea, the Republic of Moldova, Rwanda, Singapore, South Africa, Thailand, the former Yugoslav Republic of Macedonia and the United States of America joined the sponsors.

101. At the same meeting, the representative of New Zealand orally revised the draft resolution by modifying paragraph 5.

102. Also at the same meeting, the representatives of Benin, Mauritius and Senegal made general comments in relation to the draft resolution.

103. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

104. Also at the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/2).

Panel to commemorate the twentieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

105. At the 35th meeting, on 29 September 2011, the representative of Austria introduced draft resolution A/HRC/18/L.7, sponsored by Austria and co-sponsored by Albania, Armenia, Australia, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, the Czech Republic, Denmark, Ecuador, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, Italy, Japan, Lebanon, Liechtenstein, Luxembourg, Mexico, Montenegro, Nicaragua, Norway, Peru, Poland, the Republic of Moldova, Serbia, Slovakia, Slovenia, Switzerland, Uganda, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela (Bolivarian Republic of). Subsequently, Andorra, Belarus, Bolivia (Plurinational State of), Botswana, Brazil, Burkina Faso, Cape Verde, Cyprus, Ethiopia, Iceland, Madagascar, Malta, Monaco, Mozambique, the Republic of Korea, Romania, Senegal, Sweden and the former Yugoslav Republic of Macedonia joined the sponsors.

106. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

107. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/3).

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

108. At the 35th meeting, on 29 September 2011, the representative of Cuba introduced draft resolution A/HRC/18/L.11, sponsored by Cuba and co-sponsored by Algeria, Angola, Belarus, Bolivia (Plurinational State of), Congo, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Nicaragua, Pakistan, Palestine, Russian Federation, Sudan, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe. Subsequently, Egypt, Iraq, South Africa and the Syrian Arab Republic joined the sponsors.

109. At the same meeting, the representative of Poland (on behalf of member States of the European Union that are members of the Council) made a statement in explanation of vote before the vote.

110. Also at the same meeting, at the request of Poland (on behalf of member States of the European Union that are members of the Council), a recorded vote was taken on the draft resolution. The draft resolution was adopted, by 31 votes to 11, with 4 abstentions.

111. For the text as adopted and voting results, see part one, chapter I, resolution 18/4.

Human rights and international solidarity

112. At the 35th meeting, on 29 September 2011, the representative of Cuba introduced draft resolution A/HRC/18/L.12, sponsored by Cuba and co-sponsored by Algeria, Angola, Bangladesh, Belarus, Bolivia (Plurinational State of), Brazil, China, the Congo, the Democratic People's Republic of Korea, Djibouti, Ecuador, Ghana, Haiti, Indonesia, Iran (Islamic Republic of), Malaysia, Nicaragua, Nigeria, Pakistan, Palestine, Panama, Sri Lanka, the Sudan, Tunisia, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe. Subsequently, Bahrain, Burkina Faso, Guatemala, Morocco, the Philippines, Senegal and the Syrian Arab Republic joined the sponsors.

113. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

114. Also at the same meeting, the representative of Poland, on behalf of member States of the European Union that are members of the Council, made a statement in explanation of vote before the vote.

115. At the same meeting, at the request of Poland, on behalf of member States of the European Union that are members of the Council, a recorded vote was taken on the draft resolution. The draft resolution was adopted, by 33 votes to 12, with 1 abstention.

116. For the text as adopted and voting results, see part one, chapter I, resolution 18/5.

Promotion of a democratic and equitable international order

117. At the 35th meeting, on 29 September 2011, the representative of Cuba introduced draft resolution A/HRC/18/L.13, sponsored by Cuba and co-sponsored by Algeria, Angola, Belarus, Bolivia (Plurinational State of), the Congo, the Democratic People's Republic of Korea, Ecuador, Haiti, Indonesia, Iran (Islamic Republic of), Nicaragua, Nigeria, Pakistan, Palestine, Venezuela (Bolivarian Republic of) and Zimbabwe. Subsequently, the Syrian Arab Republic joined the sponsors.

118. At the same meeting, the representative of Cuba orally revised the draft resolution.

119. Also at the same meeting, the representative of Poland introduced amendment A/HRC/18/L.33 to the draft resolution A/HRC/18/L.13. Amendment A/HRC/18/L.33 was sponsored by Poland.

120. At the same meeting, the representative of Cuba introduced amendment A/HRC/18/L.34 to amendment A/HRC/18/L.33. Amendment A/HRC/18/L.34 was sponsored by Cuba.

121. Also at the same meeting, the representative of the United States of America moved that an amendment be made to draft resolution A/HRC/18/L.13.

122. At the same meeting, the representatives of Chile, Costa Rica, Cuba and Peru made general comments in relation to the draft resolution and amendments.

123. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution and the amendments.

124. At the same meeting, the representatives of Ecuador, Guatemala and Poland (on behalf of member States of the European Union that are members of the Council) made statements in explanation of vote before the vote on amendment A/HRC/18/L.34.

125. Also at the same meeting, at the request of Poland, on behalf of member States of the European Union that are members of the Council, a recorded vote was taken on amendment A/HRC/18/L.34. The amendment was adopted by 23 votes to 12, with 10 abstentions. The voting was as follows:

In favour:

Angola, Bangladesh, Benin, Burkina Faso, Cameroon, China, Congo, Cuba, Djibouti, Ecuador, India, Indonesia, Jordan, Kyrgyzstan, Malaysia, Nigeria, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda

Against:

Austria, Belgium, Czech Republic, Hungary, Italy, Norway, Poland, Republic of Moldova, Romania, Spain, Switzerland, United States of America

Abstaining:

Botswana, Chile, Costa Rica, Guatemala, Maldives, Mauritania, Mauritius, Mexico, Peru, Uruguay

126. At the same meeting, the Human Rights Council decided not to take action on draft amendment A/HRC/18/L.33.

127. Also at the same meeting, at the request of the representative of Cuba, a recorded vote was taken on the amendment proposed by the United States of America. The amendment was rejected by 19 votes to 12, with 14 abstentions. The voting was as follows:

In favour:

Austria, Belgium, Czech Republic, Hungary, Italy, Norway, Poland, Republic of Moldova, Romania, Spain, Switzerland, United States of America

Against:

Angola, Bangladesh, Benin, Burkina Faso, China, Congo, Cuba, Ecuador, India, Indonesia, Malaysia, Nigeria, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Uganda, Uruguay

Abstaining:

Botswana, Cameroon, Chile, Costa Rica, Djibouti, Guatemala, Jordan, Kyrgyzstan, Maldives, Mauritania, Mauritius, Mexico, Peru, Thailand

128. At the same meeting, the representative of Poland, on behalf of member States of the European Union that are members of the Council, made a statement in explanation of vote before the vote in relation to the draft resolution as orally revised and amended by A/HRC/18/L.34.

129. Also at the same meeting, at the request of the representative of Poland, on behalf of member States of the European Union that are members of the Council, a recorded vote was taken on the draft resolution as orally revised and amended by A/HRC/18/L.34. The draft resolution, as orally revised and amended by A/HRC/18/L.34, was adopted by 29 votes to 12, with 5 abstentions.

130. For the text as adopted and voting results, see part one, chapter I, resolution 18/6.

Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

131. At the 35th meeting, on 29 September 2011, the representatives of Argentina, Morocco and Switzerland introduced draft resolution A/HRC/18/L.22, sponsored by

Argentina, Morocco and Switzerland and co-sponsored by Albania, Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, the Czech Republic, the Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Maldives, Mauritania, Mexico, Nigeria, Norway, Palestine, Paraguay, Peru, Poland, Portugal, the Republic of Moldova, Senegal, Serbia, Slovenia, Spain, Sweden, Thailand, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Armenia, Botswana, Burundi, Cape Verde, Cuba, Cyprus, Egypt, Estonia, Ghana, Israel, Japan, Libya, Luxembourg, Malta, Montenegro, the Netherlands, Qatar, the Republic of Korea, Romania, Slovakia, Somalia, Suriname, the former Yugoslav Republic of Macedonia, the United States of America and Yemen joined the sponsors.

132. At the same meeting, the representative of Argentina orally revised the draft resolution.

133. Also at the same meeting, the representatives of Chile, Costa Rica, Cuba, Ecuador, Guatemala, Peru, the Russian Federation and Uruguay, on behalf of the Common Market of the South (MERCOSUR), made general comments in relation to the draft resolution.

134. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

135. Also at the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/7).

Human rights and indigenous peoples

136. At the 35th meeting, on 29 September 2011, the representative of Guatemala introduced draft resolution A/HRC/18/L.23, sponsored by Guatemala and Mexico and co-sponsored by Australia, Austria, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Colombia, the Congo, Costa Rica, Cuba, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, Ghana, Greece, Haiti, Honduras, Hungary, Norway, Panama, Paraguay, Peru, Spain, Uruguay, Venezuela (Bolivarian Republic of) and Zimbabwe. Subsequently, Armenia, Botswana, Canada, Djibouti, Egypt, Iceland, Israel, Libya, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, Nicaragua, Poland, Qatar, the Republic of Korea, Romania, Slovakia, Somalia, Suriname, the former Yugoslav Republic of Macedonia, the United States of America and Yemen joined the sponsors.

137. At the same meeting, the representative of Ecuador made general comments in relation to the draft resolution.

138. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

139. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/8).

Panel on freedom of expression on the Internet

140. At the 36th meeting, on 29 September 2011, the representative of Sweden introduced draft decision A/HRC/18/L.27, sponsored by Sweden and co-sponsored by Austria, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany,

Georgia, Greece, Guatemala, Hungary, Indonesia, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Mexico, Montenegro, Morocco, the Netherlands, Norway, Palestine, Peru, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Switzerland, Tunisia, Turkey, Ukraine and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Australia, Belgium, Brazil, Côte d'Ivoire, Djibouti, Honduras, Iceland, India, Japan, Maldives, the Republic of Korea, Senegal, Somalia, the former Yugoslav Republic of Macedonia and the United States of America joined the sponsors.

141. At the same meeting, the representatives of China and Cuba made general comments in relation to the draft decision.

142. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft decision.

143. At the same meeting, the draft decision was adopted without a vote (for the text as adopted, see part one, chapter II, decision 18/119).

Human rights and issues related to terrorist hostage-taking

144. At the 36th meeting, on 29 September 2011, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/18/L.3, sponsored by Senegal, on behalf of the Group of African States. Subsequently, Bangladesh, Colombia, Cuba, the Russian Federation, Sri Lanka and Turkey joined the sponsors.

145. At the same meeting, the representative of Senegal, on behalf of the Group of African States, orally revised the draft resolution.

146. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

147. At the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

148. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/10).

Mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and waste

149. At the 36th meeting, on 29 September 2011, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/18/L.6, sponsored by Senegal, on behalf of the Group of African States. Subsequently, Austria, Costa Rica, Maldives, Portugal, Romania and Uruguay joined the sponsors.

150. At the same meeting, the representatives of Poland, on behalf of member States of the European Union that are members of the Council, and of the United States of America made general comments in relation to the draft resolution.

151. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

152. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/11).

Human rights in the administration of justice, in particular juvenile justice

153. At the 36th meeting, on 29 September 2011, the representative of Austria introduced draft resolution A/HRC/18/L.9, sponsored by Austria and co-sponsored by Argentina, Armenia, Belgium, Bosnia and Herzegovina, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Israel, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Mexico, Montenegro, Morocco, the Netherlands, Norway, Peru, Poland, Portugal, the Republic of Moldova, Romania, the Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukraine and Uruguay. Subsequently, Albania, Andorra, Benin, Brazil, Colombia, Ecuador, Georgia, Ireland, Japan, Kenya, Lebanon, Lithuania, Maldives, Monaco, Montenegro, Panama, the Republic of Korea, San Marino and the former Yugoslav Republic of Macedonia joined the sponsors.

154. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/12).

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

155. At the 36th meeting, on 29 September 2011, the representative of Ukraine introduced draft resolution A/HRC/18/L.21, sponsored by Ukraine and co-sponsored by Chile, Colombia, Croatia, the Czech Republic, France, Georgia, Germany, Greece, Guatemala, Hungary, Latvia, Morocco, Peru, Poland, Portugal, the Republic of Moldova, Serbia, Slovakia, Slovenia, Spain, Thailand, Tunisia and Uruguay. Subsequently, Albania, Australia, Bosnia and Herzegovina, Burkina Faso, Canada, Cyprus, Denmark, Djibouti, Estonia, Finland, Ireland, Italy, Japan, Kyrgyzstan, Lithuania, Maldives, Montenegro, Nicaragua, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined the sponsors.

156. At the same meeting, the representative of Ukraine orally revised the draft resolution by modifying paragraph 3.

157. Also at the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/13).

Regional arrangements for the promotion and protection of human rights

158. At the 36th meeting, on 29 September 2011, the representative of Belgium introduced draft resolution A/HRC/18/L.29/Rev.1, sponsored by Belgium and co-sponsored by Armenia, Croatia, Greece, Guatemala, Ireland, Mexico, Peru, Poland, Portugal, Senegal, Serbia, Spain and Thailand. Subsequently, Australia, Canada, Chile, Cyprus, Estonia, Montenegro, Romania, Senegal, Slovakia, Slovenia and South Africa joined the sponsors.

159. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

160. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/14).

Panel on the promotion and protection of human rights in a multicultural context, including through combating xenophobia, discrimination and intolerance

161. At the 36th meeting, on 29 September 2011, the representative of Egypt introduced draft resolution A/HRC/18/L.17, sponsored by Egypt and co-sponsored by Bangladesh, Cuba, Malaysia, Morocco and Pakistan. Subsequently, Algeria, Australia, Bolivia (Plurinational State of), Djibouti, Indonesia, Iraq, Lebanon, Nicaragua, Pakistan (on behalf of the Organization of Islamic Cooperation), Palestine, Qatar, Saudi Arabia, Senegal (on

behalf of the Group of African States), Sri Lanka, Thailand and Venezuela (Bolivarian Republic of) joined the sponsors.

162. At the same meeting, the representative of Egypt orally revised the draft resolution.

163. Also at the same meeting, the representatives of Cuba and Senegal, on behalf of the Group of African States, made general comments in relation to the draft resolution.

164. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

165. Also at the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

166. At the same meeting, at the request of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution, as orally revised, was adopted by 37 votes to 1, with 8 abstentions.

167. For the text as adopted and voting results, see part one, chapter I, resolution 18/20.

Human rights of migrants

168. At the 37th meeting, on 30 September 2011, the representative of Mexico introduced draft resolution A/HRC/18/L.10/Rev.1, sponsored by Mexico and co-sponsored by Argentina, Bolivia (Plurinational State of), Bosnia and Herzegovina, Chile, Colombia, Costa Rica, Ecuador, Ethiopia, Ghana, Guatemala, Honduras, Peru, Serbia, Turkey, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Brazil, Egypt, Indonesia, Nicaragua, the Philippines and Sri Lanka joined the sponsors.

169. At the same meeting, the representative of Mexico orally revised the draft resolution.

170. Also at the same meeting, the representatives of Ecuador, Italy, Poland (on behalf of member States of the European Union that are members of the Council) and the United States of America made general comments in relation to the draft resolution.

171. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/21).

Human rights and climate change

172. At the 37th meeting, on 30 September 2011, the representatives of Bangladesh and the Philippines introduced draft resolution A/HRC/18/L.26/Rev.1, sponsored by Bangladesh and the Philippines and co-sponsored by Algeria, Benin, Djibouti, Indonesia, Namibia, Nepal, Pakistan, Palestine, Sri Lanka, Thailand, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe. Subsequently, Botswana, Bulgaria, Burkina Faso, Chad, Cuba, Ecuador, Egypt, Germany, Greece, Ireland, Lebanon, Luxembourg, Madagascar, Malaysia, Maldives, Mauritius, Monaco, Montenegro, the Netherlands, Nicaragua, Peru, Qatar, Romania, Senegal, Singapore, Spain and the Sudan joined the sponsors.

173. At the same meeting, the representatives of Costa Rica, Maldives and the United States of America made general comments in relation to the draft resolution.

174. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

175. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/22).

176. At the 38th meeting, on 30 September 2011, the representative of Switzerland, also on behalf of Slovenia, made a statement in explanation of vote after the vote.

The right to development

177. At the 38th meeting, on 30 September 2011, the representative of Egypt, on behalf of the Non-Aligned Movement, introduced draft resolution A/HRC/18/L.15, sponsored by Egypt, on behalf of the Non-Aligned Movement, and co-sponsored by Brazil, Serbia and Uruguay. Subsequently, China and Nicaragua joined the sponsors.

178. At the same meeting, the representative of Egypt, on behalf of the Non-Aligned Movement, orally revised the draft resolution.

179. Also at the same meeting, the representatives of Poland (on behalf of member States of the European Union that are members of the Council) and the United States of America made statements in explanation of vote before the vote.

180. At the same meeting, at the request of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution, as orally revised, was adopted by 45 votes, with 1 abstention.

181. For the text as adopted and voting results, see part one, chapter I, resolution 18/26.

Human rights and unilateral coercive measures

182. At the 38th meeting, on 30 September 2011, the representative of Egypt, on behalf of the Non-Aligned Movement, introduced draft decision A/HRC/18/L.16, sponsored by Egypt, on behalf of the Non-Aligned Movement.

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

184. Also at the same meeting, at the request of Poland, on behalf of member States of the European Union that are members of the Council, a recorded vote was taken on the draft decision. The draft decision was adopted by 34 votes to 12.

185. For the text as adopted and voting results, see part one, chapter II, decision 18/120.

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

A. Interactive dialogue on country situations

Interactive dialogue with the international commission of inquiry on Libya

186. At the 12th meeting, on 19 September 2011, Philippe Kirsch presented an oral report on behalf of the international commission of inquiry on Libya.

187. At the same meeting, the representative of Libya made a statement as the country concerned.

188. During the ensuing interactive dialogue at the same meeting and at the 13th meeting, on the same day, the following made statements and asked the members of the commission of inquiry:

(a) Representatives of States Members of the Human Rights Council: Austria, Belgium, Botswana, Chile, China, Cuba, Czech Republic, Egypt⁵³ (on behalf of the Group of Arab States), India (also on behalf of Brazil and South Africa), Indonesia, Italy, Jordan, Maldives, Mexico, Nigeria, Norway, Qatar, Russian Federation, Spain, Switzerland, Thailand, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Bosnia and Herzegovina, Canada, Croatia, Denmark, Egypt, France, Germany, Iraq, Japan, Kuwait, Lebanon, Morocco, Portugal, Republic of Korea, Slovakia, Sudan, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of) Viet Nam;

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

(d) Observers for the following non-governmental organizations: Human Rights Watch, Indian Movement Tupaj Amaru (also on behalf of World Peace Council), International Human Rights Association of American Minorities, Press Emblem Campaign.

189. At the same meeting, the representative of Libya made a statement as the country concerned.

190. Also at the same meeting, Mr. Kirsch answered questions and made his concluding remarks.

Interactive dialogue on the situation of human rights in the Syrian Arab Republic

191. At the 14th meeting, on 19 September 2011, the Deputy High Commissioner presented the report of the High Commissioner on the situation of human rights in the Syrian Arab Republic (A/HRC/18/53).

192. At the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

193. During the ensuing interactive dialogue, at the same meeting, the following made statements and asked the Deputy High Commissioner questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Belgium, Botswana, Chile, China, Cuba, Czech Republic, India, Indonesia, Italy, Maldives,

⁵³ Observer of the Human Rights Council speaking on behalf of Member and observer States.

Mexico, Norway, Romania, Russian Federation, Spain, Switzerland, Thailand, United States of America, Uruguay;

(b) Representatives of the following observer States: Australia, Belarus, Canada, Croatia, Democratic People's Republic of Korea, Denmark, France, Germany, Iran (Islamic Republic of), Israel, Japan, Kuwait, Portugal, Republic of Korea, Slovakia, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

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

(d) Observers for the following non-governmental organizations: Cairo Institute for Human Rights Studies, International Commission of Jurists, Mouvement contre le racisme et pour l'amitié entre les peuples, Rencontre africaine pour la défense des droits de l'homme.

194. At the same meeting, the Deputy High Commissioner answered questions and made her concluding remarks.

Interactive dialogue on the situation of human rights in Belarus

195. At the 15th meeting, on 20 September 2011, the Deputy High Commissioner presented the oral report of the High Commissioner on the situation of human rights in Belarus.

196. At the same meeting, the representative of Belarus made a statement as the country concerned.

197. During the ensuing interactive dialogue at the 19th meeting, on 21 September 2011, and at the 22nd meeting, on 22 September, the following made statements and asked the Deputy High Commissioner questions:

(a) Representatives of States Members of the Human Rights Council: Angola, Austria, Bangladesh, Belgium, Botswana, China, Cuba, Czech Republic, Hungary, India, Mexico, Norway, Philippines, Russian Federation, Switzerland, United States of America, Uruguay;

(b) Representatives of the following observer States: Armenia, Azerbaijan, Bahrain, Canada, Democratic People's Republic of Korea, Denmark, France, Germany, Iran (Islamic Republic of), Kazakhstan, Latvia, Lithuania, Myanmar, Pakistan, Slovakia, Sweden, Syrian Arab Republic, Turkmenistan, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe;

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

(d) Observers for the following non-governmental organizations: Amnesty International, CIVICUS-World Alliance for Citizen Participation, Human Rights House Foundation, Indian Movement Tupaj Amaru (also on behalf of the World Peace Council), International Federation of Human Rights Leagues (also on behalf of the World Organization against Torture).

198. At the 22nd meeting, on 22 September 2011, the representative of Belarus made a statement as the country concerned.

199. At the same meeting, the Deputy High Commissioner answered questions and made her concluding remarks.

B. Interactive dialogue with special procedures

Independent expert on the situation of human rights in the Sudan

200. At the 14th meeting, on 19 September 2011, the independent expert on the situation of human rights in the Sudan, Mohammed Chande Othman, presented his reports (A/HRC/18/40 and Add.1).

201. At the same meeting, the representatives of the Sudan and South Sudan made statements as the countries concerned.

202. During the ensuing interactive dialogue at the 15th meeting, on 20 September 2011, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Bangladesh, Belgium, Benin, Burkina Faso, China, Czech Republic, Egypt⁵³ (on behalf of the Group of Arab States), India, Maldives, Mexico, Norway, Pakistan⁵³ (on behalf of the Organization of Islamic Cooperation), Qatar, Romania, Russian Federation, Saudi Arabia, Senegal (on behalf of the Group of African States), Spain, Switzerland, Thailand, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Bahrain, Brazil, Canada, Denmark, Egypt, Ethiopia, France, Germany, Ireland, Japan, Kuwait, Lebanon, Netherlands, Oman, Republic of Korea, Slovakia, Slovenia, Sweden, Syrian Arab Republic, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland;

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

(d) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Al Zubair Charitable Foundation (also on behalf of the Eastern Sudan Women Development Organization and the Sudan Council of Voluntary Agencies), Amnesty International, Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples, Human Rights Watch, Maarij Foundation for Peace and Development (also on behalf of the Eastern Sudan Women Development Organization and the Sudan Council of Voluntary Agencies).

203. At the 15th meeting, on 20 September 2011, the representatives of the Sudan and South Sudan made statements as the countries concerned.

204. At the same meeting, the independent expert answered questions and made his concluding remarks.

C. General debate on agenda item 4

205. At its 22nd meeting, on 22 September 2011, and at its 24th and 26th meetings, on 23 September 2011, the Human Rights Council held a general debate on agenda item 4, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Austria, Belgium, China, Cuba, Czech Republic, Norway, Poland (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Iceland, Liechtenstein, Montenegro and the former Yugoslav Republic of Macedonia), Romania, Spain, Switzerland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Belarus, Canada, Denmark, France, Germany, Iran (Islamic Republic of), Ireland, Japan, Morocco, Slovakia, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland;

(c) Observers for the following non-governmental organizations: Agence internationale pour le développement, Amnesty International, Arab Lawyers Union (also on behalf of the General Arab Women Federation, International Educational Development, the International Organization for the Elimination of All Forms of Racial Discrimination, the Union of Arab Jurists and the United Towns Agency for North-South Cooperation), Asian Forum for Human Rights and Development, Baha'i International Community, Cairo Institute for Human Rights Studies, Canners International Permanent Committee, Center for Environment and Management Studies, Centre for Human Rights and Peace Advocacy, Centrist Democratic International, CIVICUS – World Alliance for Citizen Participation, Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples, Commission to Study the Organization of Peace, Eastern Sudan Women Development Organization (also on behalf of the Child Development Foundation, International Women Bond, the Society Studies Center and the Sudan Council of Voluntary Agencies), Espace Afrique International, France Libertés : Fondation Danielle Mitterrand (also on behalf of Mouvement contre le racisme et pour l'amitié entre les peuples), Human Rights House Foundation, Human Rights Watch, Indian Council of South America, International Association for Democracy in Africa, International Buddhist Relief Organisation, International Committee for the Indians of the Americas, International Educational Development, International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Peace, International Islamic Federation of Student Organizations, International Movement against All Forms of Discrimination and Racism (also on behalf of Lawyers Rights Watch Canada), Liberation, Marangopoulos Foundation for Human Rights, Mouvement contre le racisme et pour l'amitié entre les peuples (also on behalf of France Libertés : Fondation Danielle Mitterrand, International Educational Development, Inc., and the Women's Human Rights International Association), Network of Women's Non-governmental Organizations in the Islamic Republic of Iran, Rencontre africaine pour la défense des droits de l'homme, Society for Threatened Peoples (also on behalf of International Educational Development, Mouvement contre le racisme et pour l'amitié entre les peuples and Rencontre africaine pour la défense des droits de l'homme), Organisation pour la communication en Afrique et de promotion de la coopération économique internationale – OCAPROCE Internationale, Syriac Universal Alliance, Tchad agir pour l'environnement, Union de l'action féminine, United Nations Watch, United Town Agency for North-South Cooperation, Verein Sudwind Entwicklungspolitik, Women Human Rights International Association, World Environment and Resources Council, World Federation of Trade Unions, World Muslim Congress.

206. At the 23rd meeting, on 22 September 2011, statements in exercise of the right of reply were made by the representatives of Azerbaijan, Bahrain, China, the Democratic People's Republic of Korea, Venezuela (Bolivarian Republic of) and Zimbabwe.

207. At the 26th meeting, on 23 September 2011, statements in exercise of the right of reply were made by the representatives of Algeria, Azerbaijan, China, Cuba, the Democratic People's Republic of Korea, Egypt, the Islamic Republic of Iran, Japan, Morocco, Myanmar, the Russian Federation, Sri Lanka, the Sudan, the Syrian Arab Republic, Uzbekistan and Zimbabwe.

208. At the same meeting, statements in exercise of a second right of reply were made by the representatives of Algeria, the Democratic People's Republic of Korea, Japan and Morocco.

V. Human rights bodies and mechanisms

A. Complaint procedure

209. At the 11th meeting, on 11 September 2011, and at the 29th meeting, on 27 September, the Human Rights Council held two closed meetings of the complaint procedure.

210. At the 30th meeting, on 27 September 2011, the President made a statement on the outcome of the meetings, stating:

The Human Rights Council has, in closed meetings, examined the human rights situations in Tajikistan and in the Democratic Republic of the Congo under the complaint procedure established pursuant to Human Rights Council resolution 5/1, and has decided to discontinue its consideration of the human rights situation in Tajikistan and to keep under review the human rights situation in the Democratic Republic of the Congo, and to recommend that the Office of the United Nations High Commissioner for Human Rights provide the Democratic Republic of the Congo with technical cooperation, capacity-building, assistance or advisory services as needed in both situations examined under the complaint procedure.

B. Expert Mechanism on the Rights of Indigenous Peoples

211. At the 16th meeting, on 20 September 2011, the Chairperson-Rapporteur of the Expert Mechanism on the Rights of Indigenous Peoples, Vital Bambanze, presented the reports of the Expert Mechanism (A/HRC/18/42 and 43).

212. At the same meeting, and at the 19th meeting, on 21 September 2011, the Human Rights Council held an interactive dialogue on the situation of human rights and fundamental freedoms of indigenous peoples (see paragraphs 65 to 71 above).

C. General debate on agenda item 5

213. At its 19th meeting, on 21 September 2011, the Human Rights Council held a general debate on agenda item 5, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Latvia⁵³ (also on behalf of Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Lebanon, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway (also on behalf of Argentina, Chile, Maldives, Mexico, Sweden, Switzerland, Thailand, Turkey and the United Kingdom of Great Britain and Northern Ireland), Panama, Peru, Poland (also on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay);

(b) Observers for the following non-governmental organizations: Cairo Institute for Human Rights Studies, Centre for Human Rights and Peace Advocacy, Colombian

Commission of Jurists, Commission of International Affairs of the World Council of Churches (also on behalf of Earth Justice), France Libertés : Fondation Danielle Mitterrand, Incomindios, Indian Council of Education, Indian Council of South America, Indian Movement Tupaj Amaru, International Buddhist Relief Organisation, International Institute for Non-Aligned Studies, Liberation, Network of Women's Non-governmental Organizations in the Islamic Republic of Iran, Nord-Sud XXI, Permanent Assembly for Human Rights, Rencontre africaine pour la défense des droits de l'homme, Syriac Universal Alliance, Verein Sudwind Entwicklungspolitik.

D. Consideration of and action on draft proposals

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

214. At the 35th meeting, on 29 September 2011, the representative of Hungary introduced draft decision A/HRC/18/L.19, sponsored by Hungary and co-sponsored by Australia, Austria, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Mexico, Norway, Peru, Poland, Portugal, the Republic of Moldova, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, Ukraine and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Andorra, Belgium, Brazil, Bosnia and Herzegovina, Estonia, Japan, Lithuania, Maldives, Montenegro, the Netherlands, Nicaragua, the Republic of Korea, Romania, Senegal, the former Yugoslav Republic of Macedonia and the United States of America joined the sponsors.

215. At the same meeting, the representative of Hungary orally revised the draft decision.

216. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft decision.

217. At the same meeting, the draft decision, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter II, decision 18/118).

Annual cycle of the Advisory Committee

218. At the 38th meeting, on 30 September 2011, the President of the Human Rights Council introduced a procedural decision on the annual cycle of the Advisory Committee.

219. At the same meeting, the decision was adopted without a vote (for the text as adopted, see part one, chapter II, decision 18/121).

VI. Universal periodic review

220. Pursuant to General Assembly resolution 60/251, Human Rights Council resolution 5/1 and President's statements 8/1 and 9/2 on the modalities and practices for the universal periodic review process, the Council considered the outcome of the reviews held during the eleventh session of the Working Group on the Universal Periodic Review.

A. Consideration of universal periodic review outcomes

221. In accordance with paragraph 4.3 of President's statement 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 Human Rights Council, as well as general comments made by other relevant stakeholders before the adoption of the outcome by the Council in plenary session.

Belgium

222. The review of Belgium was held on 2 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Belgium in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/BEL/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/BEL/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/BEL/3).

223. At its 18th meeting, on 21 September 2011, the Human Rights Council considered and adopted the outcome of the review of Belgium (see section C below).

224. The outcome of the review of Belgium comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/3), the views of Belgium 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, its voluntary commitments and the outcome

225. Ambassador Roux of Belgium expressed his gratitude to the delegates of the troika and the secretariat of the universal periodic review for their commitment, support and cooperation during the review of Belgium. He referred to the presence of the Minister for Foreign Affairs of Belgium during the session of the Working Group, which showed Belgium's commitment to human rights and the importance it attached to the universal periodic review.

226. Ambassador Roux referred to the commitments made by Belgium during its election to the Human Rights Council to engage to promote and protect human rights, convinced that civil, political, economic, social and cultural rights are universal, indivisible, interdependent and intrinsically linked.

227. Belgium's aim during the universal periodic review was to accept as many recommendations as possible and, as reflected in the report of the Working Group, Belgium

had immediately accepted the vast majority (85 of 121). Moreover, 26 of the accepted recommendations had already been implemented or were being implemented.

228. These recommendations concerned, *inter alia*, the ratification of international instruments, the fight against racism, asylum and migration policies, the penitentiary system, violence against women, the fight against sexual exploitation of children, LGBT rights and disability rights.

229. Belgium had accepted to establish a national human rights institution in accordance with the Paris Principles, to strengthen its asylum and migration policies, to revise its penitentiary conditions and to ratify four international instruments, in particular the International Convention for the Protection of All Persons from Enforced Disappearances, the Optional Protocol to the Convention against Torture, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the Third Protocol to the Geneva Convention of 12 August 1949.

230. Since May 2011, the Belgian authorities had turned their attention to the follow-up on the above recommendations.

231. On 2 June 2011, Belgium had ratified the Convention on Enforced Disappearances. The process of the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention against Torture was ongoing, and a working group had been created for the establishment of a national human rights institution under the direction of the federal justice service. Meanwhile, other federal and federated institutions had taken the lead on the implementation of the other recommendations.

232. With regard to pending recommendations, Belgium was currently not in a position to accept recommendations 102.1, 2 and 3 regarding the lifting of its reservations on the International Covenant on Civil and Political Rights. A more thorough analysis of its reservations to the Covenant and other human rights conventions was under way. At the same time, Belgium agreed to reconsider the interpretative declaration made under article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination.

233. It was also not possible for Belgium to withdraw the declaration made under article 2 of the Convention on the Rights of the Child (recommendation 102.7) on non-discrimination. It considered this declaration to be in conformity with the interpretation of article 2 given by its Constitutional Court, the European Court for Human Rights and the Committee on the Rights of the Child.

234. Belgium had not accepted to elaborate a national plan of action for human rights (recommendations 102.5 and 6) as it had developed a sectorial approach to the promotion and protection of human rights and drawn up several plans of action for priority areas. The establishment of a national human rights institution, as accepted during the session of the Working Group, would not be done by means of a national plan. The institution would be established bearing in mind the division of competencies and the institutional reality of the federal structure.

235. Belgium had rejected recommendation 102.9 to modify its Criminal Code, because sexual violence was already defined as a crime under title VII of the Criminal Code and had no incidence on the priority given to the prosecution and investigation of that crime. The requested modification would therefore have only a symbolic effect and be difficult to implement in the legislative process. Belgium had, however, accepted to extend its national plan of action against domestic violence and all forms of violence against women and girls (recommendations 102.10 and 12). Certain forms of violence, committed in other contexts, were already addressed in the national plan of action against human trafficking.

236. Belgium had also accepted to circulate and implement the Bangkok rules in the framework of its reform of the judicial system (recommendation 102.13).

237. With regard to the renewal of its plan of action against the sexual exploitation of children for commercial purposes (recommendation 102.8), Belgium reiterated that this issue was linked to trafficking of human beings as well as sexual tourism. A plan of action against trafficking of human beings focusing on minor victims had been adopted in 2008. A working group on minors travelling alone had also been established in the Asylum and Migration Department. The Belgian authorities therefore considered that the adoption of a specific plan of action on that subject could present a risk of overlapping with the latter mechanisms, and therefore did not support this recommendation.

238. With regard to issues relating to minorities (recommendations 102.4 and 11), Belgium had made a reservation to the concept of “national minority” upon signing the framework convention for the protection of minorities. Meanwhile, a working group had been convened but until today no agreement had been reached on a definition.

239. Belgium had voluntarily pledged to submit a midterm report to the Human Rights Council in 2013, to provide an overview of progress made.

240. The delegate also referred to the closing remarks made by the Minister for Foreign Affairs, on 2 June 2011, regarding the continuous efforts made by the authorities to work closely with civil society on the implementation of universal periodic review recommendations, as testified by the meeting held with non-governmental organizations on 21 June 2011.

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

241. Algeria noted with satisfaction that Belgium had accepted many recommendations, and had accepted two of its own. Considering that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families had set up the most extensive international framework for the protection of this group, Algeria recommended that Belgium should adhere to it. It hoped that Belgium would reconsider its rejection of that recommendation, taking into account recommendation 1737 of 17 March 2006 of the Parliamentary Assembly of the Council of Europe.

242. Belarus hoped that Belgium would successfully implement all accepted recommendations and improve its measures aimed at combating trafficking in persons. It regretted that some recommendations had not been accepted, such as those relating to the elimination of discrimination against migrant workers, the excessive use of force by the police during mass events and the deportation of foreigners. Belarus also regretted the fact that Belgium had rejected a recommendation to prevent acts of xenophobia and racial intolerance. It called on Belgium to take measures to prevent discrimination against ethnic and racial minorities and to introduce a law prohibiting organizations and political parties from propagating hatred and racial discrimination.

243. Morocco noted with satisfaction the existence of a mechanism to follow up on forced deportation and assistance to asylum seekers, and the actions taken to combat racism, in particular by the Centre for Equal Opportunities. Morocco regarded as best practices the National Commission on the Rights of the Child and the measures taken to promote equal opportunity and to combat domestic violence. Morocco appreciated the measures taken by Belgium to protect migrants and freedom of religion. It praised the efforts made by Belgium to improve human rights education. Morocco hoped that Belgium would consider implementing the recommendations it had made on human rights education and training for public officials.

244. The Islamic Republic of Iran regretted the fact that most of the recommendations it had made had been rejected, although they aimed at protecting the human rights of ethnic, linguistic and religious minorities. It referred to the 2011 anti-Hijab law, which violated the right of women to practise their religion and aggravated the Islamophobic atmosphere prevailing in Belgium. It called upon Belgium to abolish that law. It remained concerned at the situation of racism and racial discrimination and the rights of migrants and other minorities in Belgium. It urged Belgium to reconsider its position and to accept the recommendations on these issues.

245. Romania welcomed the fact that Belgium had prepared its national report with the broad participation of civil society. Belgium had the legal and institutional mechanisms to meet its current human rights challenges. Romania had taken note of the institutional and legal framework aimed at combating discrimination and human trafficking and protecting the rights of the child. It welcomed Belgium's acceptance to create a national human rights institution in accordance with the Paris Principles.

3. General comments made by other relevant stakeholders

246. The Islamic Human Rights Commission expressed concern at the discrimination experienced by women wearing face veils or a headscarf. It stated that banning girls from wearing a headscarf at schools might lead to increased educational exclusion and social deprivation. It added that sanctioning women for wearing a face veil in public spaces by fines or imprisonment was in violation of the Constitution of Belgium. While recalling the consistent jurisprudence of the European Court of Human Rights on the right to freedom of religion, it added that Belgium should comply with human rights standards to which it was party. It urged Belgium to give its citizens the right to practise religion without Government interference or approval, and to repeal all unreasonable laws against women.

247. The European Region of the International Lesbian and Gay Federation (ILGA-Europe) encouraged Belgium to eliminate discrimination based on gender identity by developing awareness-raising programmes and addressing this issue in school curricula. It also recommended that Belgium should explicitly include sexual orientation and gender identity as grounds for discrimination in its Constitution. ILGA-Europe also recommended that Belgium should abolish the requirement of surgery leading to sterilization for transsexual people. It encouraged Belgium to share best practices on the fight against discrimination based on gender identity or sexual orientation, and to continue to apply the Yogyakarta Principles.

248. The International Commission of Jurists welcomed the fact that Belgium had accepted many recommendations on the rights of asylum seekers. Their implementation warranted urgent attention. The Commission recalled that the European Court of Human Rights had ruled that Belgium had violated the principle of non-refoulement in automatically transferring an asylum seeker to Greece. While Belgium had suspended this procedure in October 2010, it should take steps to formally abolish mechanisms of automatic expulsion that failed to take into consideration the principle of non-refoulement. It also urged Belgium to reconsider its position on the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

249. Amnesty International welcomed Belgium's commitment to involve civil society in its follow-up to the universal periodic review. It also welcomed the acceptance of the majority of the recommendations and the commitment to present a progress report in 2013. Amnesty International applauded Belgium for having accepted the establishment of a national human rights institution and welcomed its support for the ratification of the Optional Protocols to the Convention against Torture and to the International Covenant on Economic, Social and Cultural Rights. It noted that Belgium had accepted the

recommendation to provide shelter and assistance to asylum seekers, while more than 1,400 of them were homeless in 2011. It expressed concern at the fact that asylum seekers, who apply for asylum at the border, were still routinely detained, contrary to what Belgium claimed. Amnesty International urged Belgium to use detention as a measure of last resort and to reflect such a provision in law.

4. Concluding remarks of the State under review

250. In his concluding remarks, Ambassador Roux thanked the troika, the secretariat and the intervening delegations. He addressed two points discussed during the session and contained in the report of the Working Group; first, with regard to the issue of migrant workers, he referred to paragraph 36 of the report, which explained Belgium's position. This was a matter of concern not only to Belgium but to the European Union as a whole. Second, in reply to the delegation of the Islamic Republic of Iran and the Islamic Human Rights Commission on the question of the veil, Ambassador Roux referred to paragraph 42 of the report. He highlighted the openness of Belgian society and the challenges it faced owing to its multiculturalism.

251. Ambassador Roux stressed the fact that structures and mechanisms existed to ensure that civil society exercised its rights and that federal and federated authorities took into account its views. Bearing in mind the developing situation in Belgium, he pledged to return to the Human Rights Council in 2013 for a midterm review.

Denmark

252. The review of Denmark was held on 2 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

- (a) The national report submitted by Denmark in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/DNK/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/DNK/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/DNK/3).

253. At its 18th meeting, held on 21 September 2011, the Human Rights Council considered and adopted the outcome of the review of Denmark (see section C below).

254. The outcome of the review of Denmark comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/4), the views of Denmark 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/18/4/Add.1).

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

255. The delegation was honoured to address the plenary meeting devoted to the adoption of the outcome of Denmark's first universal periodic review. It had been a privilege to be given this opportunity to engage in an open and constructive dialogue with members of the Human Rights Council and observer States on the situation of human rights in Denmark.

256. The delegation emphasized its strong support for the universal periodic review mechanism. Having taken part in the process, it now had an even better understanding of

the important role the universal periodic review plays in promoting human rights domestically and internationally.

257. The universal periodic review was a mechanism with the potential to improve human rights on the ground for the benefit of all individuals around the world. It gave each State involved a clear target and tools for the development of the domestic human rights agenda, and was a unique opportunity for States to have an open and candid debate on human rights among peers and with civil society. For those reasons in particular, Denmark strongly supported the mechanism.

258. The delegation emphasized the fact that the universal periodic review process had received considerable attention and had raised general awareness of human rights in Denmark. The attention was important and a key element in the continuous improvement in the human rights situation in Denmark as well as in other States.

259. The delegation took the opportunity to thank all members and observers of the Human Rights Council for their active contribution to a meaningful and credible dialogue on the human rights situation in Denmark, and the efforts to meet international obligations in this respect. The recommendations and constructive input received from other States and civil society organizations were the result of hard work and knowledge. In this regard, the delegation highlighted the special role played by civil society. From the outset, and in line with the guidelines of the Human Rights Council, it had been Denmark's ambition to submit a national report that was reflective of society as a whole, not merely a product of various Government offices. Looking back at the entire process, the inclusion of civil society had proven to be one of its strongest features and had added significant value to the process.

260. Denmark received 133 recommendations, of which 82 had been agreed on, while 51 had not been accepted. In many cases, the reason for not agreeing to a recommendation did not pertain to substance. The recommendations focused on nine thematic issues: international obligations, the rights to equality and non-discrimination, the human rights of migrants, legal rights and detention, freedom of expression, women's rights, children's rights, development policy, and Greenland and the Faroe Islands. All recommendations had been subject to careful scrutiny by all relevant authorities.

261. The delegation drew the attention of the Human Rights Council to the fact that, during the previous week, general elections had been held in Denmark and that a new Government had not yet taken office.

262. The delegation acknowledged that human rights challenges existed in Denmark, as they do elsewhere, and that the universal periodic review process continued to be an important factor in addressing those challenges.

263. The delegation highlighted the role played by civil society, including public hearings in the largest cities in Denmark, in Greenland and the Faroe Islands, as this had been a vital part of the Government's initial scrutiny of the recommendations received.

264. The delegation expressed its gratitude to all parties involved for their invaluable support during the universal periodic review process, and thanked the troika and the secretariat for their constructive and effective cooperation.

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

265. Algeria noted the acceptance of 82 of 133 recommendations, in different areas of human rights protection. Algeria was pleased to see the willingness of the Government to make further efforts to fight racism, racial discrimination, xenophobia and intolerance. It was pleased with the acceptance of its recommendations concerning appropriate measures

to ensure that search and arrest zones were not established on the basis of racial, ethnic or religious considerations, which could be assimilated to racial, ethnic or religious profiling. Algeria appreciated Denmark's decision not to abrogate article 266 (b) of the Criminal Code guaranteeing that racial hate and hate speech did not remain unpunished. It took note of the decision not to accept the recommendation to adhere to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. If Denmark aligned itself with recommendation No. 1737 of 17 March 2006 of the Parliamentary Assembly of the Council of Europe, Algeria would encourage Denmark to ensure that migrants can claim their fundamental rights.

266. The Islamic Republic of Iran thanked Denmark for its report. Fortunately, a number of the recommendations provided by different delegations during the session of the Working Group, including Iran, hoped that a number of recommendations examined by the Government would be implemented by Denmark. The Islamic Republic of Iran remained concerned over a number of human rights violations in the country, especially with regard to the lack of respect for other religions, the prevalence of hate speech, incitement to hatred and the defamation of Islamic religious symbols and personalities, and Islamophobia, the forcible return of asylum seekers to third countries, where they may face the danger of persecution or serious harm, and the lack of laws protecting women who are victims of domestic violence and sexual abuse. It called upon the Government to continue its efforts to prevent and combat violence against women and domestic violence, in particular in the Faroe Islands and Greenland, and to incorporate international human rights instruments to which Denmark is a party into the legal system, as well as to ratify the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families.

267. Romania acknowledged the high level of respect for human rights upheld by Denmark, and expressed its appreciation for the open and transparent way in which the country approached the universal periodic review. Denmark had prepared for its review in close cooperation with civil society and with the involvement of the authorities in Greenland and the Faroe Islands. Romania commended the openness of the Danish delegation in answering the issues raised during the interactive dialogue, showing the readiness of the authorities to tackle outstanding issues and to implement the recommendations accepted. Romania was looking forward to seeing progress in the implementation of the recommendations relating to, in particular, combating discrimination against women and the protection of victims of domestic violence.

3. General comments made by other relevant stakeholders

268. The Danish Institute for Human Rights acknowledged Denmark's dedication to the universal periodic review process, but regretted that it had accepted only 82 of the 133 recommendations made, focusing on matters that Denmark considered already addressed. It encouraged Denmark to reconsider its position with regard to a systematic approach to the promotion and protection of human rights, including a national plan of action; the ratification of core conventions, incorporating them into Danish law and accepting individual complaint mechanisms under international law; setting up strong and independent institutions, including an ombudsperson for children; adequate funding for national institutions, including in Greenland and the Faroe Islands; and specifying how accepted recommendations would be implemented. The institute would strive to ensure that the questions and recommendations from the Human Rights Council would be included in further dialogues in Denmark.

269. The Islamic Human Rights Commission highlighted the continuous discrimination towards Muslim citizens in Denmark. Muslims had been removed from boarding flights and held by police for reading books on Islam. The Commission stated that the European

Convention prohibited discrimination in article 14. Muslim women in Denmark faced prejudice in employment, because they wear a headscarf, and this was a violation to article 11 of the Convention on the Elimination of Discrimination against Women. It quoted article 1 of the Declaration on Social Progress and Development on discrimination. It noted prejudice against Muslim citizens as common, such as the publication of a controversial cartoon of the prophet Muhammad. It urged Denmark to comply with human rights laws to which it was party, and to take measures to provide their citizens with a better understanding of Islam by promoting acceptance of its Muslim citizens and re-establishing tolerance towards them.

270. The European Region of the International Lesbian and Gay Federation commended Denmark for its constructive participation in the universal periodic review process and appreciated the positive steps taken to ensure the full equality of lesbian, gay, bisexual and transgender people, and took note of stakeholders' submissions indicating that Denmark required hormonal or surgical sex reassignment before legal recognition of gender identity was possible. It noted this practice breached the right to privacy and health. The Human Rights Commissioner of the Council of Europe was of the view that these laws should be abolished and recommended that Denmark should take the steps necessary in this regard. It encouraged Denmark to include gender identity explicitly in its anti-discrimination legislation. It strongly urged Denmark to consider applying the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity as a guide to assist in policy development.

271. Save the Children regretted the fact that Denmark had not accepted the recommendations calling for the establishment of an ombudsman for children. It called on Denmark to implement the recommendation of the Committee on the Rights of the Child to conduct an evaluation of the current monitoring system and to apply the findings to establish an independent body with the mandate, competence and authority to monitor the realization of children's rights. It reminded Denmark of the Committee's deep concerns on the issue of the age of criminal responsibility, and referred it to general comment No. 10 thereon. It urged Denmark to meet rehabilitation and restorative justice objectives in dealing with children in conflict with the law. It noted that recommendation No. 106.119 called on the Government to revise the amendments to the Aliens Act with respect to unaccompanied and separated children seeking asylum. It deeply regretted the fact that Denmark had chosen not to revise the law, and called on the Government to ensure that the best interest of the child was enforced as the guiding principle in the Act when finding a durable solution for separated children or for children in asylum seeking families. It welcomed Denmark's acceptance that the detention of refugees, migrants and asylum seekers should only be applied as a last resort.

272. Amnesty International was disappointed that most recommendations accepted were very general in nature and that substantive recommendations had been rejected. It urged the new Government to keep those recommendations under review. It appreciated the involvement of civil society in the preparation of the national report, although key input was absent from the final version of the report, and urged the authorities to ensure that future consultations were more substantive. It welcomed Denmark's commitment to observe the principle of non-refoulement and not to resort to diplomatic assurances to circumvent it. It noted in this regard a recent decision by the courts regarding the case of the halting of the extradition of a Danish national. It regretted the fact that Denmark had rejected recommendations to conduct an evidence-based review of antiterrorism legislation, and noted its serious concerns about unfair procedures for terror suspects in deportation proceedings and weakened legal safeguards for the protection of privacy. It urged Denmark to bring legislation on rape into line with international law, and was disappointed that Denmark had rejected the recommendation to create an ombudsman for children's rights.

4. Concluding remarks of the State under review

273. The delegation expressed its sincere thanks for the comments made during the plenary session by members, observer States and from civil society. The head of the delegation made a personal remark with regard to the general elections that had taken place the previous week. Negotiations were continuing on the formation of the new Government, but the process could be expected to end soon. Whatever the outcome of the negotiations, the head of the delegation was sure that he could say also on behalf of the new Government that it would take all recommendations seriously and follow up on them according to the procedures of the Council and in other relevant forums. The delegation thanked the secretariat and the troika once again for their support in the process.

Palau

274. The review of Palau was held on 3 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

- (a) The national report submitted by Palau in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/PLW/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/PLW/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/PLW/3).

275. At its 18th meeting, on 21 September 2011, the Human Rights Council considered and adopted the outcome of the review of Palau (see section C below).

276. The outcome of the review of Palau comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/5), the views of Palau 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/18/5/Add.1).

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

277. The Director of the Bureau of Foreign Affairs of Palau, Jeffrey Antol, thanked the President of the Human Rights Council, the many States that had participated constructively in the session of the Working Group for Palau's universal periodic review, the troika (Ecuador, the Republic of Moldova and Senegal), the secretariat and, in particular, Palau's own civil society for their hard work and many contributions to the review.

278. Palau had found the universal periodic review to be a useful tool in assessing how it could improve in achieving its human rights goals, and had found the process to be a uniting agent for Government and civil society. The process had allowed Palau to identify human rights priorities and to take the steps necessary to ensure that fundamental human rights were not only realized but also promoted and protected in Palau.

279. Palau referred to the recently concluded forty-second Pacific Island Forum leaders' meeting, held in New Zealand, which had welcomed the successful participation of all Forum members in the first round of the universal periodic review as a major regional achievement. According to the leaders, the development of cooperation and the networks

created by this activity were an important source of human rights expertise for the entire region.

280. The Forum Leaders welcomed the presence of the Secretary-General. They expressed deep appreciation for the valuable contribution made by the United Nations to the Pacific region and highlighted the importance of its continuing support. In their discussions, the leaders also reaffirmed the shared values and principles of the Pacific Islands Forum and the United Nations, including important commitments to human rights, the rule of law, good governance and democracy.

281. On 20 September 2011, at the margins of the sixty-sixth session of the General Assembly, the President of Palau, Johnson Toribiong, signed the remaining core United Nations human rights treaties to which Palau was not a party, namely, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance. This was a monumental accomplishment for Palau, as it was a State party only to the Convention on the Rights of the Child.

282. Palau acknowledged the assistance of the Pacific Islands Forum secretariat, the secretariat of the Pacific Community Regional Rights Resource Team and the Pacific Regional Office of the Office of the High Commissioner for Human Rights for their support in the universal periodic review process for Palau.

283. Palau recalled that, during the Working Group session, it received 106 recommendations and had already responded to 64 of them. Further consultation and consideration was required to respond to the other 42 recommendations made. A consultation had been held recently with relevant Government agencies and representatives of civil society to assess the various recommendations.

284. Palau had noted the recommendations made to accede to or ratify human rights treaties in general and specific treaties. It was consulting and working towards public awareness about these instruments and determining its capacity and resources to fulfil its obligations under those treaties.

285. With regard to the establishment of a national human rights institution, Palau had accepted this recommendation. It continued to work with the Pacific Islands Forum secretariat and the Asia Pacific Forum through consultations to develop awareness and determine the capacity and resources of Palau to fulfil its relevant obligations. A consultation on this matter had been conducted in August 2011 with the assistance of the Pacific Islands Forum secretariat, the Asia Pacific Forum and OHCHR. The consultation involved key Government officials, including members of the National Congress and relevant Government ministries and agencies. The outcome of the consultation would determine the move towards the establishment of a national human rights institution.

286. With regard to the status of children born to foreign parents, Palau had noted this recommendation. Palau clarified that its legislative body might address this issue. It accepted the recommendation on the minimum age of criminal responsibility. Palau took note of the recommendation on the treatment of female prisoners. Its prison system had standards protecting women prisoners in line with the Bangkok Rules. The recommendations relating to the sexual exploitation of children and child labour had been accepted by Palau, which would apply its obligations under the Convention on the Rights of the Child. Palau accepted the recommendations to modify or amend its current legislation

on the criminalization of sexual relations of consenting adults of the same sex, in accordance with international standards. It accepted recommendations on the age of marriage and would take appropriate measures to modify or amend legislation in accordance with international standards. Lastly, Palau accepted the recommendations relating to refugees and asylum seekers, and would take measures to enact appropriate legislation in accordance with international standards.

287. Palau looked forward to sharing its progress on the promotion and protection of human rights in four years' time. Palau was fully committed to its human rights obligations and responsibilities and reiterated its appeal to the international community for assistance, both technically and financially, in its efforts to carry out its human rights responsibilities in the implementation of human rights treaties and the Universal Declaration on Human Rights.

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

288. Algeria expressed satisfaction with Palau's encouraging human rights record. Algeria acknowledged the challenge faced by Palau in implementing all the recommendations accepted. It appreciated Palau's decision to sign core human rights instruments at the session of the General Assembly, thus demonstrating its engagement to implement the recommendations received. Algeria appealed to the international community to provide Palau with adequate assistance so that it could fulfil its human rights obligations. Algeria recommended that Palau should further review the possible ratification of human rights instruments to which it was not a party, and should establish a national human rights institution. Such action would further consolidate the progress made on the promotion and protection of human rights, including food security, the Millennium Development Goals, combating human trafficking and discrimination and improving the situation of migrant workers.

289. Morocco noted Palau's exemplary cooperation with the universal periodic review. It welcomed Palau's acceptance of more than 64 recommendations during the session of the Working Group, 3 of which were made by Morocco. Morocco had invited Palau to continue consultations for the establishment of a national human rights institution; to continue to promote and protect vulnerable persons and activities for the elaboration of a national policy for persons with disabilities; and to study the possibility of adopting a law addressing domestic violence and creating structures for sheltering and protecting victims of violence. Morocco congratulated the State's commitment to achieve the Millennium Development Goals, despite the difficulties faced, notably a lack of human and financial resources. Morocco supported Palau in its efforts to improve its human rights situation.

290. New Zealand was pleased that Palau had accepted many recommendations and had pledged to extend a standing invitation to special procedures mandate holders. It commended Palau for having started work on assessing the resources necessary to fulfil its obligations under the Convention on the Rights of Persons with Disabilities. Palau was also implementing New Zealand's recommendation to enact laws to protect married women from rape, to ensure that women were not discriminated against in family inheritance, and to protect women from domestic violence. The provision of facilities for temporary shelter and protection for women who were victims of domestic violence was noted. Work was under way to implement its recommendation to improve enforcement of regulations to protect foreign workers and to extend coverage of minimum wage requirements to include foreign workers. New Zealand also welcomed Palau's commitment and work in progress to establish a national human rights institution.

3. General comments made by other relevant stakeholders

291. The Canadian HIV/AIDS Legal Network commended Palau's commitment to equality and non-discrimination, particularly its acceptance of the recommendation to decriminalize sexual relations between consenting adults of the same sex and to amend current legislation to bring it into line with international standards. It asked about the timetable proposed for this reform. The Network welcomed Palau's acceptance of the recommendation to combat discrimination against lesbian, gay, bisexual and transgender people through political, legislative and administrative measures, and encouraged Palau to work together with civil society on this matter. It called on Palau to provide sensitivity training to police, judicial and other authorities in order to promote respect for all persons, including on the grounds of sexual orientation and gender identity, and to ensure that lesbian, gay and transgender citizens are treated equally by State authorities. The Network urged Palau to consider applying the Yogyakarta Principles to assist in policy development.

4. Concluding remarks of the State under review

292. Palau thanked the previous speakers for their interventions, comments and support, which had been noted and would be considered. The signing by the President of Palau of all the remaining core human rights treaties in New York the previous day was viewed as monumental progress for the country. The Human Rights Council and Member States were thanked for their support.

Somalia

293. The review of Somalia was held on 3 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

- (a) The national report submitted by Somalia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SOM/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SOM/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SOM/3).

294. At its 20th meeting, on 21 September 2011, the Human Rights Council considered and adopted the outcome of the review of Somalia (see section C below).

295. The outcome of the review of Somalia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/6), the views of Somalia concerning the recommendations and/or conclusions, 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, conclusions, its voluntary commitments and the outcome

296. The delegation of Somalia, headed by Ambassador Yusuf M.I. Bari Bari, stated that the ongoing famine, caused by the worst drought in 60 years, was aggravating the already dire situation of the Somali people, especially in the southern and central regions of Somalia. Apart from the failure of the rain season, it was important to mention other factors contributing to the famine, including traditional agropastoralists abandoning their fields owing to the insecurity or being recruited to fight for Al-Shabaab, severe deforestation for charcoal production and harsh living conditions under Al-Shabaab. Access to renewable sources of energy, together with a new culture of planting trees and protecting biodiversity,

would be critical in addressing this issue. Somalia had repeatedly warned the international community about the risk of a potential crisis and humanitarian disaster, but no one paid attention to the information provided by Somalia.

297. The prolonged internal armed conflicts had for more than two decades weakened Somalia's legal, political and social infrastructure. However, Somalia had recently made important achievements. On 6 September, following consultations with all relevant stakeholders, the Transitional Federal Government, the regional administrations of Puntland and Galmudug and the Ahlu Sunna Wal Jama'a movement had adopted a road map for ending the transition. The Kampala Accord of 9 June 2011 had permitted a one-year extension to the transitional federal institutions, and the road map set out the steps to implement the Accord. The road map contained four priority tasks for ending the transition before 20 August 2012, namely, security, constitution, reconciliation, and good governance. The Transitional Federal Government and other stakeholders also agreed that the road map would be implemented in accordance with the principles of Somali ownership, inclusivity and participation, and monitoring and compliance with the benchmarks and timelines as prescribed by the Kampala Accord.

298. The Government of Somalia was committed to continuing this pattern of consultation and inclusivity. The second consultative meeting under the road map would be held in Puntland in October 2011, and focus on the draft constitution. The Government had also invited Al-Shabaab to lay down their arms and join the table for peaceful negotiations and dialogue, without preconditions.

299. The Government of Somalia praised the civil society bodies working in Somalia for their valuable contributions; for example, the newly-constituted National Disaster Management Agency was made up entirely of individuals from Somali civil society. The Government reiterated its commitment to engaging proactively with civil society, and encouraged it to continue to work with the Government to support the national agenda for change.

300. Despite the constraints and challenges, Somalia had engaged proactively with the Human Rights Council for the past three and half years, resulting in the adoption of five important resolutions and the outcome of the stand-alone interactive dialogue on technical assistance to Somalia. Another key achievement of Somalia in 2011, in terms of its engagements with international human rights mechanisms, was the submission and presentation of its universal periodic review national report in Geneva on 3 May 2011, the first time that Somalia had been able to prepare a national report and engage with a human rights mechanism, productively and cooperatively, since 1984.

301. The lack of engagement in the past 25 years should not, however, be interpreted as a lack of interest or a lack of respect for human rights. Somali culture was imbued with humanitarianism and respect for human rights. In times of hostilities, the *Biri-Ma-Geydo* ("spared from the spear"), namely, Somalia's own "Geneva Conventions", which came into existence long before the adoption of the Hague and Geneva Conventions, mitigated and regulated the conduct of clan hostilities and the treatment of certain groups.

302. Somalia was committed to making human rights the foundation of the transition to a new Somalia based on democratic values. Nonetheless, the implementation of human rights could not be achieved by Somalia alone, and cooperation with and technical assistance for Somalia in the field of human rights was essential to make progress. It was critical that the key tasks in the road map be accomplished on time, with the strong political will in Somalia and the support of the international community.

303. The Government called on States to continue to provide the country with urgent assistance to enable the Government to extend the territory under its control and to deliver services, and to prevent warlords from re-emerging to fill the vacuum left by the

withdrawal of Al-Shabaab. Sustained bilateral cooperation and the deployment of military engineering corps would be crucial to better deliver much-needed basic social services, in particular the drilling of water boreholes, the opening of humanitarian corridors, expanding and maintaining humanitarian spaces, and training and equipping the new Somali civil and environmental protection units at the national and subnational levels.

304. The Government appealed to friendly countries for support and assistance, at the national and subnational levels, to better coordinate the significant bilateral humanitarian aid and assistance currently received in Somalia. Better coordination of aid efforts would ensure that the assistance reached the most vulnerable and needy throughout Somalia, and also help to protect humanitarian and aid workers. The recent road map provided a unique framework and benchmarks for coordinating bilateral cooperation in aid, rehabilitation and development, at the national and subnational levels, to assist Somalia in its transition.

305. The Government of Somalia paid the utmost attention to and had respect for each and every recommendation, and was pleased to accept, or accept in part, all of the 155 recommendations received. In the report of the Working Group (A/HRC/18/6/Add.1), Somalia had also identified and explained the areas where it urgently requested bilateral assistance and capacity-building in order to be able to implement these recommendations.

306. Somalia took its participation in the universal periodic review exercise as an important opportunity to reflect on and take stock of its situation of human rights, and anticipated the progress that it hoped it would be able to show in four years' time. Both the national report presented in May and the report of the Working Group were entirely Somali-developed and owned. The adoption of Somalia's universal periodic review report marked the end of one cycle and the beginning of a new one.

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

307. Algeria commended Somalia for having accepted all the recommendations it had received. In consultation with Somalia, the international community should try to find lasting solutions to the humanitarian crisis. The limited assistance to combat famine would not be sufficient unless donors helped the country to increase its institutional capacity for managing the crisis.

308. Cuba referred to a number of challenges that Somalia faced, including internal conflict, the lack of food and the recent droughts, and the lack of adequate health infrastructures. It noted that all those problems would have a negative impact on the implementation of the recommendations made during the universal periodic review. International cooperation was therefore necessary to help Somalia to address its challenges and to meet its call for international assistance.

309. The United States of America welcomed Somalia's acceptance of all the recommendations made and urged the delegation to provide additional information on the recommendations partially accepted. Long-term peace and stability in Somalia lay in the establishment of effective governance based on a process of inclusive political dialogue and reconciliation. It welcomed the recommendations on violations of human rights in the conduct of war and the Government's commitment to them. It also underlined the recommendations focused on the use of children in armed conflict and looked forward to receiving an update from Somalia during the second cycle.

310. Saudi Arabia commended Somalia for its pledge to protect and promote human rights, which was demonstrated by, inter alia, the cooperation of Somalia with all human rights mechanisms. It noted that, despite the existing challenges, Somalia made efforts to guarantee fundamental rights, including the right to food. Saudi Arabia appreciated the

positive cooperation of Somalia with international and regional institutions to address the crisis of recent months.

311. Mauritania commended Somalia for the way it prepared for its universal periodic review, particularly since the country was enduring extremely difficult circumstances. It called on international organizations to intervene urgently and to assist millions of children, women and elderly people who were threatened daily with death or forced to leave the country because of the economic and social situation.

312. Qatar commended Somalia for its efforts to strengthen human rights protection by, inter alia, cooperating with United Nations human rights mechanisms. It highlighted the need for the international community to grant technical and financial assistance to Somalia to address the serious crisis in the country and to strengthen its capacity to implement the recommendations made during the session of the Working Group. Qatar also called on all parties in Somalia to take responsibility to end the conflict and ensure peace and security.

313. Morocco stated that Somalia needed assistance and aid to reconstruct the country and its institutions and to complete the process of reconciliation, stability and peace. Morocco appealed to countries, international organizations and the private sector to help the Somali people to protect the right to life, which was the basis of all other rights.

314. Bahrain commended Somalia for its efforts made in a number of areas, including access to health, education and water. While noting changes in the situation in the country, Bahrain stated that many challenges still remained and that constructive dialogue among all parties was necessary to address those challenges. It called on the Government to respect its commitments under international human rights law and humanitarian law. Bahrain also urged civil society organizations to make serious efforts in cooperation with the Government to help those in need.

315. Israel appreciated the submission of the national report for the eleventh session of the universal periodic review, especially in the light of the difficulties and challenges that Somalia was facing. OHCHR should ensure all efforts were made to provide assistance to Somalia. In this regard, Israel looked forward to the OHCHR high-level technical mission. Israel reiterated its willingness to assist in efforts to restore peace and prosperity in Somalia, and urged the international community to provide support for the Transitional Federal Government in the areas of technical assistance and capacity-building.

316. The United Arab Emirates noted the political will and determination demonstrated by the Government to strengthen human rights protection. It also appreciated the efforts of the Government to involve civil society in the implementation of the recommendations. The United Arab Emirates highlighted the need to provide Somalia with assistance to address its challenges, and implement its human rights obligations and fulfil the Millennium Development Goals.

317. Italy was heartened by the fact that Somalia had accepted, fully or partly, all 155 recommendations received. This conveyed a clear political signal about the resolve of the Somali authorities to uphold the cause of human rights. Italy encouraged the Transitional Federal Government to continue along this path. It remained actively involved in international efforts aimed at achieving reconciliation and stabilization in Somalia, as well as the social and economic development of its people.

3. General comments made by other relevant stakeholders

318. Rencontre africaine pour la défense des droits de l'homme underlined the fact that Somalia found itself in a terrible situation and faced several huge challenges. It suggested that very urgent humanitarian assistance should be provided to those people affected by the

conflict, and that an international conference for the reconstruction of Somalia be held. It finally declared that the African Union Mission in Somalia should have more means.

319. The Cairo Institute for Human Rights Studies welcomed the acceptance by Somalia of the recommendations regarding the establishment of a mechanism to investigate war crimes and crimes against humanity, and called on the authorities to ensure that those responsible for atrocities were brought to justice in fair trials. It also urged the Somali authorities to carry out effective and impartial investigations into killings of and attacks against journalists and civil society actors in the areas under their control, and to ensure that human rights defenders and journalists could carry out their activities freely.

320. Human Rights Watch continued to document cases of children associated with the Government armed forces and Government-aligned militias, and urged the Transitional Federal Government to establish urgently effective and systematic age vetting procedures, and to develop, with the assistance of the United Nations, a concrete plan to eradicate the use of child soldiers. The request made by the Government for the assistance of OHCHR and concerned countries to improve accountability mechanisms should be acted upon promptly. It called on the Government to impose a moratorium on the death penalty immediately.

321. Amnesty International, while welcoming the acceptance by Somalia of the recommendations to guarantee freedom of expression, referred to two cases of killings of and attacks against journalists. Despite the expressed commitment to establish a moratorium on the use of death penalty, 2 individuals had been executed and 17 sentenced to death by a military court.

322. International Educational Development stated that the Government of Somalia should be honoured for its commitment to promote and protect human rights in Somalia even in the midst of war. Because Somalia was at a breaking point, the international community should act outside its purview. It was difficult for Somalia to apply universal periodic review recommendations, and the first responsibility of the international community was to provide immediate and adequate humanitarian aid and to take all possible measures to deliver it to those in need.

4. Concluding remarks of the State under review

323. In response to the intervention of stakeholders, the delegation of Somalia stated that the Government was in the process of ratifying the Convention on the Rights of the Child, which was signed in 2002, and the Protocol thereto on the involvement of children in armed conflict.

Seychelles

324. The review of Seychelles was held on 4 May 2011, in conformity with all relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Seychelles in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SYC/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SYC/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SYC/3).

325. At its 20th meeting, on 21 September 2011, the Council considered and adopted the outcome of the review of Seychelles (see section C below).

326. The outcome of the review of Seychelles comprised the report of the Working Group on the Universal Periodic Review (A/HRC/18/7), the views of Seychelles 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, its voluntary commitments and the outcome

327. Reflecting on the way ahead, the President of Seychelles stated that the country had to work harder and to be more productive. The President added that a reinvigorated economy would bring more benefits and opportunities to the country's young people, and that measures and strategies divorced from the human element had no real sense.

328. In Seychelles, the concept of a great nation was not defined by its budget surplus or bank reserves, but by the happiness index of each one of its citizens, which is called "people-centred development". It meant a development that took into consideration the individuals that made up the workforce and that also took special care of other people.

329. Concomitant with the development in tourism, fishing, financial services and others, Seychelles had always provided the elements necessary for the development of the most valuable resource a country could have: the human resource.

330. Seychelles stated that its legislative framework encompassed the mechanisms necessary to secure economic growth and the implementation of social programmes, while the fundamental rights and freedoms of the people were safeguarded.

331. In this endeavour, Seychelles welcomed the assistance of numerous partners, from friendly States to regional and international organizations, such as the African Commission on Human and Peoples' Rights and the European Union. Seychelles conveyed its special gratitude to the Human Rights Council for being one of these partners. The Council had given guidance throughout the whole procedure of the universal periodic review, and had even assisted with funds for the participation of its delegates in the sessions.

332. Seychelles had accepted the recommendations on ratification or accession to international human rights treaties. In general, the Government of Seychelles found no impediment to acceding to or ratifying these international instruments; it would, however, maintain its policy, which entailed that treaties would be submitted for approval in accordance with the Seychelles procedure for the execution of treaties; by implementing the appropriate provision of the Constitution, all relevant ministries, departments and national stakeholders would be consulted, the concerned treaty would be submitted to the scrutiny of the executive and the legislative, and the recommendations for approval would be based on national socioeconomic conditions, plans and priorities.

333. Seychelles had accepted the recommendations on the national human rights institution. Its national human rights commission already abided by some of the Paris Principles, as contained in the annex to General Assembly resolution 48/134. A change in the scope of the commission's functions, powers and membership would require an amendment to the Protection of the Human Rights Act of 2009. It might also entail other administrative measures, such as budget allocation or its increase. The Government would review the proposal in due time.

334. Seychelles had accepted the recommendations on elections. More specific comments thereon would be published in the statement to be posted on the extranet of the Human Rights Council. With regard to the recommendation that the national human rights commission monitor the elections, the delegation stated that it could be invited to do so.

335. Seychelles had also accepted the recommendations on media.

336. The delegation stated that the recommendations concerning reporting commitments under international human rights treaties had been accepted. Further steps to ameliorate the implementation of the strategy to address the preparation and submission of outstanding reports to treaty monitoring bodies were being taken by the Government, and the work on the preparation of some outstanding reports had been initiated. Work had already started for the preparation of national reports to be submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights.

337. Seychelles had accepted the recommendation that would allow special procedures mandate holders to visit Seychelles to monitor and report on human rights issues in the country. The standing invitation to the special procedures would be extended.

338. The recommendations on gender had been accepted, and there would be further clarifications in a more comprehensive statement to be posted on the extranet of the Human Rights Council.

339. The recommendations on domestic violence and protection of women and children had also been accepted. Statutory laws against domestic violence and for the protection of women and children were already in place, as were the mechanisms for review of these laws so as to make them more suited to the needs of protecting women and children. Moreover, the Government had approved the recommendation of the Department of Social Affairs to give full and due support and commitment to ensure the realization of the national gender-based violence strategy and of the funded plan of action, which was especially linked to the training of stakeholders, such as judiciary and the police, and to responding to the holistic needs of victims and perpetrators.

340. The delegation stated that Seychelles would not accept the recommendations concerning the age of criminal responsibility, although it was open to review them again in the future. The delegation added that section 15 of the Penal Code expressly provided that a person below the age of 7 was not criminally liable, while those in between the age of 7 and 12 would be liable if they knew that they should not do the acts giving rise to the offences. The delegation also stated that while the principle of limited liability depending on one's mental capacity was universal, there was no universally accepted age of criminal responsibility. Seychelles considered that the relevant provisions in the Penal Code should remain as they were. Therefore, for the time being, Seychelles would not raise the minimum age of criminal responsibility.

341. Seychelles had accepted the recommendations on youth. The standards set out in the Convention on the Rights of the Child referred to the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules). The Government of Seychelles recommended, as an immediate measure, that there be dissemination of these rules, in particular to the institutions and agencies directly involved in juvenile justice. In due time, the content of the Standard Minimum Rules would be separately submitted to the Executive so as to obtain its formal approval and guarantee their introduction and implementation.

342. The recommendations on the judiciary had been accepted. Further comments would be available in a more comprehensive statement to be posted on the extranet of the Human Rights Council.

343. The recommendations on sexual orientation had been accepted. The delegation stated that the Constitution of Seychelles made provision for all persons to be free from discrimination on all grounds. Article 27 of the Constitution stated that every person had a right to equal protection of the law, without discrimination on any ground, except as is necessary in a democratic society. The one provision in the Penal Code for "sodomy" did not directly discriminate homosexuals as it was intended to penalize the offence of sodomy as such. This provision had never been applied to anyone. The Government would decide

when and to what extent the legislation could be amended to better guarantee the Constitutional precept that lesbian, gay, bisexual and transsexual persons were not to be discriminated in Seychelles.

344. Seychelles had accepted the recommendations on health. Additional explanations would be found in a more comprehensive statement to be posted on the extranet of the Human Rights Council.

345. The recommendations on water had been accepted. Provisional statistics from the 2010 census indicated that most households received treated water from the mains supply of the Public Utilities Company. However, during periods of prolonged low rainfall, the Company implemented its emergency plans, which entailed restrictions at different intervals and areas to ensure a reasonable stock of water. The Company was also expected to set up seven desalination plants, which would increase the capacity supply to 17 million litres of water per day. One was already being connected, which would yield 1 million litres of water, and the rest were expected to be connected and ready to produce water within the next two months. At the same time, the Company was also implementing its drought action plan, which was aimed at completing projects that would maximize the use of the country's water resources.

346. On other various miscellaneous recommendations, the delegation indicated the positions of Seychelles.

347. Seychelles had accepted the recommendations to implement the recommendations of the constitutional review of 2008.

348. In the context of the constitutional review Seychelles had also accepted to bring the Public Order Act governing public assemblies into line with the principles of the Constitution.

349. Seychelles had accepted the recommendation to continue the adoption and implementation of public policies aimed at protecting persons with disabilities and to ensure their equal access to dignified housing, employment and health.

350. Seychelles had accepted the recommendation to consider the possibility of adopting non-custodial sentences where feasible, as well as measures to reintegrate the prison population into society. Activities to reintegrate offenders into society had been undertaken by specialized staff at the prison. Also, the Rehabilitation of Offenders Act of 1996 afforded an offender the opportunity to start afresh after a period of abstention from crime, as it prohibited the unauthorized disclosure of convictions in respect of these offences.

351. Seychelles had not accepted the recommendation to put in place an independent police complaints commission. The Government was of the view that, at the present time, there was no need to establish such a dedicated commission, given that complaints against the police were largely filed on the grounds of poor service delivery rather than for abuse of power by the police.

352. Seychelles had accepted the recommendation that it put in place appropriate mechanisms to ensure that individuals and members of the political opposition were able to take part freely in public rallies and peaceful demonstrations, and to express their views without fear of reprisal, using any form of media.

353. Seychelles had accepted the recommendation that it consider devising and implementing a national strategy for human rights education, which would cover both the formal educational sector and a wider public for enhancing human rights awareness.

354. Seychelles had accepted the recommendation that it request the technical assistance and cooperation necessary for the implementation of the recommendations accepted during its universal periodic review.

355. The first universal periodic review of Seychelles had been a very fruitful and enriching experience for various reasons, including the wide national consultation undertaken during the preparation of the national report, and the detailed scrutiny of that report by the participants in the Working Group, which made 77 recommendations. The recommendations, together with an information note on the steps in the process, had been presented to the Cabinet of Ministers, including the Vice-President and the President of Seychelles. Seychelles had made full use of this important process, and learned more about good practices in the implementation and enforcement of human rights.

356. The objective of increasing awareness of human rights at all levels had been achieved and the Government had been once more convinced of the need to keep in place the mechanisms that would allow continuity in awareness-raising. Neither the adoption of the outcome of Seychelles in the Council plenary nor the publication of the report on its Universal Periodic Review would be the end of the process. Seychelles would be attentive to the views and recommendations of its national and international partners.

357. The delegation thanked the Human Rights Council, the representatives of participating Member States, observer States and United Nations agencies for accompanying Seychelles in the construction of the small but great nation that it was. Seychelles looked forward to working together in order to make its second universal periodic review another rewarding and fruitful experience.

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

358. Algeria took note of the responses provided by Seychelles to the recommendations made during the session of the Working Group, including the three recommendations made by Algeria on the accreditation and strengthening of the national human rights institution, the submission of reports to treaty bodies and the strengthening of efforts to fight social ills, such as the use of drugs. Algeria reiterated its satisfaction with the progress accomplished in the realization of the Millennium Development Goals, which had had a positive effect on the enjoyment of human rights. This was of particular importance for an island developing nation, also in the light of its vulnerability to climate change. Algeria also expressed its solidarity with Seychelles in its fight against piracy.

359. Cuba noted that Seychelles was a small country that had suffered from colonialism and had been faced with a number of limitations and challenges, including those in connection with globalization, climate change and piracy. Nevertheless, by pursuing a development approach focused on the human being, it had made considerable progress in the area of human rights; for example, Seychelles had achieved most of the Millennium Development Goals and reached a 100 per cent enrolment rate in primary education, as well as very high rates of literacy and immunization of children. Its social indicators were among the highest in the region. Cuba noted that it had made a modest contribution to these efforts through long-standing cooperation, and it encouraged the Seychelles to pursue further its socioeconomic development plans.

360. Morocco stated that the realization of the Millennium Development Goals and the level of human development in Seychelles should encourage specialized international institutions to provide Seychelles with technical assistance that it deemed necessary to accompany its national efforts to meet the challenges leading to the vulnerability of its economy. International cooperation was particularly desirable in the fight against piracy and with regard to the scourge of climate change, both of which had a negative impact on human rights. Morocco highlighted certain initiatives, such as the creation of the media commission, the strategic plan of the judiciary and the code of judicial conduct. Morocco welcomed the fact that Seychelles had accepted a large number of recommendations, including those made by Morocco with respect to gender mainstreaming in public policies,

the reintegration of the prison population into society and the right of universal access to drinking water and sanitation.

3. General comments made by other relevant stakeholders

361. Rencontre africaine pour la défense des droits de l'homme noted with satisfaction the progress made by Seychelles towards achieving the Millennium Development Goals. It also welcomed the creation of a gender secretariat and the national commission for child protection. It observed, however, that rape and domestic violence remained important problems and that the number of people affected by HIV/AIDS was on the rise. Improvements could still be made with regard to freedom of expression in the media. External factors, such as climate change and acts of piracy, had a negative impact on the enjoyment of human rights. Noting that the economy was to a large extent dependent on fisheries and tourism, the organization invited the international community to provide constructive assistance to mitigate the consequences of climate change. Lastly, it welcomed the advances made in health care and the reduction of child and maternal mortality, as well as the high level of other social indicators.

362. The Canadian HIV/AIDS Legal Network welcomed the confirmation provided by Seychelles that article 27 of the Constitution prohibited discrimination on all grounds, including sexual orientation. It remained concerned, however, by the fact that section 151 of the Criminal Code penalized sexual activity between consenting adults. It reiterated its recommendation that the relevant provision be repealed in order to bring current legislation into line with international standards, and requested Seychelles to indicate a time frame for this action. The Network welcomed the provision of the Employment Act that protects individuals from discrimination based on sexual orientation, and enquired about the other steps being taken or being planned to advance non-discrimination on the grounds of sexual orientation and gender identity. Lastly, it encouraged Seychelles to consider adopting the Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender identity.

4. Concluding remarks of the State under review

363. In reply to the questions asked by the Canadian HIV/AIDS Legal Network, the delegation of Seychelles stated that section 151 of the Criminal Code could be repealed within a short period of time. Seychelles was aware that this provision was obsolete.

364. With regard to the steps being taken or planned to advance non-discrimination on the grounds of sexual orientation and gender identity, the delegation stated that the first step would be to repeal the referred section in the Penal Code. The Government's position on lesbian, gay, bisexual and transgender persons could then be disseminated.

365. The fact that the outcome of the universal periodic review, including the recommendations from other States and the positions of the Government, would be published in a report would be a very important step for the dissemination of efforts that Seychelles could make to ensure better guarantees that these people would not be discriminated.

Solomon Islands

366. The review of the Solomon Islands was held on 4 May 2011 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 Solomon Islands in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SLB/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SLB/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SLB/3 and A/HRC/WG.6/11/SLB/3/Corr.1).

367. At its 20th meeting, on 21 September 2011, the Human Rights Council considered and adopted the outcome of the review of the Solomon Islands (see section C below).

368. The outcome of the review of Solomon Islands comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/8), the views of Solomon Islands 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, its voluntary commitments and the outcome

369. The Minister for Foreign Affairs and External Trade of Solomon Islands acknowledged the contribution of all stakeholders to the review, including such Pacific regional agencies as the Pacific Regional Rights Resource Team of the Secretariat of the Pacific Community and the Pacific Islands Forum Secretariat.

370. The delegation recalled that it had needed time to consult with relevant stakeholders, both from within and outside Government, on some recommendations. A consultation had been held with relevant Government agencies and representatives of civil society to assess the recommendations, the results of which were to be presented to the Human Rights Council.

371. The Solomon Islands had received, in total, 115 recommendations, 57 of which it had accepted and 49 were considered to have been already implemented or in the process of implementation. The Government's position on 58 recommendations had been postponed.

372. Regarding the deferred recommendations that enjoyed the support of the Solomon Islands, the delegation stated that the Government was deeply committed to the international human rights standards and principles set out in United Nations conventions and treaties. Therefore, recommendations 81.1–81.17 relating to ratification of or accession to international treaties and conventions enjoyed the support of the Government.

373. The delegation recognized that, for international human rights standards and principles to become a reality for the Solomon Islands, it was necessary to incorporate them into domestic laws. It also recognized that the process of treaty reporting provided further guidelines for the implementation of human rights. The Solomon Islands supported recommendations 81.18, 81.33–81.35 and 81.38 on reporting under conventions and treaties, and the implementation of human rights.

374. The Law Reform Commission of the Solomon Islands had terms of references to review the Penal Code and the Criminal Procedure Code, which would address many of the recommendations on the areas of violence against women, sexual offences and sexual violence, rape, corporal punishment and criminal responsibility. The Commission also had a reference to review the Islander's Marriage Act. As such, the Solomon Islands was already strengthening its legal framework to promote and protect the rights of women and to advance gender equality. Thus, it supported the recommendations on the promotion and protection of the rights of women (recommendations 81.19, 81.23–81.29, 81.47 and 81.52).

375. The Solomon Islands had ratified the Convention on the Rights of the Child and, with the support of civil society and international organizations, had progressed to consider

the means by which the standards and principles in the Convention could be implemented. It therefore supported recommendations 81.39–81.41, 81.45, 81.48 and 81.56–81.58.

376. The Solomon Islands recognized the rights of persons with disabilities. The Government was also, however, conscious of resource constraints that could hinder the implementation of certain economic, social and cultural rights. It would nonetheless seriously consider the recommendations on the promotion and protection of the rights of persons with disabilities (recommendations 81.30–81.32).

377. As an island State that had experienced some of the negative effects of climate change, the Solomon Islands supported recommendations 81.34 and 81.36, which called for measures to respond to climate change.

378. The Government had pledged to facilitate further the peace process set out in recommendations 81.42 and 81.43, and supported the recommendations on considering the promotion and protection of civil, political, economic, social and cultural rights (recommendations 81.20, 81.22 and 81.37, 81.53–81.55) and on legislative and judicial reform (recommendations 81.44 and 81.46).

379. Concerning recommendations that were only partially accepted, the delegation stated that the Solomon Islands was unable to accept fully at this time recommendation 81.21, which called for changes to property and inheritance legal frameworks. The Government would consider amending the legal framework with regard to the custody of children, but it was not yet ready to change property and inheritance laws. Most of the perceived inconsistencies with internationally accepted standards of property ownership and inheritance were due largely to long-defined customary laws, which viewed land ownership and inheritance very differently. To seek to change or amend the constitution to do away with such customary practices would require thorough, nationwide consultation.

380. With regard to the recommendations that were not supported, the delegation stated that, while the Government acknowledged and recognized international human rights standards, it would be too early, within the context of the Solomon Islands, to discuss the decriminalization of sexual relations between consenting adults of the same sex. Such an issue would require thorough national consultations to address Christian doctrines and cultural perspectives on the issue. Consequently, it could not support recommendations 81.49–81.51 on sexual relations between consenting adults of the same sex.

381. In closing, the delegation recognized that the universal periodic review had been a unique opportunity to enhance and promote active dialogue between Government and civil society. It valued the views from civil society groups and acknowledged their invaluable input. The Government would continue to work hard to enhance this relationship. The universal periodic review represented an important source of human rights expertise for the entire region.

382. The Minister for Foreign Affairs also reported that, at the regional level, there was already strong support for the universal periodic review, which would help in the implementation of the various recommendations. The recent summit of Forum leaders in Auckland recognized the review mechanism and supported Governments in this initiative, acknowledging the wide partnerships formed in the process.

383. Furthermore, Pacific leaders had brought to the forefront the issue of sexual and gender-based violence following the recent establishment of a forum reference group to address sexual and gender-based violence, based on a commitment made in 2009 to eradicate such violence and to ensure all individuals have equal protection under the law and equal access to justice.

384. At the national level, the Solomon Islands had already begun discussions with regional agencies to consider carrying out a study on the establishment of a human rights institution, a first step towards the eventual establishment of such an important institution.

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

385. Algeria noted that, during the interactive dialogue in the Working Group, the Solomon Islands had received 115 recommendations, 8 of which had been immediately accepted and 49 of which were regarded as implemented or in the process of implementation. During the dialogue, Algeria had expressed its satisfaction at the country's efforts in the fields of health and education and at its role in promoting regional human rights initiatives. Algeria noted that it had made a recommendation in favour of intensifying efforts to ensure economic, social and cultural rights. It thanked the delegation for providing a response to the remaining 58 recommendations and noted that, as a small island developing State, the country was facing challenges in the context of climate change and the world economic crisis. Algeria reiterated its call to the international community to support the country in the implementation of the recommendations accepted.

386. Cuba noted that during the review at the session of the Working Group, the enormous challenges faced by the population of the Solomon Islands because of the global economic crisis, serious environmental problems and the unjust economic order had been highlighted. The Government had made great efforts to minimize the negative impact of such circumstances and allocated resources to developing human capital, with an emphasis on basic education. Additionally, it had invested in the improvement of services to the population, including in the area of assistance and through the provision of free medical services. A Cuban medical brigade was supporting these efforts in the country, and students from the Solomon Islands had gone to Cuba to support these aims. Cuba congratulated the Solomon Islands on having accepted many of the recommendations made at the session of the Working Group, including those it had formulated.

387. Morocco congratulated the Solomon Islands on its cooperation during the universal periodic review, and observed that it had taken positive note of progress made in the area of human rights and measures taken in the area of constitutional reform, the independence of the judiciary and reinforcing the role of civil society. By accepting 11 of the 115 recommendations made, the Government had reaffirmed its commitment to human rights. Morocco was aware of the difficulties that the country might face in the implementation of recommendations, in particular because of high unemployment, poverty and the effects of climate change in the region. The effective realization of the objectives of the universal periodic review could be ensured with the provision of technical and/or financial assistance for developing countries, as determined by the Human Rights Council in its resolution 5/1.

388. New Zealand had made a recommendation that the Solomon Islands should adopt specific legislation to address violence against women and children. New Zealand was encouraged by the Government's commitment to put in place legal mechanisms to protect women, and welcomed the progress in proposing legislation to address trafficking, domestic violence and child abuse. It also welcomed the steps taken to increase women's participation in Parliament. New Zealand added that the country's willingness to consider the establishment of a national human rights mechanism was a positive step. It continued to encourage the Solomon Islands to become party to the Convention against Torture. It recognized the burden for small States not resident in Geneva, and commended the Solomon Islands for its positive participation in the process.

3. General comments made by other relevant stakeholders

389. Save the Children welcomed the Government's commitment to realizing the rights of the child. It called on the Solomon Islands to prioritize commitments of resources, with clear responsibilities and deadlines and appropriate budget allocations for 2012. It also called on the Government to ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and to enact legislation to protect boys and girls from all forms of sexual exploitation and abuse, and to protect children from violence in the home. It expressed its disappointment at the Government's apparent unwillingness to consider the human rights of people attracted by those of the same sex, and stated that it was important to challenge stigmatization and discrimination. It urged the Government to consider the decriminalization of sexual acts between consenting adults.

390. The Canadian HIV/AIDS Legal Network expressed its disappointment that the Solomon Islands was not ready to accept recommendations to repeal provisions that criminalize sexual activity between consenting adults of the same sex. It noted that the Human Rights Committee had confirmed that laws criminalizing same-sex activity violated the rights to privacy and to equality before the law without discrimination, and inhibited measures to address HIV/AIDS, a position also confirmed by the Joint United Nations Programme on HIV/AIDS. The Network noted that the recommendation made by Norway to repeal laws that criminalize sexual relations between consenting adults in accordance with international law had been accepted. It asked how the acceptance of that recommendation could be reconciled with the rejection of other similarly-worded recommendations. In addition, noting that the delegation had indicated that reform in this area would require national consultations, it asked the delegation to outline its plan for them.

391. Marist International Solidarity and Franciscans International were encouraged by the Government's open invitation to all mandate holders and its pledge to implement the recommendations accepted. They urged the Government to continue to provide free and compulsory primary and junior-secondary education, and to make this a priority in its national planning. They also called on the Government to ensure that corporal punishment in schools and in the home was prohibited and punished. It noted that many teachers were currently underqualified, and that many schools lacked basic resources and the Government was urged to address these deficiencies. The Government was also encouraged to include human rights education in the school curriculum.

392. Amnesty International welcomed the focus in the review on violence against women, and called on the Government to implement fully its gender equality and women's development policy and the national policy on eliminating violence against women. Amnesty International expressed concern at reports that the police may be reluctant to intervene in cases of domestic violence and that some lawyers had refused to represent victims unless they showed visible injuries. Reference was made to the dire situation in informal settlements in Honiara, where there were few sources of clean water nearby and women and girls had to walk long distances to collect water. The Government was urged to implement promptly the recommendation it had accepted regarding this issue. It was also noted that women and girls in the settlements risked physical and sexual violence when collecting water, bathing or using toilets at night.

4. Concluding remarks of the State under review

393. The delegation was grateful for all statements and either reiterated or elaborated the position of the Solomon Islands on the issues raised.

Latvia

394. The review of Latvia was held on 5 May 2011, in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Latvia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/LVA/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/LVA/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/LVA/3).

395. At its 21st meeting, on 22 September 2011, the Human Rights Council considered and adopted the outcome of the review of Latvia (see section C below).

396. The outcome of the review of Latvia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/9), the views of Latvia 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/18/9/Add.1).

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

397. The delegation of Latvia stated that the universal periodic review had been an excellent occasion for the State to review its human rights record through an open and frank dialogue. The preparation process had been followed with relevant Government institutions and the Ombudsman's office, and with the participation of non-governmental organizations.

398. Latvia had received 122 recommendations, of which 71 enjoyed its immediate support, 7 were rejected and 44 were left for further examination. Many of the recommendations that Latvia had accepted had already been implemented or were in the process of implementation. While other countries had welcomed several steps taken by Latvia to further the promotion and protection of human rights, Latvia appreciated the fact that the peer review had indicated areas where improvement were needed.

399. The views on outstanding recommendations and the explanation of position on the recommendations already rejected could be found in the addendum to the report of the Working Group. Latvia was a committed member of the international community and had become a party to the core human rights instruments. The possibility of ratifying the Optional Protocols to the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance would be considered in due course.

400. With regard to the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Latvia referred to its domestic legislation, which was based on adherence to and the implementation of the requirements of universal human rights instruments, as well as respective European Union regulations. Therefore, Latvia did not intend to sign and ratify this convention in the foreseeable future.

401. Latvia had accepted the recommendation on the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights in order to abolish the death penalty in times of war. To that effect, in July, the Government had approved a legislative package on the accession to Protocol No. 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms concerning the abolition of the death penalty in all circumstances. Following the adoption of the whole package of draft laws by the Parliament and their entry into force, Latvia would assess the possibility of ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights in due course.

402. Numerous questions had been raised by delegations regarding the Ombudsman's office and several recommendations had been made in this regard. Latvia did not envisage enlarging the mandate of the Ombudsman, as the established mandate was already broad and fully compliant with the Paris Principles. While describing the mandate of that institution, Latvia stated that the Ombudsman's strategy for the period 2011–2013 set among the institution's priorities the launching of a procedure for its accreditation to the international coordination body of national human rights institutions.

403. Latvia would continue measures aimed at eliminating discrimination, including discrimination against vulnerable groups. The Constitution guaranteed that human rights were to be realized without discrimination of any kind and that all persons in Latvia were equal before the law and the courts. The prohibition of discrimination and differential treatment had also been included in sectoral laws. National legislation provided for administrative and criminal responsibility for violation of the principle of non-discrimination. Latvia would continue its efforts to protect the rights of women, children and persons with disabilities. It recognized, however, that further action was still needed to achieve de facto equality. Latvia did not agree with the recommendation on the adoption of a comprehensive gender equality law, since anti-discriminatory provisions were incorporated into sectoral laws as an integral part of the overall legislative framework.

404. Anti-discrimination norms also applied to the elimination of discrimination on the basis of sexual orientation and gender identity. Domestic laws guaranteed freedom of expression and peaceful assembly to everyone without discrimination, and no violence had been reported against LGBT persons as such.

405. Regarding the recommendations to amend the criminal law concerning hate crimes, Latvia believed that the law and others provided for adequate regulation. They criminalized acts of intentionally inciting national, ethnic or racial hatred or disharmony, and the criminal law also defined racist motives as an aggravating circumstance. Moreover, racial discrimination was also effectively prohibited in other laws, and the victims of such crimes were provided with accessible and effective mechanisms for protecting their rights. In recent years, Latvia had succeeded in cutting back on the number of instances of national, ethnic and racial hatred.

406. Latvia was unable to provide a definitive answer to the recommendations with regard to sanctions under the criminal law against homophobic and transphobic crime or hate speech against LGBT persons. No amendments to legislation were currently planned, and discussions thereon had not yet been held. However, law enforcement agencies would, within their mandates, continue their efforts to combat discrimination.

407. Latvia stated that a number of international organizations had acknowledged the important progress that Latvia had made in the area of societal integration. Latvia guaranteed cultural autonomy to all its national minorities, and gave significant support for the strengthening of their identity. State-financed education was available in eight national minority languages. Thorough efforts were being made to prepare a set of new national identity and society integration policy guidelines by involving diverse stakeholders.

408. The State Language Law provided for the integration of national minorities into Latvian society, securing their rights to use their native or any other languages while preserving, protecting and developing the Latvian language. Latvia had always aimed to keep this balance. The Constitution referred to the Latvian language as the only official language whose use is defined in the Official Language Law. At the same time laws provided for exceptions when information had to be given to a person in a language other than the official language.

409. With regard to the recommendations on granting certain rights to non-citizens, Latvia emphasized that non-citizens were already granted economic, social and cultural rights, as well as a number of political rights. Latvia's position remained unchanged as to granting non-citizens the right to participate in municipal elections; the right to vote was seen as an inalienable attribute of citizenship. This position complied with international law and existing State practice. At the same time, non-citizens were ensured practical and effective access to the naturalization process, which to date has been followed by more than 140,000 non-citizens. Latvia emphasized that the status non-citizen was only temporary, and thus that obtaining citizenship was the most effective way of expanding the scope of an individual's rights.

410. With regard to the recommendations on the granting of automatic citizenship to non-citizen children in Latvia, there had been positive developments since May. Government regulations on facilitating registration of non-citizen children as citizens of Latvia at the time of registration of their birth had been approved on 5 July 2011.

411. The Government of Latvia had made significant efforts to facilitate the naturalization process by assessing on a regular basis the motivation of remaining non-citizens. Further measures would be taken to facilitate and optimize the process and to achieve social integration.

412. Latvia was committed to the prevention and the fight against human trafficking, including its various new forms, such as the marriage of convenience. Latvia had accepted all recommendations thereon and intended to continue its efforts in this field. The effective work of law enforcement institutions and legislative regulation had already led to a decrease in the number of cases of human trafficking in recent years.

413. Regarding the recommendations on living conditions in places of detention and in prisons, Latvia had already made substantial efforts to improve these conditions to comply with international standards, and would continue them. In recent years, greater attention had been paid to planning the execution of sentences and to the implementation of the policy for the resocialization of inmates. Training for the prison staff was also provided.

414. Latvia also emphasized the importance of increasing the population's knowledge of their rights. Therefore, general information on human rights, anti-discrimination and tolerance related issues had been included in the school curricula for several years. Awareness-raising campaigns on specific human rights or discrimination issues were being carried out in cooperation with State institutions, the ombudsman, non-governmental organizations and the mass media. Latvia pointed out that the role of non-governmental organizations in promoting human rights was essential.

415. The delegation concluded that, in the 21 years since the restoration of its independence, Latvia had developed modern, comprehensive legislation and an institutional system for the protection of human rights. Latvia stood ready to facilitate further improvements and would report on progress in the next cycle of the universal periodic review. Latvia attached the greatest importance to its human rights commitments, and believed that the members of the Human Rights Council must lead by example. Therefore Latvia had submitted its candidacy for election to the Human Rights Council in 2014.

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

416. Algeria praised the frankness of the delegation of Latvia when describing the problems and shortcomings that it faced. It appreciated the acceptance of a high number of recommendations, including two made by Algeria: to raise the status of the Ombudsman to that of a national human rights institution, and to pursue its efforts to combat human trafficking, particularly for women and children. Algeria referred to a third recommendation that was rejected regarding the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, hoping that Latvia would review its position in view of the importance of this legal instrument for a vulnerable category of people and in accordance with recommendation 1737 adopted by the Council of Europe Parliamentary Assembly on 17 March 2006.

417. The Russian Federation was surprised that Latvia had rejected the recommendations to eliminate the system of non-citizenship and to simplify naturalization procedures for children and retired persons. It also referred to the partial rejection to grant immediately the right to non-citizens to participate fully in political life. It noted that codifying the prohibition of xenophobic and racist propaganda and instituting criminal liabilities for such activities, as well as ensuring the right of minorities to obtain information in their native language, were not being implemented as stated by Latvia. It called on Latvia to review its position on recommendations made by the international community and to take all the measures necessary to observe fully the rights of national minorities, and to eliminate the system of non-citizenship, structural discrimination, racial hatred and intolerance.

418. Estonia thanked Latvia for its open and constructive cooperation during the universal periodic review process. Estonia was pleased to note that Latvia had already implemented or intended to implement a large number of recommendations, including those on the continuation of measures for the protection of the rights of children and disabled persons and the promotion of gender equality. It also noted a continued improvement in prison conditions, and in the fight against racism, hate crimes and human trafficking. Having shared a similar historical experience with Latvia, Estonia wished to emphasize that the creation of a modern institutional system for the protection and promotion of human rights in only 20 years since its independence was a substantial achievement. It commended Latvia for its continuous success in promoting the issuance of standing invitations to special procedures.

419. The Republic of Moldova applauded the constructive engagement of Latvia with the universal periodic review. It welcomed Latvia's pledge to issue a standing invitation to special procedures mandate holders and to actively promote them. The Republic of Moldova appreciated Latvia's acceptance of its recommendations and welcomed its commitment to ensure the compliance of the Ombudsman institution with the Paris Principles. It praised Latvia's commitment to earmark sufficient funds for all child protection programmes. It also noted with satisfaction Latvia's commitment to the taking of appropriate measures to prosecute and punish perpetrators of trafficking in human beings and to the development of effective systems for the timely prevention of the sexual exploitation and trafficking of children.

3. General comments made by other relevant stakeholders

420. The European Region of the International Lesbian and Gay Federation (ILGA-Europe) commended Latvia for having accepted recommendations to increase efforts to combat discrimination on the basis of sexual orientation and gender identity, and to provide general information about anti-discrimination measures and to reform the curriculum in schools in order to provide information about gender equality, lesbian, gay, bisexual and transgender and ethnic minorities, thus engaging in awareness-raising activities. ILGA-

Europe recommended that Latvia should establish a concrete plan of implementation of the measures mentioned in close cooperation and consultation with civil society organizations. It raised concerns about the rejection of a recommendation to recognize the diversity of family types and recommended that Latvia should reconsider its position and ensures that equal rights of same-sex and opposite-sex couples in its legislation and policies. It also recommended that Latvia should reconsider its position to include sexual orientation and gender identity in its hate crime legislation. Lastly, ILGA recommended that the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity should be applied as a guide to assist in policymaking.

421. Rencontre africaine pour la défense des droits de l'homme appreciated Latvia's cooperation with the special procedures. It raised concerns with regard to discrimination against migrants, young Roma women, Russian citizen workers and refugees. It referred to the legislation to combat human trafficking adopted in 2000, and requested that it be strengthened to combat violence and abuse against women. Over the years, prison authorities had investigated 5 cases of violent death of prison inmates. It stressed that the lack of access to attorneys for detainees was a problem. Lastly, it invited Latvia to continue to create mechanisms for human rights training of police and security forces, and to ratify the Convention on the Elimination of All Forms of Discrimination against Women.

4. Concluding remarks of the State under review

422. Latvia underlined the enriching experience of the universal periodic review, leading to new steps to improve its human rights record. The delegation thanked all delegations and non-governmental organizations, and looked forward to the second cycle of the review.

Sierra Leone

423. The review of Sierra Leone was held on 5 May 2011, in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Sierra Leone in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SLE/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SLE/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SLE/3).

424. At its 21st meeting, on 22 September 2011, the Human Rights Council considered and adopted the outcome of the review of Sierra Leone (see section C below).

425. The outcome of the review of Sierra Leone comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/10), the views of Sierra Leone 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/18/10/Add.1).

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

426. The delegation, on behalf of the President of Sierra Leone, reaffirmed the Government's pledge to promote and safeguard human rights in Sierra Leone, that it would shortly be seeking technical assistance to help it fast-track the enactment of all international

human rights and humanitarian instruments to which it is a party, and its commitment to the abolition of the death penalty.

427. Sierra Leone welcomed the opportunity of being reviewed and, in particular, all recommendations made by States. A total of 129 recommendations had been made. The delegation had addressed 101 of those recommendations adequately and promised to submit the outstanding 28 recommendations to the stakeholders and the people of Sierra Leone for the proper determination of its response.

428. On returning to Sierra Leone, the delegation had presented its report to the President in cabinet, together with the recommendation for a nationwide consultation and presentation to stakeholders and citizenry. This was readily approved, with also the technical assistance of the United Nations Integrated Peacebuilding Office in Sierra Leone (which is also the field office of OHCHR). Those consultations had been conducted in August 2011.

429. The consultations were planned and carried out by the Ministry of Justice and the Human Rights secretariat in the Ministry of Foreign Affairs and International Cooperation. Participants were drawn from a variety of groups: tribal heads, trades unions, prison officers, police, military, general citizenry, civil society and non-governmental organizations. The consultations were held in major cities, starting in the east and culminating in Freetown.

430. At the consultations, the report of the review was presented, reasons were given for the position already taken on recommendations, and an explanation provided on the need to hold interactive consultations throughout the country to discuss carefully the 28 outstanding recommendations and to determine Sierra Leone's position on them. This approach was very successful, as the turnout in all the consultations was higher than anticipated and the feedback carefully considered so as to share the outcome with the Human Rights Council.

431. There were plans to hold a high-level consultation with cabinet ministers and the higher echelons of the civil service almost immediately following the delegation's return to Freetown.

432. Sierra Leone provided its position on the recommendations. It had accepted recommendation 82.1, with the clarification that Parliament would have to consider the Second Optional Protocol to the International Covenant on Civil and Political Rights at the earliest.

433. Sierra Leone had accepted recommendations 82.2, 82.3, 82.4 and 82.14–82.25 in principle, subject to constitutional review. It reminded participants that the constitutional review process had been suspended and that it intended to continue it after the elections.

434. Sierra Leone had accepted recommendations 82.5, 82.6, 82.10, 82.27 and 82.28. It accepted recommendations 82.11 with a clear call for technical assistance in the implementation of the national gender plan and the national plan of action on Security Council resolutions 1325 (2000) and 1820 (2008), as well as in formulating a strategy to combat violence against women. It had also accepted recommendations 82.12 and 82.13 with a call for technical assistance. Recommendation 82.26 was accepted with the explanation that an existing board could do with technical assistance and training for carrying out its mandate and informing the public. Sierra Leone rejected recommendations 82.7, 82.8 and 82.9.

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

435. Algeria commended the constructive commitment of Sierra Leone in the framework of the universal periodic review and its rather spectacular acceptance of 126

recommendations out of 129. It expressed its confidence that, thanks to the identification of Sierra Leone's needs in terms of technical assistance and its requests to OHCHR, the Government would have the capacity to make up for the delay in the presentation of periodical reports to treaty bodies. Algeria underlined the fact that the use of technical assistance would also help Sierra Leone to implement its plans for the promotion of human rights. Algeria welcomed the acceptance of recommendations relating to the fighting violence against women and to improving the conditions of detention. Algeria called on the international community to support Sierra Leone in providing it with the technical assistance it had requested in order to meet its commitments to human rights.

436. Morocco stated that the acceptance of the majority of recommendations, including the two made by Morocco on the protection of the rights of children and the promotion of women's role in the society, was an act of goodwill showing the commitment of Sierra Leone to the universal periodic review process. It added that the legal and institutional measures, the good governance and the achievements in several areas of human rights showed the commitment of the authorities to human rights issues. Moreover, the delegation of Morocco highlighted the fact that national will and the efforts of a country with a fragile economy emerging from conflict could not reach the results hoped for in terms of development and promotion of human rights. Therefore, Morocco called for solidarity for Sierra Leone.

437. Mauritania congratulated Sierra Leone on its human rights accomplishments in a difficult socioeconomic context. Sierra Leone's acceptance of the majority of recommendations made during the universal periodic review, reflected its willingness and determination to be open to the promotion and protection of human rights. Mauritania called on the international community to provide the assistance necessary to enable Sierra Leone to implement its recommendations.

438. Nigeria commended Sierra Leone for its efforts to promote transparency and the reintegration of war victims. It recognized the Government's efforts to consolidate peace and stability and to harmonize domestic legislation with international human rights instruments. Nigeria commended Sierra Leone for its institutional reform, including the establishment of a national human rights commission, an anti-corruption commission and the Parliamentary Human Rights Committee. Nigeria had noted the steps promised to eliminate child labour and forced labour, and to mobilize resources for the successful implementation of national programmes that support economic, social and cultural rights. Nigeria encouraged the Government to continue and reinforce its programme of reconciliation and to improve living standards.

3. General comments made by other relevant stakeholders

439. The Human Rights Commission of Sierra Leone, which had just been accredited with "A" status, held the view that positive steps would now be taken to use the universal periodic review process to remedy Sierra Leone's poor record of reporting under international human rights instruments. The Commission remained committed to providing technical support and monitoring the Government's implementation of its recommendations, particularly on accession to and ratification of the international instruments, the signature and ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, and the passing of the freedom of information bill, which were critical for human rights and the advancement of women and children. The Commission looked forward to establishing strategic partnerships to ensure progress in implementation, to be reported on at the next review, and follow-up visits of special procedures. The Commission hoped that the development of a plan of action on human rights and the rights of children would include measures to implement the new Guiding Principles on Business and Human Rights. With regard to the 2012 elections, the

Commission called on the Government to prioritize the implementation of the recommendations facilitating the conduct of peaceful, free and fair elections. The Commission hoped that its new status would be reflected in greater Government support and response to its recommendations and activities.

440. World Vision Sierra Leone welcomed the Government's acceptance of several recommendations concerning maternal and child health. World Vision, while recognizing the implementation of the free health package, remained concerned that many pregnant women and children living in rural and remote areas continued to be denied access to care and medicines because of their inability to pay for services and the limited outreach of trained community-based health personnel. Health in rural communities was especially affected by insufficient water and sanitation facilities, continued lack of access to mosquito nets, an insufficient number of health workers and inadequate birth registration facilities. World Vision called on the authorities to increase their annual expenditure for health to 15 per cent of the national budget, as pledged under the Abuja Declaration, and expressed its commitment to assist the authorities in the implementation of health-related obligations.

441. Save the Children presented its statement on behalf of the Child Rights Coalition – Sierra Leone. The Child Rights Coalition commended the Government for having immediately accepted 101 recommendations made by the Working Group, and its open attitude towards collaboration with the Human Rights Commission and civil society in the implementation of the recommendations. While commending the acceptance of recommendation 81.36, it called on the Government to take effective measures to address the inadequate implementation of the 2007 Child Rights Act, as key child protection structures such as child welfare committees and departments, were yet to be established. It urged the Government to pass legislation to establish an independent and resourced national commission for children in accordance with its commitments. With regard to recommendations 80.18, 80.19 and 80.20, it commended the Government for passing the legislation on banning female genital mutilation on children under 18 years, but remained concerned that the issue still prevailed, particularly in rural communities. Children as young as 5 were still being initiated and circumcised; it therefore urged the Government to sensitize the public about the new legislation and to enforce relevant laws.

442. Amnesty International highlighted the fact that 13 States had raised the issue of the death penalty during the review, calling for a moratorium on executions, the abolition of the death penalty and the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights. It congratulated Sierra Leone on having accepted the recommendations, and urged it to take immediately all steps necessary to abolish the death penalty in national law and to commute existing death sentences to terms of imprisonment. Amnesty International welcomed Sierra Leone's commitment to address causes of maternal mortality and its review of maternity health-care policies and to improving access to confidential family planning and sexual health and reproductive services. Amnesty International referred to reports by women and girls that drugs and medical supplies were not available at health facilities, or that they were charged for medicines and care that were supposed to be free. It called on the Government to strengthen transparency and accountability by monitoring and investigating shortcomings in the national health system, and to respond robustly to allegations of corruption and systematic malpractice. It urged Sierra Leone to make a grievance mechanism available within the health system and to inform patients about their right to redress, and to promptly implement the many recommendations on the elimination, prohibition and the criminalization of female genital mutilation.

443. Rencontre africaine pour la défense des droits de l'homme recalled the atrocities committed during the war in Sierra Leone, such as the countless amputations, mass rapes and forced recruitment of thousands of teenagers and children. It underlined the fact that the

indictment of Charles Taylor by the International Criminal Court gave hope to numerous victims of the conflict, and stated that Colonel Khadafi must also be held accountable for his support for the Revolutionary United Front. It furthermore highlighted the fact that the authorities should make a greater effort to meet the challenges of combating poverty and corruption, improving access to justice and promoting national reconciliation, reviewing all the questions relating to the preparations for the elections of 2012, and combating genital mutilation, as well as discrimination against women and albino children, who were allegedly killed in occult practices.

4. Concluding remarks of the State under review

444. The delegation of Sierra Leone expressed its appreciation to speakers for their contributions. All issues raised had been noted.

445. Sierra Leone reiterated its commitment to the advancement of human rights in all spheres of life in the country. The delegation briefly commented on the question of the death penalty. Sierra Leone accepted the principle of the abolition of the death penalty. In April 2011, all death sentences had been commuted to life imprisonment. Since May 2011, there had been two more convictions. While there were moves to commute the sentences to life imprisonment, appeals on these cases were pending in the Court of Appeals.

446. Responding to questions raised, Sierra Leone considered the provision of free health care as a work in progress, appreciated the suggestions thereon and would consider them. Recently, a special body had been established specifically to monitor the implementation of the free health-care system. It was composed not only of Government functionaries but also of representatives of civil society organizations and development partners. Its work continued.

447. Sierra Leone was taking steps to ensure that children enjoyed their rights, particularly by ensuring that no child shared detention facilities with adult prisoners, and by establishing and strengthening the juvenile court system. The commission for children was being restructured to make it more robust and active.

448. Access to justice was receiving active attention in Sierra Leone. It was recognized that 70 per cent of persons going through the justice system did so through local courts, which were not part of the formal justice system. Sierra Leone had now brought local courts into the formal system under the auspices of the Chief Justice, as the recruitment and staffing of those courts was to be undertaken through that office.

449. The Government was committed and continued to implement the recommendations of the truth and reconciliation commission.

450. Sierra Leone made reference to recommendation 80.18, on the question of female genital mutilation and the Government's continued sensitization of persons connected with this practice. The Government accepted in principle that the practice ought to be abolished, but recalled that some traditions were deeply rooted and pleaded for implementation on a progressive basis.

451. The delegation totally rejected the idea of child killing for occult purposes and stated that this did not happen in Sierra Leone.

Singapore

452. The review of Singapore was held on 6 May 2011, in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Singapore in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SGP/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SGP/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SGP/3 and A/HRC/WG.6/11/SGP/3/Corr.1).

453. At its 21st meeting, on 22 September 2011, the Human Rights Council considered and adopted the outcome of the review of Singapore (see section C below).

454. The outcome of the review of Singapore comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/11), the views of Singapore 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/18/11/Add.1).

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

455. The delegation of Singapore reaffirmed that the universal periodic review process had been a very instructive experience, in which all relevant Government ministries had met regularly for more than a year to evaluate the effectiveness of its domestic policies and to debate whether more could be done. Civil society had been regularly consulted. It emphasized that Singapore had entered the process with an open mind.

456. The delegation pointed out that, at the time of its review, Singapore had received 112 recommendations, of which it had accepted 52, rejected 21 and deferred 39. After careful consideration, Singapore had now decided to accept 23 of the pending recommendations in part and 9 in full; overall, Singapore supported, either fully or partially, 84 out of the 112 (i.e. 75 per cent) of the recommendations made. Most of the recommendations that Singapore was not ready to support related to crime and security issues, including with regard to the death penalty and corporal punishment, for reasons already explained. Another cluster of recommendations that Singapore was unable to support related to the establishment of a national human rights institution, as Singapore preferred a decentralized but mutually reinforcing system of human rights protection. Similarly, it believed that the best way to protect child rights was through an integrated system of legislation, policies and services. Concerning the treatment of women prisoners, Singapore acknowledged, in principle, the merits of the Bangkok Rules, but did not accept the recommendation to implement them as it believed that each country had to determine its own best approach, taking into consideration its specific domestic situation and other relevant factors. The delegation also underlined the fact that, in the report of the Working Group on Singapore, it had explained why Singapore did not see the need to establish an independent elections body as recommended. The delegation added that there were also a few recommendations that it was not able to support as they were based on incorrect assumptions or premises.

457. Singapore had also accepted in part many recommendations that it consider ratification of various international human rights instruments, in accordance with its policy to constantly review and consider accession to those instruments to which it is not yet a party. In June 2011, it had ratified the ILO Maritime Labour Convention, thus strengthening its commitment to decent work conditions for seafarers working on Singapore-flagged ships. In the same month, in accordance with its policy of constantly reviewing the declarations and reservations that it had filed upon ratification of human rights instruments, and following significant developments in the practice of sharia law in

Singapore, Singapore partially withdrew its 1995 reservation to the Convention on the Elimination of All Forms of Discrimination against Women. Furthermore, Singapore intended to accede to the Convention on the Rights of Persons with Disabilities by the end of 2012.

458. Singapore also assured its commitment to the fight against trafficking in persons and to the rights of victims. The Government worked closely with a network of non-governmental organizations, hospitals and schools to ensure appropriate assistance, and was engaging several foreign embassies to strengthen partnership and coordination to counter trafficking in persons. Singapore also looked forward to working closely with the anti-trafficking units of other ASEAN countries. It was in the process of developing a national plan of action to step up efforts to fight trafficking.

459. With regard to children and women's rights, Singapore confirmed that it was committed to implementing the recommendations made by the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, consistent with its treaty obligations, noting that several recommendations received during the universal periodic review affirmed Singapore's efforts in this area. In particular, Singapore had made further progress in enhancing the legal protection of children by means of the recent amendments made to the Children and Young Persons Act relating to the licensing of children and young persons' homes. Similar progress had been made in enhancing the legal protection of women in the amendments to the Women Charter, made in January 2011, with the aim of mitigating the impact of divorce on women.

460. Concerning the recommendations relating to racism and racial discrimination, Singapore stated that racial and religious harmony was of paramount importance to Singapore and that the Government would continue to support civic and community initiatives in this area. It also referred to its response, which had since been circulated as a document of the session, to the recommendations made by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance following his visit to Singapore in April 2010. Singapore took the well-being of migrant workers seriously and was continually reviewing regulations to refine employers' responsibilities. For example, recruitment regulations had been recently tightened to reduce migrant worker debt in Singapore.

461. Lastly, the delegation acknowledged the role of civil society organizations in Singapore's follow-up to the universal periodic review, and stated that the Government appreciated their tireless efforts.

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

462. Viet Nam commended Singapore's positive reaction to many of the recommendations made, including three of its own, and welcomed Singapore's efforts to implement them. In particular, it highlighted the efforts to continue to strengthen the harmony between different ethnic and religious groups, to take steps to accede to international human rights instruments, and to establish a process for the follow-up to recommendations. Viet Nam encouraged Singapore to continue to implement the recommendations in close cooperation with United Nations mechanisms.

463. Brunei Darussalam congratulated Singapore on its constructive engagement with the United Nations human rights system and its continued commitment to the promotion and protection of human rights. It commended Singapore for the efforts made in this area and for sharing its best practices in the fight against trafficking in persons. Brunei Darussalam would continue to work closely with Singapore as a regional partner through ASEAN.

464. Algeria noted Singapore's achievements in economic and social development, which had had a positive impact on the enjoyment of human rights. It hoped that Singapore would continue its efforts to promote harmony between the different components of its diverse society. Algeria recalled its recommendations on the promotion of racial and religious tolerance and the advancement of women, and thanked Singapore for accepting its recommendations to ratify the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of Persons with Disabilities. At the same time, it requested a response concerning its recommendation on the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

465. Thailand welcomed Singapore's acceptance of a number of its recommendations, particularly those concerning migrant workers and trafficking. It commended Singapore's efforts to protect the rights of vulnerable groups, noting in particular the increased budgetary allocations for the education of children with special needs. While some of Thailand's recommendations on national human rights institutions and the Bangkok Rules did not enjoy the support of Singapore, Thailand hoped that Singapore would continue to strengthen its independent mechanisms and give due consideration to the needs of women prisoners.

466. Indonesia noted Singapore's commitment to human rights and fundamental freedoms, which had contributed to prosperity, peace and stability in the region. It appreciated the acceptance of the recommendations made by Indonesia concerning the ratification of human rights instruments, the preservation of family institutions and religious tolerance, and the elimination of discrimination against women and trafficking in persons. It highlighted the enactment of laws against trafficking in persons and welcomed Singapore's commitment to the well-being of migrant workers.

467. The Lao People's Democratic Republic noted that Singapore had accepted a large number of recommendations and taken steps to implement them. It noted that Singapore's multi-ethnic and multicultural society lived together peacefully, and appreciated Singapore's efforts to further advance the lives and well-being of its people. It noted with appreciation the five fundamental principles governing Singapore's policy on human rights, and commended Singapore's cooperation with United Nations human rights mechanisms.

468. Myanmar appreciated Singapore's constructive engagement with the universal periodic review and was pleased that it had accepted many recommendations, including Myanmar's recommendation that it provide foreign workers with appropriate legal channels to work in the country. Myanmar commended Singapore's commitment to strengthen interaction with human rights mechanisms, including through an invitation extended to the special procedures mandate holders.

469. Malaysia welcomed Singapore's intention to accede to the Convention on the Rights of Persons with Disabilities and was pleased that Singapore had accepted all its recommendations. Malaysia was aware of the need for Singapore to be afforded the time and space necessary to continue improvements in the promotion and protection of human rights, and thanked Singapore for its constructive participation in the universal periodic review process. It wished Singapore well as it embarked on the implementation of accepted recommendations.

470. Cambodia noted Singapore's commitment to human rights, its achievements in the areas of socioeconomic development, health services, education and housing, as well as in the promotion of the rights of women, children, persons with disabilities and the elderly. Cambodia welcomed Singapore's cooperation with the international community in promoting and protecting human rights. It also highlighted Singapore's policies aimed at

maintaining political stability and promoting good governance. Cambodia looked forward to working with Singapore through the regional framework.

471. India thanked Singapore for its detailed responses to the recommendations set out in the addendum to the report of the Working Group. It took positive note of the receptive, candid, cooperative and constructive manner in which Singapore had participated in the universal periodic review process. It was encouraged by Singapore's acceptance of a large number of recommendations and confident that Singapore would further intensify its efforts to implement the recommendations accepted.

472. The United States of America welcomed the acceptance by Singapore of many recommendations and its intention to ratify the Convention on the Rights of Persons with Disabilities, the International Convention on the Elimination of All Forms of Racial Discrimination and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. While applauding the holding of presidential elections and the consideration given to the establishment of an independent elections body, it remained concerned about the ability of the people to change Government and encouraged the reform of electoral laws. It further encouraged efforts to fight human trafficking and to assist victims, as well as the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons. It remained concerned about freedom of expression and the right of peaceful assembly, urged Singapore to repeal the 2009 public assembly law, and expressed its regret that Singapore had rejected a moratorium on corporal punishment.

473. Saudi Arabia stated that Singapore's commitment to human rights was demonstrated by its cooperation with human rights mechanisms and readiness to engage in a genuine dialogue on human rights. Singapore was a party to many international human rights instruments and had shown its eagerness to realize the human rights enshrined in them. Saudi Arabia commended Singapore for its cooperative spirit and the efforts made in the protection and promotion of human rights.

3. General comments made by other relevant stakeholders

474. Article 19 and MARUAH referred to significant changes in Singapore since its review, noting that the outcome of the general election was indicative of the people's desire for more space and freedom to express themselves, and a greater say in policymaking discussions. The Government had not, however, accepted the recommendations concerning civil and political freedoms, including with regard to the ratification of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the withdrawal of its reservations to the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child, the establishment of a national human rights commission, a review of defamation laws, the Newspaper Printing and Publishing Act and laws for preventative detention, and concerning the death penalty.

475. Human Rights Watch regretted Singapore's refusal to repeal the Internal Security Act and other laws permitting detention without charge when claiming threats to national security and public order, and urged it to rescind preventive detention laws. It also urged Singapore to reject the use of the death penalty and to endorse a moratorium on it. Human Rights Watch demanded that the rights to freedom of expression, association and peaceful assembly be ensured. It noted Singapore's plan to ratify the International Convention on the Elimination of All Forms of Racial Discrimination, but urged it to ratify all core human rights treaties and to make a commitment to ending the use of torture. It also urged Singapore to ratify ILO Convention No. 189 and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

476. Conscience and Peace Tax International, noting that its submission had not been reflected in the summary of stakeholder information in time for the review, stated that the issues raised in its submission included the non-recognition of the right of conscientious objection to military service and the repeated call-up of conscientious objectors. It expressed the hope that these issues would feature in Singapore's review during the second cycle, and encouraged Singapore to address them in its national report for that cycle.

477. The Asian Forum for Human Rights and Development urged Singapore to engage with a broader range of actors from civil society in the follow-up process, and to review its position on capital punishment and preventive detention, reiterating the recommendation for a moratorium on the death penalty. It called on Singapore to repeal the Internal Security Act, which impaired the right to due process and judicial protection. It also asserted that no effort had been made to bring Singapore's migrant labour regulation into line with international standards. In this regard, it highlighted the recommendations to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and to amend some migrant labour acts. It urged the adoption of a rights-based approach in considering minimum wage legislation.

478. The International Federation for Human Rights expressed disappointment at Singapore's rejection of 27 key recommendations, especially those relating to the protection of civil and political rights. It recommended the decriminalization of defamation and the reformation of laws, such as the Newspaper and Printing Presses Act, the Public Order Act and the Undesirable Publications Act, so as to ensure their compliance with international standards. It also recommended increased respect for fundamental freedoms in practice, and greater tolerance for criticism and opposition. The Federation expressed regret that Singapore had rejected recommendations on the abolition of the death penalty and corporal punishment. It called on Singapore to repeal all provisions that provided for mandatory death sentencing and to implement an immediate moratorium on the use of capital punishment.

479. Amnesty International regretted Singapore's rejection of recommendations to end the use of mandatory death sentences, to impose a moratorium on the death penalty, and to end judicial caning. It was disappointed that Singapore had not accepted recommendations on preventive detention. It urged Singapore to repeal the Internal Security Act and to ensure that criminal proceedings met international fair trial standards. Amnesty International welcomed Singapore's intention to consider ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, and urged the ratification of other human rights instruments, particularly the International Covenant on Civil and Political Rights. It welcomed Singapore's support for recommendations to protect migrant workers' rights. While noting that recent measures provided better protection, Amnesty International observed that migrant workers still faced difficulties and that labour laws continued to exclude migrant domestic workers from basic protection.

4. Concluding remarks of the State under review

480. The delegation expressed its appreciation to all participants in the dialogue, which had generated valuable inputs that would help Singapore in its domestic efforts to constantly review and adjust its policies where necessary. Singapore hoped that, at its next universal periodic review in 2016, it would be able to show progress in some of the areas in which further improvement was desirable.

Suriname

481. The review of Suriname was held on 6 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Suriname in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SUR/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SUR/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SUR/3).

482. At its 23rd meeting, on 22 September 2011, the Human Rights Council considered and adopted the outcome of the review of Suriname (see section C below).

483. The outcome of the review of Suriname comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/12), the views of Suriname 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/18/12/Add.1).

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

484. Suriname thanked States Members of the Human Rights Council for the recommendations made in response to its national report, which had prompted an additional in-depth evaluation by the Government of the national situation of human rights.

485. Suriname stated that a significant number of the recommendations had been accepted after careful deliberations. It felt that the recommendations provided a sound foundation for the implementation of policy aimed at ensuring more effective protection and enjoyment of human rights. They furthermore constituted a solid framework for the nation's human rights agenda. The framework encompassed socioeconomic, political and cultural rights, as well as an outline of the necessary conditions for adequate enjoyment of the said rights.

486. Even though the diversity of the recommendations that had been accepted presented an additional challenge to Suriname, they would be dealt with by the State in a most positive manner.

487. The delegation of Suriname stated that the recommendations accepted by the Government had been grouped in paragraphs 3 and 4 of the addendum to the report of the Working Group.

488. The recommendations that could not be accepted related to issues that were currently being analysed by the Government in view of their prospective impact on society as a whole. Broad national discussion and consensus were needed.

489. One such issue was the claim to land rights. Subsequent Governments had, each in their own way, tried to deal with the issue of land rights. In doing so, two things had to be taken into account. On the one hand, there was the claim made by the Maroon and indigenous people to the land on which they had lived, cultivated and utilized for centuries. This claim was aimed at the State's recognition that they, the Maroon and indigenous people, had a right to the land.

490. On the other hand, the Government deemed that the entire territory of Suriname belonged to the State, with the exception of those instances in which a third party could prove otherwise. Furthermore, the State had decreed that each Surinamese citizen, including those of Maroon and indigenous descent, was entitled to request land within the State's domain.

491. The delegation stated that, in past decades, the issue had developed in such a way that it had assumed the nature of a conflict between Maroon and indigenous people, on the one hand, and the State, on the other side; thus, a conflict between the Government and a group of citizens.

492. Owing in part to different definitions of the issue, various interpretations of both the historical context as well as the result of the development process after its decolonization and the ambitions of the State, this matter could not be dealt with adequately, and no solution had yet been found. The need for a satisfactory solution was more pressing than ever.

493. The delegation stated that the Government would need to identify an instrument through which the entire nation would come to realize that the issue of land rights was a national one. Against this backdrop, land rights conferences, which had been planned by the Government, strove to provide a platform for representatives from all areas of society, to arrive at a redefinition of the issue, thus laying a basis for an environment in which the rights of all citizens, including those of the Maroon and indigenous people, might be respected and realized within the scope of the State's ambitions.

494. The delegation stated that another highly sensitive issue was that of specific recognition of the rights of lesbian, gay, bisexual and transgender (LGBT) individuals. The Government felt that the Constitution of the Republic of Suriname provided adequate protection from discrimination to all. According to the Constitution, no individual may be discriminated against on the basis of birth, sex, race, language, ancestry, education, political persuasion, economic status, social circumstance or any other status.

495. Notwithstanding the above, any attempt to embed specific rights for LGBT individuals in its legislation was doomed to failure without the support of Parliament. Since Parliament was but a reflection of the people, any legislative initiative regarding such a highly controversial issue had to be preceded by a broad national discussion, during which the views of both LGBT individuals and those of other relevant groups in society have to be taken into account and respected.

496. Lastly, the delegation stated that a number of protocols and conventions could not at this time be ratified since such decisions would require a broad national discussion, as should be the case for issues relating to ILO Convention No. 169.

497. The recommendations that could not be accepted were grouped in chapter IV of Suriname's addendum to the report of the Working Group.

498. In conclusion, although a number of recommendations had not at this time been accepted by Suriname, the Government was very much aware of the fact that they provided a challenge to improving the overall human rights situation in the country. These recommendations would thus enjoy the continued attention of the Government of Suriname.

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

499. Algeria congratulated Suriname on its acceptance of the majority of the recommendations made during its universal periodic review, noting that more than 71 per cent of them had been accepted. It expressed particular satisfaction that Suriname had accepted the four recommendations made by Algeria, on strengthening the participation of women in the political sphere; the fight against the trafficking and exploitation of children; the fight against poverty by paying specific attention to the economic, social and cultural rights of the most disadvantaged; and the establishment of a national human rights institution in accordance with international standards. Algeria expressed the hope that the

broad process carried out for the preparation of the universal periodic review would be maintained in the implementation phase. The international community should show understanding of the difficulties faced by the country and provide constructive assistance to help Suriname to attain the Millennium Development Goals.

500. Cuba stated that Suriname had made great efforts to minimize the negative impact on human rights of the economic crisis and the unjust international economic order. It recognized the work of the Government in dealing with the complex issues stemming from a multiethnic and multireligious society. It noted the efforts made to combat gender inequalities in the home and in society. Regarding health, Cuba highlighted the significant progress made in the prevention of mother-to-child transmission of HIV/AIDS. It also underscored that Suriname was leading the fight against malaria in the American continent and that the country was about to attain the second Millennium Development Goal, by guaranteeing universal primary education. Cuba congratulated Suriname on having accepted many of the recommendations made during the session of the Working Group, including those it had formulated in relation to continuing efforts to promote and protect the rights of women, children and juveniles and overcome their vulnerability, and to continue to implement programmes and measures to enhance the enjoyment of the right to education and the right to health.

501. The United States of America expressed appreciation for the serious commitment with which Suriname had approached its universal periodic review. It also appreciated the support given by Suriname to its recommendations to convene a conference on indigenous peoples and to continue to work with the Special Rapporteur on the rights of indigenous peoples. The United States was also grateful for information provided on the recommendations relating to the protection of lesbian, gay, bisexual and transgender (LGBT) persons from discrimination. It welcomed a constructive dialogue on this issue and noted that, in its addendum, Suriname had placed these recommendations in a distinctive category, apart from those it had supported or rejected. It urged the Government to continue to consider recommendations that legislation protecting LGBT persons from discrimination be adopted.

502. Uruguay thanked Suriname for the detailed information provided and noted that it had been part of the troika that had facilitated the country's review. Uruguay welcomed the fact that a considerable number of recommendations had been accepted. It noted, in particular, Suriname's commitment to concluding the ratification processes of the two optional protocols to the Convention on the Rights of the Child, as well as of the Optional Protocol to the Convention on the Rights of Persons with Disabilities. Uruguay also welcomed the Government's pledge to establish a national human rights institution in accordance with the Paris Principles. It urged Suriname to explicitly prohibit corporal punishment in schools and in the home and other establishments frequented by children. It also urged Suriname to definitively abolish the death penalty and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.

503. UNICEF welcomed the endorsement by Suriname of the recommendations to conclude the ratification process of the two optional protocols to the Convention on the Rights of the Child and to improve the quality and access to education, especially in the interior of the country. In accordance with the accepted recommendations, UNICEF called on Suriname to focus on the rights of the most vulnerable children living in the interior areas and those belonging to indigenous and minority groups. It also called on Suriname to prioritize the approval of key draft legislation, such as the *Wet Opvanginstellingen*, the early child development standards and the draft law to create the office of an ombudsperson for children, in accordance with the concluding observations of the Committee on the Rights of the Child. UNICEF urged Suriname to submit its overdue combined third and

fourth periodic report to that Committee. UNICEF offered its technical support and looked forward to continued collaboration with Suriname.

3. General comments made by other relevant stakeholders

504. The Canadian HIV/AIDS Legal Network welcomed the fact that the Government would take steps to address concerns with regard to sexual orientation and identity. While agreeing that national legislation offered protection to all Surinamese citizens, the Network urged Suriname to explicitly include sexual orientation in article 8.2 of the Constitution as a ground for non-discrimination and to apply this article by developing specific sanctions for violations. It also urged Suriname to establish cooperation with LGBT organizations in the country for the development of laws, policies and programmes to combat discrimination, and to present a timetable of the steps that the Government would take. While agreeing that these issues may be sensitive and require dialogue, the Canadian HIV/AIDS Legal Network expressed the view that granting equal rights to LGBT citizens was not a matter of granting special rights but rather of applying existing human rights norms and principles to all.

4. Concluding remarks of the State under review

505. The delegation of Suriname was grateful for the opportunity to respond to recommendations made by non-governmental organizations and States. With a view to clarifying the issues of LGBT individuals in Suriname, the delegation reiterated that the Constitution of Suriname provided equal rights to all citizens. The Government of Suriname had never received any report from any organization that LGBT persons were discriminated. The delegation stated that, should written reports on specific instances of discrimination of LGBT individuals be received by the Government, they would be investigated and dealt with.

506. The Government of Suriname was planning to update its human rights agenda, primarily on the basis of the recommendations accepted. When implementing the agenda, the Government would solicit the technical assistance necessary from various non-governmental organizations and countries. The delegation stated that the Government appreciated respect for human rights for all its citizens, and recognized nevertheless that, owing to limited resources, it was not always able to enhance human rights in the way it would like. The delegation once again thanked all the countries and delegations who had commented on its report.

Greece

507. The review of Greece was held on 9 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Greece in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/GRC/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/GRC/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/GRC/3).

508. At its 23rd meeting, on 22 September 2011, the Human Rights Council considered and adopted the outcome of the review of Greece (see section C below).

509. The outcome of the review of Greece comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/13), the views of Greece 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/18/13/Add.1).

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

510. The drafting of the national report had been coordinated by the Ministry of Foreign Affairs, in cooperation with all ministries involved in the promotion and protection of human rights. The report focused on issues that had been the subject of particular attention of human rights mechanisms at the universal and regional levels, as well as of non-governmental organizations. During the drafting period, a meeting was held with representatives of non-governmental organizations, following an open-ended invitation to all civil society stakeholders, including the national commission for human rights and journalists. The views expressed in the consultation process were duly taken into account in the finalization of the national report.

511. Greece noted that, of the 124 recommendations made, Greece had accepted 97 immediately, thus demonstrating the readiness of the government of Greece to improve the degree of human rights protection. Greece subsequently provided in writing its responses for 18 recommendations left for further consideration: 13 had been accepted, 3 rejected and 2 partially accepted as they referred to the signing and/or ratification of different human rights treaties.

512. With regard to the ratification of core human rights instruments, preparatory work was under way on the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, and the International Convention for the Protection of All Persons from Enforced Disappearance. Moreover, the authorities were actively considering the issue of the designation of the national preventive mechanism, which would allow the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. For the time being, Greece was not ready to sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. Greece would follow closely the practice developed by the Committee on Economic, Social and Cultural Rights and review its position at an appropriate stage.

513. Greece had not accepted the recommendation on the signing and ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families because some of its provisions were not in harmony with existing European Union and national norms and policies. Greece was fully aware of the importance that a number of delegations attached to the Convention, and stressed that the situation of foreign individuals legally resident in the country was constantly improving in a way that promoted their integration in the social, economic and public life of the country.

514. Regarding the situation of irregular migrants and asylum seekers, Greece stated that this problem had to be tackled at the European Union level. Greece was already implementing a national plan of action on migration management, and a flexible and decentralized mechanism had been established for a transitional period, with the participation of the Office of the United Nations High Commissioner for Refugees, to clear the heavy backlog and to ensure a rapid review of asylum requests. Five asylum committees were already operative. A law adopted in January 2011 provided for the establishment of an asylum agency and of a first reception service for immigrants. In the reception centres to be created, a new screening process would allow the identification of, and support and guidance for, persons entitled to international protection. Furthermore, Greece implemented assisted voluntary return programmes, co-financed by the European Return Fund, in close cooperation with the International Organization for Migration. In the framework of the completion of the Common European Asylum System by 2012, Greece supported policies

and initiatives based on the principle of the fair sharing of responsibilities and solidarity, and strove to enhance its cooperation on migration governance.

515. Greece noted that the promotion of gender equality and the fight against domestic violence were recurrent issues raised during the session of the Working Group. The General Secretariat for Gender Equality had launched a national plan of action for the period 2010–2013 with the goal of preventing and combating violence against women in their family and in private life, in the workplace and more broadly in society. Other best practices included the strengthening of supervision and monitoring of gender equality in all State policies, support for women’s organizations and non-governmental organizations in the elaboration and implementation of plans of action in favour of gender equality, and the elaboration of a manual aiming at the protection of women refugees.

516. The fight against trafficking in human beings continued unabated, based in particular on the prosecution of traffickers and the protection of victims. With regard to the situation of Roma, an integrated plan of action for the social integration of Greek Roma (2002–2008) had yielded positive results, in particular in the field of housing. Education programmes were implemented with a twofold goal: to enhance the access of Roma children to educational facilities at an early stage, and to improve the education provided to Roma children. Another important measure was the establishment of education priority zones to ensure integration of students from areas with low educational and socioeconomic indicators, including Roma pupils. The legislative framework against hate speech and racism would soon be updated and strengthened by means of the inclusion of a relevant European Union Council framework decision into the Greek legal system. The procedure for the construction of a mosque in Athens would be accelerated thanks to the transformation of an existing building on a State-owned plot.

517. With regard to the accountability of law enforcement personnel, a new law had been adopted in 2011 establishing, within the Ministry for Citizens’ Protection, an office responsible for handling alleged instances of abuse by police, coast guard and fire brigade officers.

518. Lastly, the delegation of Greece stated that the outcome of the universal periodic review would be disseminated to Government authorities, relevant stakeholders and the general public. Civil society and national human rights institutions would be closely associated to the follow-up of activities, to be undertaken, in compliance with the universal periodic review recommendations accepted.

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

519. Algeria noted that during the interactive dialogue of the universal periodic review of Greece, it had made recommendations relating to the ratification of the Convention on the Rights of Persons with Disabilities, the efforts made in the area of combating racism and xenophobia; human trafficking and engagement in the field of international cooperation. Algeria thanked Greece for having accepted those recommendations and expressed the hope that Greece would reconsider its position on Algeria’s recommendation on the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in accordance with recommendation No. 1737 of the Parliamentary Assembly of the Council of Europe. Algeria reiterated its appreciation for the contribution of Greece in its official development assistance despite its financial constraints.

520. Armenia appreciated Greece’s efforts to overcome the phenomenon of irregular migration through, inter alia, the implementation of the national plan of action on migration management. It was pleased to note that its recommendation concerning the ratification of

the International Convention for the Protection of All Persons from Enforced Disappearance and the ratification of the Optional Protocol to the Convention on Torture enjoyed Greece's support. Noting Greece's acceptance of recommendations on trafficking in persons, Armenia was confident that Greece would continue its efforts to prevent human trafficking.

521. The Republic of Moldova commended Greece's cooperation with civil society, the private sector and United Nations human rights mechanisms. It applauded Greece for continuing its fruitful dialogue with civil society and the national human rights institution in the follow-up to the universal periodic review. It welcomed Greece's commitment to gender equality and acknowledged the progress in combating human trafficking. It also acknowledged Greece's acceptance of a number of recommendations, including the four recommendations made by the Republic of Moldova. It noted with satisfaction Greece's efforts to eliminate patriarchal attitudes and stereotypes regarding the roles of women and men. It was pleased that Greece had increased efforts to combat trafficking in women and girls, and transnational child trafficking and exploitation. It welcomed the efforts to increase women's participation in public life, particularly in Parliament.

522. Iraq commended Greece's efforts to prepare its national report. It appreciated the efforts being made to protect and respect human rights and fundamental freedoms, and wished Greece success in its efforts to raise the living standards of all categories of inhabitants, its citizens and their general prosperity. It noted that more than 120 recommendations had been made within the framework of the universal periodic review and noted that Greece had accepted 97 of them, deferred 18 and refused the others. It highlighted Greece's efforts, despite the difficult economic situation it was enduring.

3. General comments made by other relevant stakeholders

523. The national human rights institution of Greece, accredited with "A" status, appreciated the Government's engagement with the universal periodic review. It recalled the context that determined the enjoyment of human rights in Greece, noting that segments of the population were affected by the consequences of the financial crisis and the Government's extremely harsh measures. It noted that Greece had responded positively to many recommendations, and highlighted the acceptance of recommendations on the national plan of action for the reform of the asylum system and migration management, and the pledge to progress on ratification of the Optional Protocol to the Convention against Torture and ensure appropriate conditions of detention. It approved Greece's support for the recommendations regarding the ratification of the Convention on the Rights of Persons with Disabilities and its pledge to strengthen the prevention of discrimination and incitement to hatred, and to improve police accountability.

524. The European Region for the International Lesbian and Gay Federation was pleased that Greece had accepted a recommendation to include sexual orientation and gender identity as grounds for protection in anti-discrimination measures. It encouraged Greece to extend this protection to the fields of education, health care and access to goods and services. It underlined the fact that sexual orientation and gender identity were separate concepts, and recommended that Greece should include gender identity and expression explicitly in its legislation. It urged Greece to consider using the Yogyakarta Principles. It commended Greece for considering the recognition of same-sex couples and asked about the time frame to implementing this recommendation.

525. The International Commission of Jurists highlighted the crisis faced by the Greek asylum system, though this could not justify delays, and noted Greece's pledge to address these violations, including through its national plan of action for asylum reform and migration management, and notably with the asylum procedure legislation adopted in 2011. It urged Greece to take prompt action to: review detention conditions for asylum seekers, to

ensure adherence to the principle of non-refoulement and that deportation is carried out only after exhaustion of legal remedies, to ensure that conditions of detention comply with international human rights standards, and to strengthen protection for the human rights of unaccompanied minor asylum seekers. It urged Greece to respond positively to the recommendation to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

526. Human Rights Watch shared the concern expressed during the universal periodic review of Greece on its efforts to reform asylum and migration management, and expressed concern at detention conditions and the situation of unaccompanied migrant children. It welcomed the fact that Greece accepted all related recommendations, and urged it to take the steps necessary for their implementation. It noted that Greece continued to argue that instances of police misconduct were isolated cases, and expressed concern at the limited mandate of the Ministry of Citizen Protection. It urged Greece to comply with the relevant recommendations and to create a complaints mechanism in conformity with international standards. It noted that Greece's acceptance of recommendations to take steps to prevent attacks against migrants should lead to concrete measures. It noted that racist and xenophobic violence was a serious problem in Greece, highlighting the events witnessed in Athens in 2011.

527. Amnesty International welcomed Greece's commitment to ratify the Optional Protocol to the Convention against Torture and called on the Government to establish a mechanism to periodically review places of deprivation of liberty in order to prevent torture and ill-treatment. It welcomed Greece's support for recommendations to establish an asylum system with international and regional standards, and urged Greece to ensure its early and effective establishment. It noted a rise in racially motivated crimes against third-country nationals in Greece, including refugees and asylum seekers, and called on it to act on accepted recommendations to combat racism, racial discrimination and xenophobia. It expressed deep concern at the treatment of unaccompanied minors, and welcomed the focus of the universal periodic review on the issue. It highlighted the need to abolish, in legislation and practice, the detention of unaccompanied asylum seeking or migrant children. It expressed concern at Greece's failure to ensure that police respect and protect human rights. It encouraged Greece to establish an independent and effective police complaints mechanism, and welcomed Greece's support for a recommendation on the recognition of same-sex couples.

528. Conscience and Peace Tax International regretted that Greece's report made no mention of conscientious objection to military service, despite the submissions of three stakeholders thereon. It noted that, in 1997, Greece was the last member of the European Community to introduce legislation for conscientious objectors to military service. Several provisions still fell short of regional and international norms and highlighted, inter alia, that information about applying for recognition as a conscientious objector was not readily available and the application procedure was rigid and complicated. It noted that the alternative civilian service available was of disproportionate duration, and that some other conditions were punitive. It encouraged States, moving on to the second cycle of the universal periodic review to ensure covering as full a range as possible of the human rights issues identified for a State.

4. Concluding remarks of the State under review

529. The delegation of Greece took note of all comments and additional recommendations. With regard to comments made by ILGA, Greece replied that complaints on sexual discrimination could be addressed to the Ombudsman. On comments made by Conscience and Peace Tax International, the Government had reduced the duration of the civil service for conscientious objectors, and the majority of the members of the special

committee deciding on conscientious objection matters were not in the army. Greece reiterated the fact that, despite the severe economic crisis, it would continue to work on the improvement of its human rights situation and to cooperate with the Human Rights Council.

Samoa

530. The review of Samoa was held on 9 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Samoa in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/WSM/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/WSM/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/WSM/3).

531. At its 23rd meeting, on 22 September 2011, the Human Rights Council considered and adopted the outcome of the review of Samoa (see section C below).

532. The outcome of the review of Samoa comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/14), the views of Samoa 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/18/14/Add.1).

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

533. Pursuant to Samoa's request and on its behalf, the President of the Human Rights Council stated that, as previously announced, Samoa had been unable to send a delegation to Geneva in time for the session of the Council. Samoa had submitted an addendum to the report of the Working Group, which was circulated to the Council in accordance with the usual procedure. The addendum provided additional information and, where applicable, clarification of Samoa's position taken on all 43 recommendations requiring further consideration after the review. It also conveyed the commitment of the Government of Samoa to the promotion of human rights, and reflected its efforts to overcome challenges through, inter alia, cooperation with international and regional organizations active in the area of human rights.

534. In addition, Samoa, in response to a note verbale from the secretariat, had submitted a table indicating, for each recommendation, its position. Of the 43 recommendations, the Government of Samoa had accepted 34 and noted 9.

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

535. Algeria acknowledged the efforts made by Samoa to make progress towards the realization of human rights in spite of the objective constraints that it faced, such as its fragile ecosystem, the adverse effects of climate change and natural disasters. Algeria was encouraged to note that a majority of recommendations had been accepted by Samoa, including those made by Algeria. Algeria's recommendations were related to accession to international human rights instruments, protecting the human rights of persons with disabilities, economic, social and cultural rights, fighting all forms of racial discrimination,

and fighting social problems, in particular domestic violence and juvenile delinquency. Algeria hoped that, with adequate technical and financial assistance, the Government of Samoa would soon be in a position to complete the establishment of a national human rights institution. The contribution of that institution would certainly reinforce Government actions to promote and protect human rights.

536. Cuba recalled that Samoa's review was an opportunity to understand the challenges that it faced, including financial constraints, climate change and climate phenomena, such as hurricanes. The review also shed light on the programmes undertaken by the Government to promote and protect human rights, such as community plans and awareness programmes on health, water, sanitation, and sexual and reproductive health. Cuba commended the Government of Samoa for having accepted many of the recommendations made during the session of the Working Group, including those made by Cuba. These included calls for the maintenance of strategies and plans of socioeconomic development, and of measures to guarantee universal health and education services.

537. Morocco congratulated the Government of Samoa on its spirit of openness throughout its universal periodic review. It noted with satisfaction the significant number of recommendations accepted by Samoa, which reflected its commitment to the promotion and protection of human rights. Morocco acknowledged that four of its recommendations had been accepted by Samoa, relating to the Convention on the Rights of Persons with Disabilities, the establishment of a national human rights institution, the guarantee of free and mandatory primary education and the signing of the two optional protocols to the Convention on the Rights of the Child. Morocco took note with interest of the efforts of the Government to improve the human rights situation in Samoa in spite of the difficulties the country faced relating to climate change and natural disasters. Morocco therefore called for the solidarity and cooperation of the international community with Samoa to enable it to implement the recommendations it had accepted.

538. New Zealand noted with satisfaction the acceptance of all but five recommendations by Samoa. It was also pleased to learn that Samoa had started the process of drafting legislation to establish a national human rights institution and initiated the enhancement of family safety and support for victims of domestic violence. New Zealand noted the implementation of prison reforms, which included the establishment of a prison authority separate from the police. It also welcomed the policies to combat the problems of access to education and child street vendors, and to ensure that school-age children were fully engaged in compulsory education.

3. General comments made by other relevant stakeholders

539. The Canadian HIV/AIDS Legal Network welcomed the support of Samoa for the joint statement on ending acts of violence, criminal sanctions and related human rights violations based on sexual orientation and gender identity, delivered in March 2011 to the Human Rights Council. It however regretted that Samoa, in spite of such support, had rejected the recommendations to repeal laws that criminalize sexual activity between consenting adults. It therefore urged Samoa to reconsider its position to those recommendations and to bring its legislation into conformity with its international commitments to equality and non-discrimination by repealing the provisions that might be applied to criminalize sexual activity between consenting adults. It also urged Samoa to take steps to protect all persons from discrimination on all grounds, including sexual orientation and gender identity, and to apply the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity as a guide to assist in policymaking.

540. Nuanua O Le Alofa welcomed the commitment of Samoa to review the policies and legislation to ensure their consistency with the rights of persons with disabilities, and the

acceptance by the Government of a number of recommendations to improve the rights of the persons with disabilities. It also noted with satisfaction the Government's pledge to establish a national disability task force committee and to adopt a national disability policy. Nuanua O Le Alofa regretted, however, that the Government had rejected a recommendation that it combat discrimination against persons with disabilities by introducing legal reforms. Additionally, it urged Samoa to complete its inclusive education policy and strategy by 2012; to train teachers to work with children with disabilities; and to request international assistance, to be targeted to the implementation of the rights of persons with disabilities.

4. Concluding remarks of the State under review

541. The President of the Human Rights Council expressed its appreciation for the efforts of the Samoan authorities to present their position on recommendations in writing and regretted that they were unable to attend the session.

542. The summary of all statements delivered would be included in the Human Rights Council report and be drawn to the attention of the Samoan authorities.

Saint Vincent and the Grenadines

543. The review of Saint Vincent and the Grenadines was held on 10 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Saint Vincent and the Grenadines in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/VCT/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/VCT/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/VCT/3).

544. At its 25th meeting, on 23 September 2011, the Human Rights Council considered and adopted the outcome of the review of Saint Vincent and the Grenadines (see section C below).

545. The outcome of the review of Saint Vincent and the Grenadines comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/3), the views of Saint Vincent and the Grenadines 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/18/3/Add.1).

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

546. The representative of the State under review stressed that the history of Saint Vincent and the Grenadines had been shaped by colonialism, slavery and genocide. It had done well since achieving independence in 1979. Quoting the Prime Minister, he stressed the quest to further ennoble Caribbean civilization in every sphere of human endeavour and to build a "Vincentian component of that civilization".

547. In Saint Vincent and the Grenadines, respect for human rights was not seen only through the lens of legislators, but also the inclusion of the cumulative components of

society, including churches, families, parents, schools, the media, non-governmental organizations and other communities.

548. Over the years, Saint Vincent and the Grenadines had signed and ratified conventions safeguarding fundamental rights and freedoms. Its Constitution explicitly protected the rights to life, to personal liberty and to freedom of conscience, among other rights. It provided protection from slavery, forced labour and discrimination on the grounds of sex, race, colour or creed.

549. The representative referred to the 26 pending recommendations from the Working Group session. Saint Vincent and the Grenadines could not accept the recommendations that presupposed that discrimination was encountered by children of minorities and disabled persons. The Government was not in a position to accept the claim that discrimination existed in the criminal provisions of the laws of Saint Vincent and the Grenadines relating to lesbian, gay, bisexual, transgender and heterosexual people. Moreover, the Government was currently giving active consideration to the remaining 23 recommendations relating to international conventions and protocols, improvement of facilities and policies concerning juvenile offenders, and the ongoing implementation of measures focused on children's development.

550. The representative mentioned the sensitivity of the economic problems of Saint Vincent and the Grenadines, which was often lost, and the two challenges it faced: one man-made, the other by nature, referring to the climate change and its devastating effects. The time frame also had a connection with other underlying factors, which included the mechanism to monitor obligations to additional treaties and conventions; the role of the Parliament in the scrutiny of legislation on any additional human rights obligations; the need to have a committee to advise Ministers on whether statements they made were compatible with certain human rights treaties and conventions; and the relationship between certain human rights and the Constitution. He reiterated the doctrine of the "margin of appreciation" as applied in decisions relating to the European Convention on Human Rights, where member States are given an element of discretion on how they applied Convention standards in domestic law. These were some of the underlying factors that confronted a small developing State like Saint Vincent and the Grenadines when it considered recommendations.

551. With regard to the recommendations pending, Saint Vincent and the Grenadines had submitted a document containing its response (A/HRC/18/15/Add.1). Regarding the recommendations in paragraph 78 of the report, Saint Vincent and the Grenadines had accepted recommendations 78.8, 78.9, 78.15, 78.17 and 78.19.

552. The recommendation in paragraph 78.16 had been categorically rejected. The recommendations that Saint Vincent and the Grenadines could not accept for the time being would receive due consideration.

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

553. Algeria welcomed the fact that Saint Vincent and the Grenadines had accepted most of the recommendations received during the universal periodic review. It welcomed the acceptance of its recommendation on the possibilities provided by international cooperation to strengthen its capacities, particularly to combat poverty and to continue development programmes. Algeria encouraged Saint Vincent and the Grenadines to consider the possibility of establishing a national human rights institution. Algeria stated that, on the basis of the principle that no State was free from shortcoming in the enjoyment of human rights, the international community should go beyond the presentation of recommendations to provide technical assistance as required for implementation. This was particularly true

for States with such limited human and financial resources as Saint Vincent and the Grenadines.

554. Cuba welcomed the delegation of Saint Vincent and the Grenadines and thanked it for the additional information provided on the recommendations pending. During the review of Saint Vincent and the Grenadines, it was clear that, despite the lack of financial and human resources, exacerbated by the consequences of the world crisis, Saint Vincent and the Grenadines was committed to the promotion and protection of human rights. Cuba also highlighted that the “adult literacy crusade”, conducted throughout the country had led to a substantial reduction in illiteracy. In the health sector, important steps had also been taken. Cuba highlighted some actions to combat the scourge of HIV/AIDS, to which the Government had attached particular importance, and the building and remodelling of health assistance centres. Cuba appreciated the fact that Saint Vincent and the Grenadines had accepted many of the recommendations made during the session of the Working Group, including those made by Cuba on continuing to apply strategies and socioeconomic development plans, particularly those for combating poverty, and for continuing programmes and measures aimed at guaranteeing universal health and education services for their people.

555. Venezuela (Bolivarian Republic of) had deeply appreciated the presentation made by Saint Vincent and the Grenadines. It welcomed with satisfaction the replies provided by the Government during the review and, in particular, those with regard to the promotion of education at all levels, especially in the most disadvantaged sectors, and highlighted the adult education programme, which had significantly reduced illiteracy in the country, as well as the construction of schools, particularly in rural areas. In conclusion, despite the major challenges currently faced by Saint Vincent and the Grenadines, it had made great efforts to fulfil its human rights commitments. Venezuela (Bolivarian Republic of) appreciated the will and effort shown by the Government to achieve this objective as reflected during the review.

3. General comments made by other relevant stakeholders

556. The Canadian HIV/AIDS Legal Network welcomed the commitment made by Saint Vincent and the Grenadines to the principles of equality and non-discrimination. It was disappointed that the Government of Saint Vincent and the Grenadines had not accepted numerous recommendations to repeal laws that criminalize sexual activity between consenting adults. This ran counter to a specific recommendation of the Human Rights Committee, which, in 2008, had expressed its regret that Saint Vincent and the Grenadines maintained laws criminalizing consensual same-sex relations, and had urged the Government to repeal section 146 of the Criminal Code. While the Network welcomed the measures described in the national report to address and reduce rates of HIV/AIDS, including the establishment of the Caribbean HIV/AIDS Alliance in Saint Vincent and the Grenadines, the Human Rights Committee had specifically emphasized that laws criminalizing consensual same-sex conduct impeded the fulfilment of HIV education and prevention efforts. The Canadian HIV/AIDS Legal Network requested Saint Vincent and the Grenadines to reconsider its rejection of recommendations 79.3, 79.12, 79.13, 79.14, 79.15, 79.16, 79.17, 78.18 and 78.26.

4. Concluding remarks of the State under review

557. In his concluding remarks, the representative of the State under review welcomed the comments made by intervening States and thanked them for their support. Saint Vincent and the Grenadines would consider the recommendations made by stakeholders throughout consultation with its society. He referred to the written statement provided by the Government on recommendation 78.26, to repeal provisions against lesbians and gays. He

stated that there were no discriminatory laws against gay, lesbian, bisexual and transgender persons in Saint Vincent and the Grenadines. The Constitution prohibited discrimination in all forms relating to the enjoyment of people's rights and freedoms. In addition, prosecution of public indecency was not limited to homosexual acts, but also related to heterosexual acts between consenting adults.

Sudan and South Sudan

558. The review of the Sudan and South Sudan was held on 10 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by the Sudan and South Sudan in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/SDN/1 and A/HRC/WG.6/11/SDN/1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SDN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SDN/3 and A/HRC/WG.6/11/SDN/3/Corr.1).

559. At its 25th meeting, on 23 September 2011, the Human Rights Council considered and adopted the outcome of the review of the Sudan and South Sudan (see section C below).

560. The outcome of the review of the Sudan and South Sudan comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/16), the views of the Sudan and South Sudan concerning the recommendations and/or conclusions, and their 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/18/16/Add.1 and A/HRC/18/16/Add.1/Corr.1).

1. Views expressed by the Sudan on the recommendations and/or conclusions, its voluntary commitments and the outcome

561. The delegation of the Sudan expressed its appreciation to all States that had provided constructive recommendations during the interactive dialogue in an objective spirit, reflecting their commitment to the promotion and protection of human rights in the Sudan.

562. The Sudan recalled that, at the time of the review, the Sudan was one State with two systems, in the North and South, which had required two reports to be submitted. Moreover, there were three types of recommendations, addressed to the Government of Sudan, to the Sudan and South Sudan and to the Government of South Sudan.

563. The delegation informed the Human Rights Council that, by declaring the results of the referendum on self-determination of South Sudan on 9 July 2011, South Sudan had become an independent State, and therefore it was incumbent on the Government of the Sudan to be liable only to those recommendations addressed to the Sudan, and to express its views on the recommendations addressing the Sudan and South Sudan.

564. The Sudan had accepted 121 of 160 recommendations, and partially accepted 12 others, almost 84 per cent of all recommendations. Regarding the 29 recommendations made for the Sudan and South Sudan, the Government had accepted 25 of them and partially accepted another (almost 93 per cent). The delegation expressed not only its commitment for the full implementation of these recommendations, but pointed out that many of them were already being implemented or were in the process of implementation.

565. As an example, the delegation mentioned that, in the field of constitutional and legal reforms, by law, the human rights conventions to which the Sudan was a party were considered an integral part of the Constitution. The Sudan had conducted a comprehensive review of a large number of laws to bring them into compliance with the Constitution, human rights conventions and international humanitarian law. A full chapter on war crimes and crimes against humanity and genocide had been added to the Criminal Act of 1991; the detention period had been reduced in the Law of National Intelligence and Security Services of 2009; a judicial oversight had been established; and a general prosecutor had been appointed to follow up on guarantees of the human rights of detainees.

566. The delegation highlighted new laws, such as the Child Act of 2010 raising the age of criminal responsibility to 12 years from 7, preventing corporal punishment for child offenders and, more strictly, the application of the death penalty to persons under the age of 18. In 2007, the Sudan had also passed a new law for the armed forces, which included a number of principles contained in international humanitarian law providing special protection for civilians, including women and children, and establishing individual responsibility in war crimes and cases of crimes against humanity. Consultations to approve a permanent constitution had begun, involving the whole political spectrum, academics and jurists representing all segments of society.

567. The delegation referred to the signing of the Doha Document for Peace in Darfur. The implementation of that agreement had begun with a ceasefire, the return of the signatories to the Sudan and the formation of joint committees for its enforcement. According to a statement of the joint special representative of the African Union-United Nations Hybrid Operation in Darfur, the security and humanitarian situation in Darfur in the past three years had led to the return of more than 1 million displaced people to their towns and villages. Efforts for justice in Darfur did not stop at the negotiations and the signing of agreements. An office of the Special Prosecutor for Darfur had been established in order to bring to justice those accused of crimes since the outbreak of the conflict. The Government of the Sudan was making great efforts to promote tribal reconciliation, which had a significant role to play in sustaining peace and stability in the region.

568. The Sudan informed the Human Rights Council that it had taken a number of national measures to protect women, particularly in conflict zones, and had approved a national plan of action to combat violence against women and created a central unit for combating violence against women, with subcommittees at the State level, including Darfur.

569. The Sudan stated that the recommendations that had not been accepted related to topics that did not fall under the Sudan's human rights treaty obligations. It had accepted other recommendations based on inaccurate assumptions following some corrections, but it was difficult to follow such an approach in all cases.

570. The Sudan had already started to implement a number of recommendations in cooperation with national and international partners, and urged the Human Rights Council to support the Sudan in this endeavour.

571. The delegation concluded by reiterating the willingness of the Government of the Sudan to cooperate fully with the Human Rights Council.

2. Views expressed by South Sudan on the recommendations and/or conclusions, its voluntary commitments and the outcome

572. The delegation of South Sudan welcomed the work of the independent expert, his report and the call upon the parties to the Comprehensive Peace Agreement to resolve their differences over remaining issues through negotiations and dialogue.

573. The delegation reiterated the commitment of South Sudan as a new country to the international system, to promote and protect human rights and its willingness to cooperate with the Human Rights Council. Moreover, the administration had embarked on laying the foundations of the rule of law by means of strategies to make law enforcement agencies more professional and respectful of human rights.

574. The delegation therefore called for technical support and capacity-building in human rights education and promotion, and in the establishment of mechanisms for the protection of human rights and fundamental freedoms.

575. After the signing of the Comprehensive Peace Agreement, an autonomous Government had been formed in South Sudan. Since then, it had started to build up its administration and institutions of governance. Of these, the South Sudan Human Rights Commission had been empowered by a constitutional mandate to promote and protect human rights and fundamental freedoms, to systematically monitor the human rights situation across the country, and to identify and investigate human rights violations. The Commission was making its presence felt and known to the Government and the general public. It had also started to establish its presence across the territory of South Sudan.

576. Concerning issues raised in the report on the violation of human rights in South Sudan, including inter-communal violence, the fighting between the Sudan People's Liberation Army (SPLA) and the rebel groups, and the abuses perpetrated by the security forces of South Sudan, the delegation made the observations below.

577. The Government of South Sudan was not involved in any incident of human rights violations related to all the cases mentioned in the report.

578. The main causes of inter-communal violence in some parts of the country were poverty, cattle rustling and the spread of weapons in the wake of the long civil war. To address this problem, the Government had started to disarm communities and to organize peace meetings among them. The Government was also encouraging citizens to coexist peacefully.

579. The security forces, as an institution, did not violate human rights. The national army, the SPLA and police services were well known for their respect of human rights, because prisoners of war captured during the battles of liberation struggle had been handed over after the signing of the Comprehensive Peace Agreement, something that was rare in civil wars.

580. The individuals in the security forces who had committed crimes violating human rights on their own personal capacity were being investigated and brought promptly to justice.

581. To bring an end to the wars being waged by the rebel groups against the SPLA, which was fighting in self-defence, the Government had declared a general amnesty in the country, and the President had called upon all the rebel leaders to lay down their arms and accept dialogue with the Government to find a solution to their differences. Some of the rebel groups had accepted the offer, and negotiations were ongoing to integrate them into the Government.

582. The Government of South Sudan had devised strategies to foster peace and security in the country as a means to enhance development and to alleviate the poverty affecting South Sudanese people. The Government had also devised ways to foster culture, pluralism and tolerance. It had moved towards a more inclusive, democratic, transparent and accountable Government that respected and protected the fundamental rights of people.

583. Despite not yet having acceded to the key international human rights treaties and conventions, South Sudan had articulated in its Constitution provisions of the Convention

on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and the entire bill of rights. These provisions had been part of the commitment of the leadership of South Sudan to the promotion, protection and respect for human rights and fundamental freedoms.

584. As South Sudan was only two months old, the justice system and legal protection mechanism still needed to be strengthened.

585. The Government was striving to enact domestic laws as part of its constitutional efforts to give the South Sudanese people access to justice.

586. The delegation concluded by bringing to the attention of the Human Rights Council the abuse of human rights committed by the Lord's Resistance Army (LRA) in South Sudan, which had killed, abducted, rearmed, raped and tortured the people of Western Equatoria and Western Bahar Elghazel, States in South Sudan.

587. There were 200,000 people displaced in these two States, and more than 120,000 refugees had crossed into South Sudan from neighbouring countries. The Human Rights Council and the international community should seriously consider taking up the issues of the LRA to bring this situation to an end.

3. Views expressed by Member and observer States of the Human Rights Council on the review outcome

588. Algeria underlined the constructive dialogue of the Government of the Sudan with the international community through its participation in the universal periodic review and cooperation with other human rights mechanisms. It expressed its support for converting the mandate of the independent expert into a technical cooperation programme under item 10 of the agenda. It commended the Sudan for having accepted Algeria's recommendations on children's education and school systems, and human rights training and programmes to advance the status of women. Algeria welcomed the position of the Sudan concerning the referendum for the South. It encouraged the Sudan to continue its efforts in Darfur and to extend the rule of law to the entire country. Algeria requested the international community to provide the Sudan with assistance.

589. Cuba recognized the challenges faced by Sudan, aggravated by the world economic crisis, international spoliation and conflicts. Poverty, illiteracy and the limited capacity of institutions were problems on which the Government focused. The Sudan had registered progress in education for all and had established a national strategy towards 2031. On health issues, the Sudan was fighting endemic diseases and improving reproductive health and family planning. It welcomed the acceptance of many recommendations, including those made by Cuba.

590. The United States of America was troubled by ongoing reports of human rights abuses and restrictions on humanitarian access and assistance in South Kordofan and the Blue Nile, and urged the Sudan to cooperate fully with the independent expert. It commended the adoption by the Sudan of the National Child Act in 2010, and requested the Government to take greater measures to prevent and prosecute acts of sexual violence and the unlawful recruitment of children for use in armed conflict. It also urged the Sudan to decriminalize so-called "indecent and immoral" acts. It asked South Sudan to hold accountable perpetrators of ethnic and communal violence, and to enshrine human rights in the country's new Constitution.

591. Egypt appreciated the information on the steps taken by the Sudan to implement the results of its universal periodic review. In the context of the political developments of recent years witnessed by the Sudan, particularly the referendum in 2010, Egypt welcomed the signing of the Doha Document for Peace in Darfur and commended the Sudan's

keenness to support stability and justice in Darfur. Egypt acknowledged the acceptance of the majority of recommendations received by the Sudan, and reiterated its confidence that its Government was able to implement them. It recognized the immense difficulties in this regard and called for concerted efforts to step up technical assistance and support for both the Sudan and South Sudan.

592. Mauritania welcomed the delegations of the Sudan and of South Sudan, and expressed its appreciation for the professional way in which the national report had been prepared. It highlighted the positive engagement of the Sudan with universal periodic review mechanism, considering the difficult circumstances that the Sudan had endured. The Sudan had been able to overcome difficulties, cooperating with the independent expert to put an end to tribal conflicts in certain areas. This reflected the commitment of the Sudan to improving its human rights record. Among recent developments, it mentioned the referendum for the self-determination of South Sudan and the recognition by the Sudan of the independence of the South. It reiterated a call for the Human Rights Council to deal with the Sudan's human rights situation in an objective and positive manner, since the Sudan had always cooperated with the Council and its mechanisms.

593. Sri Lanka welcomed the Sudan's positive consideration of a number of recommendations, particularly in the areas of the education and cultural life. It also welcomed the Sudan's acceptance of recommendations on social security and adequate standards of living. Sri Lanka expressed the hope that the Sudan's commitment to the universal periodic review process and its positive approach to its recommendations would help the country on its way to further development and stability.

594. Saudi Arabia highlighted Sudan's positive interaction during its universal periodic review and the fact that it had accepted most of the recommendations, including that of Saudi Arabia. The Sudan cooperated with all United Nations human rights mechanisms, respected its commitments and declared its readiness to cooperate with the international community. This clearly showed that the Sudan considered human rights important and was concerned with implementing them by means of legislative and institutional initiatives. It called upon the Government of the Sudan to work further to better ensure security and development in all provinces in the country.

595. Nigeria acknowledged the willingness of the Sudan to cooperate with the Human Rights Council. It urged the Sudan to continue to take measures that would enhance peace, security and democracy, particularly in Abyei, South Korodofan, Blue Nile and Darfur. It called for the urgent establishment of a national human rights commission, for which enabling legislation already existed. Nigeria also acknowledged the commitment of South Sudan to the promotion and protection of human rights, and commended the Government for having created a human rights commission. It encouraged South Sudan to work out agreeable terms for peace and security.

596. The United Arab Emirates appreciated the progress made by the Sudan in the implementation of universal periodic review recommendations and voluntary commitments. It commended the constructive attitude adopted by the Sudan during the review. It was confident that the Sudan was advancing resolutely on the path towards good governance and laying the foundations for the rule of law; it therefore deserved every encouragement and appreciation in this regard. The United Arab Emirates hoped that the Human Rights Council and OHCHR would take into consideration and provide all the assistance necessary for the protection of human rights, as well as technical assistance programmes to enable the Sudan to implement all the recommendations accepted and commitments made, despite the difficulties.

597. Qatar noted the spirit of cooperation and openness shown by the Sudan and its engagement with the Human Rights Council and its mechanism. On 16 September 2011,

the Sudan had reiterated its commitment to cooperate with the Council and approved the majority of the recommendations received during the review, including those made by Qatar. The Government had shown great interest in the recommendations, as they had been incorporated into a comprehensive national human rights plan. Qatar had a great interest in the security and stability of the Sudan; it had therefore sponsored the negotiations of the Sudan and the armed movements in Darfur, which led to the signing of the Darfur peace agreement, in July 2011. Qatar called on the Council and the international community to support the Sudan's efforts, building on the steps that had been already taken and in accordance with the vision and national priorities of the Sudanese people.

4. General comments made by other relevant stakeholders

598. Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples recalled that the Sudan was committed to the promotion of peace and reconciliation by, in particular, the Abuja and Doha agreements. The holding of free elections in 2010 and of the self-determination referendum confirmed this commitment. However, challenges in the area of human rights remained, particularly in South Kordofan, Abyei and Darfur. The international community should support the various ongoing human rights-related reforms. The independence of South Sudan was a major improvement, but should not further jeopardize peace in the Great Lakes region. It called upon the international community and the Human Rights Council to provide the Sudan and South Sudan with assistance.

599. The Eastern Sudan Women Development Organization stated that it worked in all parts of the Sudan, and that it would work towards the reunification of the Sudan on the basis of justice and equality, despite the referendum that had led to the secession of South Sudan. It did not want to see new secessions and valued the Doha agreement, which it considered a step towards peace and stability in Darfur. It called upon the international community to apply pressure to armed groups to abide by the Doha agreement and to provide financial and technical assistance to Darfur, in the interests of peace and stability.

600. The Child Development Foundation and the International Peace and Development Organization stated that women leaders were present at all political and economic levels, such as in Parliament and the judiciary. On the initiative of civil society, legislation had been enacted in the Sudan to provide women with all rights included in the international instruments ratified by the Sudan. Civil society had participated in the drafting of the 2010 Child Act. The work of civil society in the fields of children and women rights needed technical and financial support.

601. The Sudan Council of Voluntary Agencies commended the Sudan for the improvements in the freedom of the press, as reflected in the number of political parties and independent newspapers. The National Council of the Press had, however, wide powers, and the organization called for ordinary trials for journalists. While supporting the Child Act and the establishment of child courts and of the National Council for Children, it called on the Sudan to raise awareness of children's rights and to support non-governmental organizations dealing with such rights. It commended the efforts made in the universal periodic review process, but underlined the need to enforce the implementation of recommendations and to support non-governmental organizations.

602. The Cairo Institute for Human Rights Studies stated that the humanitarian crisis in the Sudan continued and was escalating. Barely a week after its universal periodic review, on 21 May 2011, the Government had led a military campaign on Abyei. The armed forces bombed four villages, indiscriminately shooting at civilians and displacing the entire population of the town, estimated at 60,000. It noted that, in the Sudan's presentation to the Human Rights Council, it declared the completion of consultations in South Kordofan and Blue Nile, claiming that these provinces now enjoyed security, stability and development.

According to a report issued by OHCHR and the United Nations Mission in the Sudan covering the period from 5 to 30 June 2011, however, the violations committed in South Kordofan in June alone could amount to crimes against humanity or war crimes. The Government had failed again to respect ceasefire agreements, and there were allegations of torture and rape in prisons and detention facilities. Freedom of expression was severely restricted. The independence of the judiciary was deeply compromised. The Government had largely ignored its universal periodic review recommendations.

603. The Society Studies Centre stated that, while commendable achievements had been made in the human rights situation in the Sudan, violations continued from time to time. It called for the review of laws, such as the Press and Publications Law, and the passing of a new law that would permit access to information. It appealed to the international community to assist the Sudan and civil society organizations to improve the human rights situation.

604. CIVICUS, the Arab NGO Network for Development, the Sudanese National Civic Forum, the Human Rights and Legal Aids Network in Sudan, the Sudanese Gender Research Centre, the Child's Centre in Sudan and the Sudanese Development Initiative were pleased that some recommendations had been accepted, and called on the Sudan and South Sudan to implement them. The tension between the Sudan and South Sudan had been a major factor in the deterioration of political, economic and social conditions, which, even after separation, continued to expose major sections of the population to insecurity and the violation of their rights. They urged the Sudan and South Sudan to take a number of identified measures to realize the economic and social rights of their citizens.

605. The International Federation for Human Rights and its partner organization in the Sudan, the African Centre for Justice and Peace Studies, stated that violations of human rights by State actors were a daily reality. Although the separation of the South had proceeded peacefully, it had unleashed volatility and violence in the three border areas traditionally contested by the North and the South. Fighting had broken out in Abyei, South Kordofan and Blue Nile, resulting in massive killings. Agreements on Abyei and South Kordofan had been signed, but they had been denounced by President Al Bashir. In addition, violence and insecurity persisted in Darfur.

606. The Maarj Foundation for Peace and Development stated that in 2007, a scandal had given rise to broad condemnation from organizations that realized that a French non-governmental organization was abducting children from Darfur for adoption by French families. The suspects were given a sham trial and sent back to France. The children had not been able to recover the rights of which they were deprived. The universal periodic review was the last opportunity to remedy the wrongs inflicted on these children.

5. Concluding remarks by the Sudan

607. The delegations stated that the Sudan would continue to place human rights at the centre of all policies and legislation to be adopted. It was aware that the path would be arduous, but the Government had the will and determination to do what was best for the country. The Sudan would continue to cooperate with the Human Rights Council and the international community in order to implement the recommendations it had accepted during the first cycle. It would do its best to submit a periodic report on the implementation of the recommendations, with achievements and constraints. The delegation hoped that the Sudan would receive the assistance that would enable the Government to achieve these goals.

6. Concluding remarks by South Sudan

608. The delegation of South Sudan stated that it was in agreement with all recommendations it received and looked forward to working with the Human Rights Council.

Hungary

609. The review of Hungary was held on 11 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Hungary in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/HUN/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/HUN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/HUN/3).

610. At its 25th meeting, on 23 September 2011, the Human Rights Council considered and adopted the outcome of the review of Hungary (see section C below).

611. The outcome of the review of Hungary comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/17), the views of Hungary 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/18/17/Add.1).

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

612. The delegation of Hungary reiterated the Government's commitment to the promotion and protection of human rights in its domestic and foreign policies and, in particular, to the universal periodic review as a mechanism with the potential to make a difference on the ground if recommendations were implemented. Furthermore, while referring to a number of meetings held with non-governmental organizations on several pertinent issues, the delegation acknowledged the contribution of the review process to the improvement of the Government's cooperation with civil society.

613. Hungary had received 148 recommendations during the session of the Working Group. As a result of intensive consultations on the 29 pending recommendations left for further consideration after the session held in May, Hungary had accepted 122 of the 148 recommendations. The delegation underlined the fact that several recommendations had not received the support of Hungary exclusively because the course of actions suggested in the recommendations had already been completed and, thus, there was no need for further consideration or action.

614. The delegation provided an explanation on its position with regard to 29 recommendations pending a decision since the session of the Working Group, and referred to the addendum to the report of the Working Group for further information.

615. The delegation informed the Human Rights Council that the Parliamentary Commissioner for Civil Rights (Ombudsman) had been accredited by the International Coordination Committee of National Human Rights Institutions in 2011. The ratification of the Optional Protocol to the Convention against Torture and of the International Convention for the Protection of All Persons from Enforced Disappearance was under way.

In addition, the Government was of the view that the definition of torture could be harmonized with that contained in the Convention against Torture during the drafting of a new Criminal Code, which had already been initiated.

616. The delegation stated that the Government was ready to examine accession to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. As the process would, however, take time, the Government was not able to guarantee that the accession process would be completed by the next universal periodic review of Hungary. Regarding the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the delegation explained that the States members of the European Union, including Hungary, had not joined the Convention because its provisions were governed by European Union regulations. According to the delegation, the legislative framework applied and practice regarding migration and refugees followed in Hungary were fully in line with its international and regional obligations.

617. Hungary supported the efforts of Hungarians living abroad to preserve their cultural identity in accordance with international human rights standards, and acted in compliance with the Bolzano recommendations on national minorities when supporting Hungarian minorities living under the jurisdiction of another State. With regard to its Slovenian minority, Hungary expressed its commitment to implement the recommendations of the Slovenian-Hungarian Commission to the maximum extent possible, based on the view that full implementation would depend on budgetary allocations.

618. Given existing national human rights strategies in a number of areas, the adoption of a general human rights plan or programme would have no added value.

619. The delegation stated that, in view of the Government, the new media laws were in conformity with its international human rights obligations. At the same time, Hungary stood ready for dialogue if there were specific questions or observations relating to the provisions of those laws, or their implementation. The delegation added that the annual public report of the Media Council would contain, *inter alia*, information on its regulatory activities.

620. Hungarian law fully covered and prosecuted all acts falling under the scope of domestic violence. In addition, spousal rape had been punishable since 1997. Given this legal basis, the Government planned to introduce new measures to address further cases of domestic violence and marital rape. The delegation also explained that as the Act on Equal Treatment and the Promotion of Equal Opportunities provided women with protection against discrimination and guarantees for equal treatment, the adoption of a comprehensive law on gender equality and of a separate law on combating gender violence was not essential.

621. The delegation stated that the recommendation on the elevation of the status of the national machinery for the advancement of women had already been implemented, because the status and the staff of the Equal Treatment Authority had already been strengthened.

622. Although the incompatibility of capital punishment with the Hungarian legal system was not explicitly enshrined at the constitutional level, several legal norms were in place to ensure that that practice was prohibited.

623. Statutory regulations ensured freedom of choice with regard to abortion. At the same time, the Government was committed to providing women with the opportunity to offer newborn children for adoption as an alternative to abortion.

624. The Constitution prohibited discrimination based on various grounds, even though those listed were not exhaustive, thus, some categories not explicitly listed were also covered, including discrimination based on sexual orientation, as stipulated by the

jurisprudence of the Constitutional Court and the Act on Equal Treatment and Promotion of Equal Opportunities.

625. The delegation added that the Government of Hungary had considered other measures (besides financial support) to fight poverty, such as programmes to improve the situation of children and families with children, scholarship programmes to support students with multiple disadvantages, the development of the child health-care system, or reducing unemployment.

626. Hungary had made every effort to increase gradually its official development assistance contribution, despite the austerity measures taken since 2006. The Government of Hungary, in close cooperation with the Office for the Coordination of Humanitarian Affairs, planned to organize the European Humanitarian Partnership Forum in October 2011 to address the challenges currently facing actors in the humanitarian and development fields.

627. The delegation also provided updates on recent developments in human rights since the Working Group held its session in May 2011. The Budapest Human Rights Forum, which was welcomed by many delegations, was to be held in October 2011. The Foundation for the International Prevention of Genocide and Mass Atrocities, the establishment of which was commended by many delegations, was registered in 2011, and had declared that one of its main objectives was to narrow the gap between early warning and early action, and to facilitate cooperation among stakeholders committed to the prevention of genocide and mass atrocities. The Foundation had decided to give priority to the Great Lakes Region in its activities.

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

628. Algeria thanked Hungary for the clear responses provided on the 29 pending recommendations. It noted that Hungary had accepted a vast number of recommendations, which demonstrated its commitment to further promote human rights. Algeria had been encouraged by the acceptance of two recommendations regarding existing mechanisms for the promotion and protection of human rights and the establishment of a national human rights institution. Algeria expressed its hope that Hungary would reconsider its position regarding the recommendation on the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and adhere to the Convention.

629. The United States of America appreciated Hungary's support for the recommendation regarding hate groups, and looked forward to the development and implementation of the Roma programme. It welcomed the establishment of the Foundation for the International Prevention of Genocide and Mass Atrocities, and hoped that Hungary would combat anti-Semitism. The United States commended Hungary's establishment of a national coordination mechanism to combat trafficking and its cooperation with Switzerland, Italy and Romania on that issue. It also commended Hungary's commitment to strengthen measures for the rehabilitation of victims of trafficking. It remained concerned about amendments to Hungary's Constitution and the passage of laws on the media and religion, and those regarding judicial independence.

630. Slovakia welcomed Hungary's expressed commitment to addressing human rights issues. It, however, remained concerned about the recent steps taken by Hungary to grant citizenship to persons living in neighbouring countries without genuine links between the persons concerned; such action was not in line with the principles of international law and the Bolzano recommendations on national minorities. It expressed its belief that the Slovak

minority in Hungary and the Hungarian minority in Slovakia represented a bridge between the two countries.

631. The Republic of Moldova commended Hungary for maintaining good cooperation in the promotion and protection of human rights with civil society, the private sector and United Nations human rights mechanisms, as well as for its commitment to continue dialogue with civil society and the national human rights institutions in the follow-up to the review. It also commended Hungary for its standing invitation to special procedures, the adoption of the national strategy for the promotion of gender equality and the progress made in combating trafficking in human beings. The Republic of Moldova acknowledged the acceptance of a significant number of recommendations and appreciated the acceptance of all its recommendations. It welcomed the measures taken by Hungary to promote gender equality and prevent trafficking in women and girls for sexual exploitation.

632. Morocco noted with satisfaction the acceptance by Hungary of most of the recommendations made during the session of the Working Group, including its recommendations to remedy the low participation of women in political life and to promote the rights of minorities and vulnerable groups. It welcomed the efforts of Hungary to fight discrimination, xenophobia, racism and intolerance, as well as its initiatives taken by the Government to integrate migrants into society, to protect their identity and to allow them to maintain links with their country of origin. Morocco reiterated its support for the efforts of the Government and wished it the best in the implementation of recommendations.

3. General comments made by other relevant stakeholders

633. The European Region of the International Lesbian and Gay Federation appreciated the acceptance of various recommendations by Hungary relating to the protection of the rights of lesbian, gay, bisexual and transgender (LGBT) persons, and asked about the time frame envisaged for the implementation of those recommendations. Discriminatory laws, especially in the field of family law, were still in place, and prejudice, discrimination and even violence on the basis of sexual orientation and gender identity were widespread. Hungary had no specific programmes on promoting equal opportunities for LGBT persons, and there was a lack of dialogue with non-governmental organizations working on LGBT issues. It called on Hungary to take specific action to address these issues and to consider using the Yogyakarta Principles as a tool in policy development.

634. Amnesty International welcomed Hungary's support for a number of important recommendations. Regarding the issue of hate crimes, Amnesty International emphasized that cases documented by non-governmental organizations had illustrated that officials often failed to recognize racist, anti-Semitic or homophobic motivations in crimes, and failed to apply relevant legislation. It referred to reports that Roma residents in the village of Gyongyospata had been racially abused by far-right vigilante groups in military outfits. Amnesty International welcomed Hungary's support for the recommendations to strengthen hate crime legislation and its implementation, and to conduct public awareness campaigns involving law enforcement officials. It urged Hungary to ensure that such crimes were fully and effectively investigated and that those responsible were prosecuted under laws providing for sanctions reflecting the gravity of the human rights violation.

4. Concluding remarks of the State under review

635. In its concluding remarks, the delegation of Hungary stated that the adoption of a new Constitution in April 2011 had been preceded by a broad national consultation process with civil society and opposition parties. Recently adopted legislation on freedom of religion and conscience complied with international human rights law. Religious communities that were not registered as a church by the new law were entitled to the right to practise their religion, including by conducting religious ceremonies and other services,

and to receive State subsidies for their functioning. After the events of March 2011, the Civil Code had been improved to prohibit demonstrations by paramilitary organizations that threatened public safety. Participation in elections of Hungarian citizens living abroad was in line with international standards and the guidelines of the Venice Commission of the Council of Europe.

636. With regard to the follow-up to the universal periodic review, the delegation informed the Human Rights Council that the Government had held a meeting with representatives of civil society on the modalities of implementation of the recommendations made during the review. It also reported on Hungary's intention to submit a midterm report to summarize the implementation of the recommendations accepted.

Papua New Guinea

637. The review of Papua New Guinea was held on 11 May 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

- (a) The national report submitted by Papua New Guinea in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/11/PNG/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/PNG/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/PNG/3).

638. At its 38th meeting, on 30 September 2011, the Human Rights Council considered and adopted the outcome of the review of Papua New Guinea (see section C below).

639. The outcome of the review of Papua New Guinea comprises the report of the Working Group on the Universal Periodic Review (A/HRC/18/18 and A/HRC/18/18/Corr.1), the views of Papua New Guinea 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/18/18/Add.1).

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

640. Pursuant to Papua New Guinea's request and on its behalf, the President of the Human Rights Council presented Papua New Guinea's views on the recommendations, given that Papua New Guinea could not be present at the meeting. Papua New Guinea submitted its position and views on the recommendations in writing, as contained in the addendum to the report of the Working Group.

641. The Government of Papua New Guinea was pleased with the preparation of its first universal periodic review report and its subsequent presentation to the Human Rights Council. Following the presentation of the report, its delegation had been overwhelmed by the positive comments and recommendations made by Council Members.

642. The Human Rights Council had made 146 recommendations, 75 of which had been accepted and 2 rejected by the delegation that was present in Geneva in May. The other 69 recommendations had been deferred for further consideration by the Government.

643. The Government of Papua New Guinea had deliberated on the 69 recommendations, and accepted another 39 and rejected 30. Of the 146 recommendations made by the Human Rights Council, 114 had been accepted and 32 rejected.

644. Papua New Guinea was a young democratic country, founded on the principles of democracy, good governance and the rule of law. It recalled that its Constitution accorded all persons living in the country their basic rights and the fundamental freedoms that are commonly shared by humanity, irrespective of race, creed, religion or nationality.

645. Specific laws had been enacted to address the various human rights issues in the country. Papua New Guinea had also established institutional and administrative mechanisms for the promotion and protection of human rights. The establishment of the National Human Rights Commission, which should come into operation in 2012, was a milestone achievement.

646. International human rights treaties and conventions, including the Declaration of Human Rights, were compatible with the Constitution and relevant human rights laws in the country. Papua New Guinea was committed to fulfilling its commitments and obligations under the various international legal instruments, such as the international conventions pertaining to racial discrimination, the rights of the child and discrimination against women, and international covenants on civil and political rights, and economic, social and cultural rights.

647. As a young country, Papua New Guinea faced many complexities that hindered its capacity to protect and promote human rights. Issues of capacity and resource constraints, as well as difficult geographical conditions, cultural diversity and lack of infrastructure seriously undermined the country's efforts to implement its human rights commitments and obligations.

648. Papua New Guinea explained that these factors, as well as issues of capacity and resource constraints, were the major considerations that had led it to reject 32 of the recommendations received. Some of those recommendations pertained to the country's laws on the death penalty, which could not be easily repealed by Parliament. Despite the existence of this law, it had never been enforced by Papua New Guinea.

649. The core work of the State pertained to the rights of women and children. In this regard, Papua New Guinea was pleased to inform the Human Rights Council that the Government had passed the first vote on a parliamentary bill that would provide for 22 seats reserved for women candidates in general elections.

650. Lastly, Papua New Guinea stated that the successful completion of the above process and eventual enactment of the law would pave the way for greater representation of women in the highest political decision-making body in the country. It would be a great achievement for the country in terms of women's rights, gender empowerment and the equal participation of women in the development of the country.

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

651. Algeria welcomed the fact that Papua New Guinea had accepted 114 of 146 recommendations made, including the recommendation made by Algeria relating to efforts to combat HIV/AIDS. It recalled that it had made two other recommendations relating to adherence to a number of international instruments (the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and the two optional protocols to the Convention on the Rights of the Child) and on free and compulsory primary education. Algeria welcomed the fact that Papua New Guinea had accepted both. Algeria had not referred to the International Convention for the Protection of All Persons from Enforced Disappearance, as was stated in the French and English versions of the report of the Working Group, nor to the International Convention on the Elimination of All Forms of Racial Discrimination as stated in the Arabic version of the same report.

652. Cuba recalled that Papua New Guinea faced major challenges, such as improving education and health services and achieving the Millennium Development Goals. Papua New Guinea had nonetheless made progress in the protection of human rights, as demonstrated in its universal primary education policy, its national health plan and its national strategic plan on HIV/AIDS. Cuba welcomed the fact that Papua New Guinea had accepted many of the recommendations received, including those made by Cuba on socioeconomic development, and on health and education. Cuba reiterated its solidarity with the people of Papua New Guinea.

653. The United States of America welcomed the acceptance by Papua New Guinea of many of the recommendations received, in particular of those on human trafficking and on undertaking a national awareness-raising campaign on gender-based violence, as it remained concerned about those issues. It also welcomed the acceptance of recommendations on the involvement of women and ethnic minorities in matters of the State. In this regard, the United States welcomed information on the passing of legislation to increase the representation of women in Parliament. While welcoming the acceptance of recommendations on the professionalism of the police force, the United States was disappointed that Papua New Guinea had not supported its recommendation on impunity or that relating to the allocation of adequate manpower and resources to improve prison conditions.

654. Indonesia shared some of the challenges faced by Papua New Guinea and lent its full support to the country with regard to the raising of the population's standard of living. Indonesia appreciated the fact that Papua New Guinea had accepted its recommendation relating to the ratification of international instruments, and looked forward to the acceptance of its recommendation on compulsory and free primary education. Indonesia welcomed the establishment of a national human rights institution, scheduled for 2012, and offered its assistance. It also welcomed Papua New Guinea's robust anti-corruption strategy.

655. Morocco recalled that Papua New Guinea faced many constraints due, notably, to its lack of capacity and infrastructure. Morocco noted that this had not prevented Papua New Guinea from engaging in development, as demonstrated through, in particular, its efforts to enhance women's participation in political life, its fight against domestic and sexual violence, the protection of children and young people, and rehabilitation. Morocco welcomed the fact that Papua New Guinea had accepted a large number of recommendations, including the one made by Morocco on the establishment of a national human rights institution. Morocco recalled its support for Papua New Guinea's efforts to enhance the human rights situation.

656. New Zealand welcomed the fact that Papua New Guinea had accepted 114 recommendations, including those made by New Zealand relating to the reduction of maternal mortality, the creation of safe places for women victims of gender violence, greater representation of women in Parliament, and human rights training for senior police officers. New Zealand had recommended the ratification of the Convention against Torture and the Optional Protocol thereto, and noted that this recommendation had been accepted. It urged Papua New Guinea to take prompt action in this regard.

3. General comments made by other relevant stakeholders

657. Rencontre africaine pour la défense des droits de l'homme welcomed the establishment of a national human rights institution, which would contribute to ending police brutality. It called for more efforts to reduce infant and maternal mortality rates, and remained alarmed at the increase in cases of murder of elderly women and children accused of witchcraft. It encouraged Papua New Guinea to establish effective programmes to train and sensitize its security forces in order to stop impunity in this regard. It encouraged

technical and/or financial assistance to help Papua New Guinea to meet its human rights-related development goals.

658. The Canadian HIV/AIDS Legal Network welcomed Papua New Guinea's commitment to equality and non-discrimination, and its endorsement for a review by the Constitutional and Law Reform Commission of existing laws governing sexual offences. It was disappointed that Papua New Guinea had not accepted the recommendations to repeal laws criminalizing sexual activity between consenting adults and to ensure protection from discrimination on the grounds of sexual orientation and gender identity. The Network recalled the positions of the Human Rights Committee and of the High Commissioner on these issues, and welcomed the ongoing national consultations in Papua New Guinea in this regard.

659. Amnesty International shared the concerns raised by 18 States on discrimination and violence against women, and welcomed Papua New Guinea's support for recommendations to eliminate this violence and to extend the legal framework to prevent it. It referred to the killing of persons accused of sorcery and a case that occurred in 2009. Amnesty International urged Papua New Guinea to review its law on sorcery and to investigate all sorcery-related killings. In 2009, Amnesty International had investigated circumstances surrounding forced evictions in Porgera, where the police had violated both domestic and international human rights. It called on Papua New Guinea to implement the recommendation to increase scrutiny of extractive and logging industries and to investigate forced evictions in Porgera. Amnesty International also regretted the rejection of the recommendation on the total abolition of the death penalty.

B. General debate on agenda item 6

660. At its 25th meeting, on 23 September 2011, the Human Rights Council held a general debate on agenda item 6, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Austria, China, Cuba, Poland (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), Republic of Moldova, Romania, Spain;

(b) Representative of an observer State: Republic of Korea;

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

(d) Observers for the following non-governmental organizations: Amnesty International, Indian Movement Tupaj Amaru.

C. Consideration of and action on draft proposals

Belgium

661. At its 18th meeting, on 21 September 2011, the Human Rights Council adopted draft decision 18/101 without a vote (for the text as adopted, see part one, chapter II).

Denmark

662. At its 18th meeting, on 21 September 2011, the Human Rights Council adopted draft decision 18/102 without a vote (for the text as adopted, see part one, chapter II).

Palau

663. At its 18th meeting, on 21 September 2011, the Human Rights Council adopted draft decision 18/103 without a vote (for the text as adopted, see part one, chapter II).

Somalia

664. At its 20th meeting, on 21 September 2011, the Human Rights Council adopted draft decision 18/104 without a vote (for the text as adopted, see part one, chapter II).

Seychelles

665. At its 20th meeting, on 21 September 2011, the Human Rights Council adopted draft decision 18/105 without a vote (for the text as adopted, see part one, chapter II).

Solomon Islands

666. At its 20th meeting, on 21 September 2011, the Human Rights Council adopted draft decision 18/106 without a vote (for the text as adopted, see part one, chapter II).

Latvia

667. At its 21st meeting, on 22 September 2011, the Human Rights Council adopted draft decision 18/107 without a vote (for the text as adopted, see part one, chapter II).

Sierra Leone

668. At its 21st meeting, on 22 September 2011, the Human Rights Council adopted draft decision 18/108 without a vote (for the text as adopted, see part one, chapter II).

Singapore

669. At its 21st meeting, on 22 September 2011, the Human Rights Council adopted draft decision 18/109 without a vote (for the text as adopted, see part one, chapter II).

Suriname

670. At its 23rd meeting, on 22 September 2011, the Human Rights Council adopted draft decision 18/110 without a vote (for the text as adopted, see part one, chapter II).

Greece

671. At its 23rd meeting, on 22 September 2011, the Human Rights Council adopted draft decision 18/111 without a vote (for the text as adopted, see part one, chapter II).

Samoa

672. At its 23rd meeting, on 22 September 2011, the Human Rights Council adopted draft decision 18/112 without a vote (for the text as adopted, see part one, chapter II).

Saint Vincent and the Grenadines

673. At its 25th meeting, on 23 September 2011, the Human Rights Council adopted draft decision 18/113 without a vote (for the text as adopted, see part one, chapter II).

Sudan and South Sudan

674. At its 25th meeting, on 23 September 2011, the Human Rights Council adopted draft decision 18/114 without a vote (for the text as adopted, see part one, chapter II).

Hungary

675. At its 25th meeting, on 23 September 2011, the Human Rights Council adopted draft decision 18/115 without a vote (for the text as adopted, see part one, chapter II).

Papua New Guinea

676. At its 38th meeting, on 30 September 2011, the Human Rights Council adopted draft decision 18/116 without a vote (for the text as adopted, see part one, chapter II).

VII. Human rights situation in Palestine and other occupied Arab territories

677. At the 28th meeting, on 26 September 2011, the Director of the Human Rights Council and Special Procedures Division of OHCHR presented the reports of the Secretary-General and the High Commissioner on the implementation of the recommendations of the Fact-Finding Mission on the Gaza Conflict (A/HRC/18/49).

678. At the same meeting, the Human Rights Council held a general debate on agenda item 7, during which the following made statements:

(a) The representative of the Syrian Arab Republic as a country concerned, and the representative of Palestine as a party concerned;

(b) Representatives of States Members of the Human Rights Council: Bangladesh, China, Cuba, Egypt⁵⁴ (on behalf of the Group of Arab States and the Non-Aligned Movement), India, Indonesia, Italy, Jordan, Kuwait, Malaysia, Maldives, Pakistan⁵⁴ (on behalf of the Organization of Islamic Corporation), Qatar, Russian Federation, Saudi Arabia, Senegal (on behalf of the Group of African States), Spain, Switzerland;

(c) Representatives of the following observer States: Algeria, Bahrain, Brazil, Democratic People's Republic of Korea, Egypt, Iran (Islamic Republic of), Lebanon, Morocco, Oman, South Africa, Sri Lanka, Sudan, Tunisia, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of);

(d) Observers for intergovernmental organizations: League of Arab States, Organization of Islamic Cooperation;

(e) Observers for the following non-governmental organizations: Al-Haq, Law in the Service of Man, Badil Resource Center for Palestinian Residency and Refugee Rights, Cairo Institute for Human Rights Studies, Commission of the Churches on International Affairs of the World Council of Churches, Coordinating Board of Jewish Organizations (also on behalf of B'nai B'rith International), Hope International, Indian Movement Tupaj Amaru (also on behalf of the World Peace Council), Mouvement contre le racisme et pour l'amitié entre les peuples, Organization for Defending Victims of Violence, Rencontre africaine pour la défense des droits de l'homme, United Nations Watch.

⁵⁴ Observer of the Human Rights Council speaking on behalf of Member and observer States.

VIII. Follow-up to and implementation of the Vienna Declaration and Programme of Action

A. Panel discussion on the integration of a gender perspective

679. At its 27th meeting, on 26 September 2011, the Human Rights Council held its annual panel discussion on the integration of a gender perspective into the work of the Human Rights Council, in accordance with Council resolution 6/30. The President of the Council made a statement. The Director of the Human Rights Council and Special Procedures Division made opening remarks for the panel on behalf of the High Commissioner.

680. At the same meeting, the panellists Christin Chinkin, Savitri Goonesekere, Aparna Mehrota, Reine Alapini Gansou, Hala Ghosheh and Marcos Nascimento made statements.

681. During the first segment of the ensuing panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Belgium, Chile, Cuba, Pakistan⁵⁴ (on behalf of the Organization of Islamic Cooperation), Russian Federation, Switzerland;

(b) Representatives of the following observer States: Argentina, Azerbaijan, Finland, France, Iran (Islamic Republic of), Slovenia;

(c) Observers for the following non-governmental organizations: Verein Sudwind Entwicklungspolitik, World Wide Organization for Women.

682. During the second segment of the ensuing panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: India, Indonesia, Maldives;

(b) Representatives of the following observer States: Brazil, Canada (also on behalf of Australia and New Zealand), Croatia, Paraguay, Turkey;

(c) Observers for United Nations entities, specialized agencies and related organizations: UNFPA (also on behalf of UNICEF).

683. At the same meeting, the panellists Reine Alapini Gansou, Savitri Goonesekere, Aparna Mehrota, Hala Ghosheh, Marcos Nascimento and Christin Chinkin answered questions.

B. General debate on agenda item 8

684. At its 29th meeting, on 27 September 2011, the Human Rights Council held a general debate on agenda item 8, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: China, Poland (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), United States of America, Uruguay (on behalf of MERCOSUR);

(b) Representatives of the following observer States: Algeria, Azerbaijan, Morocco, Slovenia;

(c) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement des Grands Lacs, Agence internationale pour le développement, Comité internationale pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples, Commission to Study the Organization of Peace, International Association against Torture, International Buddhist Relief Organisation, International Harm Reduction Association, International Human Rights Association of American Minorities, International Islamic Federation of Student Organizations, Liberation, Mouvement contre le racisme et pour l'amitié entre les peuples (also on behalf of France Libertés : Fondation Danielle Mitterand, International Educational Development and the Women's Human Rights International Association), Organisation pour la communication en Afrique et de promotion de la coopération économique internationale, Press Emblem Campaign, Verein Sudwind Entwicklungspolitik, World Environment Resource Council, World Muslim Congress.

C. Consideration of and action on draft proposals

Promoting awareness, understanding and the application of the Universal Declaration of Human Rights through sport and the Olympic ideal

685. At the 37th meeting, on 30 September 2011, the representatives of Brazil and the United Kingdom of Great Britain and Northern Ireland introduced draft resolution A/HRC/18/L.18/Rev.1, sponsored by Brazil and the United Kingdom of Great Britain and Northern Ireland and co-sponsored by Australia, Bolivia (Plurinational State of), Colombia, Costa Rica, Côte d'Ivoire, Croatia, Estonia, Ethiopia, Finland, Ghana, Greece, Guatemala, Honduras, Hungary, Ireland, Israel, Italy, Japan, Latvia, Luxembourg, Morocco, Nigeria, Panama, Peru, Poland, Portugal, the Republic of Moldova, Romania, Senegal, Serbia, Slovakia, Slovenia, Spain, Switzerland, Tajikistan, Thailand, Tunisia, Uganda and Venezuela (Bolivarian Republic of). Subsequently, Andorra, Armenia, Bahrain, Botswana, Bosnia and Herzegovina, Bulgaria, Cambodia, Cape Verde, Chad, Chile, the Congo, Cyprus, Czech Republic, Djibouti, the Dominican Republic, Iceland, Jamaica, Lithuania, Monaco, Mozambique, the Netherlands, Nicaragua, Qatar, the Republic of Korea, the Russian Federation, South Africa, the former Yugoslav Republic of Macedonia, Turkey, and the United States of America joined the sponsors.

686. At the same meeting, the representatives of Costa Rica and the Russian Federation made general comments in relation to the draft resolution.

687. Also at the same meeting, in accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

688. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/23).

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

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

689. At the 30th meeting, on 27 September 2011, a member of the Working Group of Experts on People of African Descent, Maya Sahli, presented the report of the former Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai (A/HRC/18/44).

690. During the ensuing interactive dialogue, at the same meeting, the following made statements and asked questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Bangladesh, Cuba, Ecuador, Egypt⁵⁴ (on behalf of the Non-Aligned Movement), India, Indonesia, Norway, Pakistan⁵⁴ (on behalf of the Organization of Islamic Cooperation), Russian Federation, Senegal (on behalf of the Group of African States), Uganda, United States of America, Uruguay (on behalf of MERCOSUR);

(b) Representatives of the following observer States: Algeria, Armenia, Brazil, Denmark, Egypt, Honduras, Iran (Islamic Republic of), Morocco, Portugal, South Africa, Sweden, Venezuela (Bolivarian Republic of);

(c) Observer for the United Nations entities, specialized agencies and related organizations: UNICEF;

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

(e) Observers for the following non-governmental organizations: Center for Environmental and Management Studies, International Humanist and Ethical Union (also on behalf of the World Union for Progressive Judaism), International Youth and Student Movement for the United Nations.

Working Group of Experts on People of African Descent

691. At the 30th meeting, on 27 September 2011, a member of the Working Group of Experts on People of African Descent, Maya Sahli, presented the report of the Working Group (A/HRC/18/45).

692. At the same meeting, the Human Rights Council held an interactive dialogue with the Working Group (see also paragraphs 689–690 above).

693. At the same meeting, Maya Sahli answered questions and made her concluding remarks.

B. General debate on agenda item 9

694. At the 31st meeting, on 27 September 2011, Abdul Samad Minty presented the report of the Ad Hoc Committee on the Elaboration of Complementary Standards on its third session (A/HRC/18/36) on behalf of the Chairperson-Rapporteur of the Ad Hoc Committee.

695. At the same meeting, the Human Rights Council held a general debate on agenda item 9, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: China, Cuba, Guatemala, Kuwait, Pakistan⁵⁴ (on behalf of the Organization of Islamic Cooperation), Poland (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Russian Federation, Senegal (on behalf of the Group of African States), Switzerland, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, France, Germany, Morocco, Turkey, Venezuela (Bolivarian Republic of);

(c) Observers for the following non-governmental organizations: African Commission of Health and Human Rights Promoters, Agir ensemble pour les droits de l'homme, Association of World Citizens, Centre for Human rights and Peace Advocacy, Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples, Commission to Study the Organization of Peace, Espace Afrique International, Fraternité Notre Dame, Inc., Indian Council of South America, Indian Movement Tupaj Amaru, International Buddhist Relief Organisation, International Educational Development, International Human Rights Association of American Minorities, International Humanist and Ethical Union (also on behalf of the World Union of Progressive Judaism), International Islamic Federation of Student Organizations, International Youth and Student Movement for the United Nations, Liberation, Mouvement contre le racisme et pour l'amitié entre les peuples, North-South XXI, Ocaproce Internationale – Organisation camerounaise de promotion de la coopération économique internationale, Organization for Defending Victims of Violence, Rencontre africaine pour la défense des droits de l'homme, United Towns Agency for North-South Cooperation, Verein Sudwind Entwicklungspolitik, World Environment and Resources Council, World Muslim Congress.

C. Panel discussion on tolerance and reconciliation

696. At the 32nd meeting, on 28 September 2011, the Human Rights Council held a high-level panel discussion on the promotion and protection of human rights through tolerance and reconciliation to commemorate Nelson Mandela International Day. The Deputy High Commissioner made opening remarks for the panel discussion.

697. At the same meeting, the panellists Mamadou Gnenema Coulibaly, Hieu Van Le Ao, Abdul Samad Minty and Maya Sahli made statements.

698. During the first segment of the ensuing panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Ecuador, Pakistan⁵⁴ (on behalf of the Organization of Islamic Cooperation), Senegal (on behalf of the Group of African States), Thailand, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Bahrain, South Africa, Sri Lanka;

(c) Observers for the United Nations entities, specialized agencies and related organizations: United Nations Expert Mechanism of the Rights of Indigenous Peoples;

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

(e) Observers for the following non-governmental organizations: International Association Democracy in Africa, World Environment and Resources Council.

699. During the second segment of the ensuing panel discussion, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Chile, India, Indonesia, Norway, Qatar, Russian Federation;

(b) Representatives of the following observer States: Azerbaijan, Canada, Morocco, Namibia, Serbia;

(c) Observer for a national human rights institution: South African Human Rights Commission.

700. At the same meeting, the panellists: Maya Sahli, Abdul Samad Minty, Hieu Van Le Ao and Mamadou Gnenema Coulibaly answered questions.

D. Consideration of and action on draft proposals

The incompatibility between democracy and racism

701. At the 36th meeting, on 29 September 2011, the representatives of Brazil and Uruguay introduced draft resolution A/HRC/18/L.20, sponsored by Uruguay, on behalf of MERCOSUR, and co-sponsored by Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Cuba, Djibouti, the Dominican Republic, Ecuador, Guatemala, Mexico, Paraguay, Peru, Spain, Turkey, Venezuela (Bolivarian Republic of) and Zimbabwe. Subsequently, Algeria, Angola, Armenia, Austria, Benin, Bosnia and Herzegovina, Botswana, Burkina Faso, Cape Verde, Côte d'Ivoire, France, Georgia, Greece, Haiti, Honduras, Hungary, Indonesia, Luxembourg, Morocco, Mozambique, Nicaragua, Nigeria, Palestine, Poland, Portugal, the Russian Federation, San Marino, Senegal, South Africa, Sri Lanka, the Sudan, Sweden, Thailand, Uganda and the United States of America joined the sponsors.

702. At the same meeting, the representative of Uruguay orally revised the draft resolution.

703. Also at the same meeting, the representatives of Costa Rica and the United States of America made general comments in relation to the draft resolution.

704. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/15).

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

705. At the 38th meeting, on 30 September 2011, the representative of South Africa (on behalf of the Group of African States) introduced draft resolution A/HRC/18/L.31, sponsored by South Africa, on behalf of the Group of African States, and co-sponsored by Cuba and Venezuela (Bolivarian Republic of). Subsequently, Jamaica, Nicaragua, Sri Lanka and Thailand joined the sponsors.

706. At the same meeting, the representative of South Africa, on behalf of the Group of African States, orally revised the draft resolution.

707. Also at the same meeting, the representatives of Italy, Maldives, Poland (on behalf of States members of the European Union that are members of the Council) and the United States of America made statements in explanation of vote before the vote.

708. At the same meeting, at the request of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution, as orally revised, was adopted by 35 votes to 1, with 10 abstentions.

709. For the text as adopted and voting results, see part one, chapter I, resolution 18/27.

Mandate of the Working Group of Experts on People of African Descent

710. At the 38th meeting, on 30 September 2011, the representative of South Africa, on behalf of the Group of African States, introduced draft resolution A/HRC/18/L.30, sponsored by South Africa, on behalf of the Group of African States, and co-sponsored by Brazil, Cuba and Venezuela (Bolivarian Republic of). Subsequently, Chile, Haiti, Honduras and Jamaica joined the sponsors.

711. At the same meeting, the representative of South Africa, on behalf of the Group of African States, orally revised the draft resolution.

712. Also at the same meeting, the representative of the United States of America made general comments in relation to the draft resolution, disassociating itself from the consensus on the draft resolution.

713. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

714. Also at the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/28).

X. Technical assistance and capacity-building

A. Interactive dialogue with special procedures

Independent expert on the situation of human rights in Somalia

715. At the 33rd meeting, on 28 September 2011, the independent expert on the situation of human rights in Somalia, Shamsul Bari, presented his report (A/HRC/18/48).

716. At the same meeting, the representative of Somalia made a statement as the concerned country.

717. 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 Human Rights Council: Bangladesh, Czech Republic, Djibouti, Kuwait, Senegal (on behalf of the Group of African States), Switzerland, Thailand, Uganda, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Canada, Egypt, Ethiopia, France, Morocco, Sudan, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

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

(d) Observers for the following non-governmental organizations: Amnesty International, Cairo Institute for Human Rights Studies, Human Rights Watch, International Educational Development, Worldwide Organization for Women.

718. At the same meeting, the independent expert answered questions and made his concluding remarks.

Special Rapporteur on the situation of human rights in Cambodia

719. At the 33rd meeting, on 28 September 2011, the Special Rapporteur on the situation of human rights in Cambodia, Surya Prasad Subedi, presented his report (A/HRC/18/46).

720. At the same meeting, the representative of Cambodia made a statement as the country concerned.

721. 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 Human Rights Council: China, Czech Republic, Indonesia, Malaysia, Norway, Romania, Switzerland, Thailand, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Canada, France, Ireland, Japan, Myanmar, Nepal, Philippines, Singapore, Sweden, United Kingdom of Great Britain and Northern Ireland, Viet Nam;

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

(d) Observers for the following non-governmental organizations: Asian Forum for Human Rights and Development, CIVICUS – World Alliance for Citizen Participation, Human Rights Watch, International Federation of Human Rights Leagues (also on behalf of Organisation mondiale contre la torture), Rencontre africaine pour la défense des droits de l'homme, World Association for the School as an Instrument of Peace.

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

B. General debate on agenda item 10

723. At its 34th meeting, on 28 September 2011, the Deputy High Commissioner presented the country-specific reports submitted under agenda item 10.

724. At the same meeting, the representatives of Cambodia and Côte d'Ivoire made statements as countries concerned.

725. During the ensuing general debate, at the same meeting, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Poland (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Senegal (on behalf of the Group of African States), Maldives, Norway, Switzerland, Thailand, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, United Kingdom of Great Britain and Northern Ireland;

(c) Observers for non-governmental organizations: Amnesty International, Association of World Citizens, Femme Afrique Solidarité.

C. Consideration of and action on draft proposals

Technical assistance to the Sudan in the field of human rights

726. At the 36th meeting, on 29 September 2011, the representative of Senegal (on behalf of the Group of African States) introduced draft resolution A/HRC/18/L.4, sponsored by Senegal, on behalf of the Group of African States. Subsequently, Bahrain, Jordan, Kuwait, Palestine, Qatar, Saudi Arabia, South Sudan, the Syrian Arab Republic, Turkey and Yemen joined the sponsors.

727. At the same meeting, the representative of Senegal, on behalf of the Group of African States, orally revised the draft resolution.

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

729. At the same meeting, the representative of Poland, 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.

730. Also at the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/16).

Technical assistance and capacity-building for South Sudan in the field of human rights

731. At the 36th meeting, on 29 September 2011, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/18/L.5/Rev.1, sponsored by Senegal, on behalf of the Group of African States. Subsequently, Australia, Canada, Iceland, Japan, the Netherlands, New Zealand, Switzerland and the United States of America joined the sponsors.

732. At the same meeting, the representative of Senegal, on behalf of the Group of African States, orally revised the draft resolution.

733. Also at the same meeting, the representative of Poland, on behalf of States members of the European Union that are members of the Council, made general comments in relation to the draft resolution.

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

735. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

736. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/17).

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

737. At the 36th meeting, on 29 September 2011, the representatives of Brazil, Morocco, Norway and Thailand introduced draft resolution A/HRC/18/L.24/Rev.1, sponsored by Thailand and co-sponsored by Austria, Botswana, Brazil, Burkina Faso, Cambodia, Cameroon, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, El Salvador, Ethiopia, Ghana, Guatemala, Honduras, Hungary, Indonesia, Japan, the Lao People's Democratic Republic, Malaysia, Maldives, Mauritius, Morocco, Namibia, Norway, Paraguay, Peru, Poland, Portugal, Senegal, Serbia, Singapore, Switzerland, Tajikistan, Thailand, Tunisia, Turkey, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe. Subsequently, Algeria, Australia, Botswana, Burkina Faso, Canada, Finland, France, Georgia, Haiti, Iceland, India, Israel, Italy, Jamaica, Mexico, Nicaragua, Pakistan (on behalf of the Organization of Islamic Cooperation), Panama, Qatar, the Republic of Korea, Romania, Slovakia and Ukraine joined the sponsors.

738. At the same meeting, the representative of Cuba made general comments in relation to the draft resolution.

739. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/18).

Technical assistance and capacity-building for Yemen in the field of human rights

740. At the 36th meeting, on 29 September 2011, the representative of Yemen introduced draft resolution A/HRC/18/L.32, sponsored by Yemen and co-sponsored by Canada, the Netherlands, Palestine and the United States of America. Subsequently, Australia, Austria, Bahrain, Germany, Hungary, Italy, Maldives, Morocco (on behalf of the Group of Arab States), New Zealand, Pakistan (on behalf of the Organization of Islamic Cooperation), Poland, Portugal, Somalia and Turkey joined the sponsors.

741. At the same meeting, the representative of Yemen orally revised the draft resolution.

742. Also at the same meeting, the representatives of Kuwait, Maldives, Poland (on behalf of States members of the European Union that are members of the Council), Saudi Arabia and Senegal (on behalf of the Group of African States) made general comments in relation to the draft resolution.

743. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

744. Also at the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/19).

Technical assistance and capacity-building for Haiti

745. At the 37th meeting, on 30 September 2011, the President of the Human Rights Council made a statement in relation to technical assistance and capacity-building for Haiti.

746. At the same meeting, the representative of Haiti made a statement as the country concerned.

747. Also at the same meeting, the representatives of Cuba (on behalf of the Group of Latin American and Caribbean States), Poland (on behalf of States members of the European Union that are members of the Council), the Russian Federation and the United States of America made comments in relation to the President's statement.

748. For the text of the President's statement, see part one, chapter III, PRST/18/1.

Advisory services and technical assistance for Burundi

749. At the 38th meeting, on 30 September 2011, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/18/L.2, sponsored by Senegal, on behalf of the Group of African States.

750. At the same meeting, the representative of Senegal, on behalf of the Group of African States, orally revised the draft resolution.

751. Also at the same meeting, the representatives of Poland, on behalf of States members of the European Union that are members of the Council, and the United States of America made general comments in relation to the draft resolution.

752. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

753. Also at the same meeting, the representative of Burundi made a statement as the country concerned.

754. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/24).

Advisory services and technical assistance for Cambodia

755. At the 38th meeting, on 30 September 2011, the representative of Japan introduced draft resolution A/HRC/18/L.25, sponsored by Japan and co-sponsored by Australia, Austria, Bulgaria, Canada, Croatia, the Czech Republic, Denmark, Estonia, Germany, Greece, Hungary, Iceland, Ireland, New Zealand, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Belgium, Cyprus, Finland, France, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, the Republic of Moldova, Romania, Serbia and Ukraine joined the sponsors.

756. At the same meeting, the representatives of Poland, on behalf of States members of the European Union that are members of the Council, and the United States of America made general comments in relation to the draft resolution.

757. Also at the same meeting, the representative of Cambodia made a statement as the country concerned.

758. At the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

759. Also at the same meeting, the representatives of China, Malaysia, the Philippines, the Russian Federation and Switzerland made statements in explanation of vote before the vote.

760. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 18/25).

Annexes

Annex I

[English only]

Attendance

Members

Angola	Guatemala	Peru
Austria	Hungary	Philippines
Bangladesh	India	Poland
Belgium	Indonesia	Qatar
Benin	Italy	Republic of Moldova
Botswana	Jordan	Romania
Burkina Faso	Kuwait	Russian Federation
Cameroon	Kyrgyzstan	Saudi Arabia
Chile	Libya	Senegal
China	Malaysia	Spain
Congo	Maldives	Switzerland
Costa Rica	Mauritania	Thailand
Cuba	Mauritius	Uganda
Czech Republic	Mexico	United States of America
Djibouti	Nigeria	Uruguay
Ecuador	Norway	

States Members of the United Nations represented by observers

Afghanistan	Cyprus	Kenya
Albania	Democratic People's Republic of Korea	Lao People's Democratic Republic
Algeria	Denmark	Latvia
Andorra	Egypt	Lebanon
Armenia	Equatorial Guinea	Liechtenstein
Australia	Estonia	Luxembourg
Azerbaijan	Ethiopia	Madagascar
Bahrain	Finland	Malta
Belarus	France	Monaco
Bolivia (Plurinational State of)	Germany	Morocco
Bosnia and Herzegovina	Ghana	Myanmar
Brazil	Greece	Namibia
Brunei Darussalam	Haiti	Netherlands
Cambodia	Honduras	Nepal
Canada	Iceland	New Zealand
Chad	Iran (Islamic Republic of)	Oman
Colombia	Iraq	Pakistan
Côte d'Ivoire	Ireland	Palau
Croatia	Israel	Paraguay
	Japan	Republic of Korea

Rwanda	South Sudan	Turkmenistan
Saint Vincent and the Grenadines	Sri Lanka	United Arab Emirates
Seychelles	Sudan	United Kingdom of Great Britain and Northern Ireland
Sierra Leone	Suriname	Uzbekistan
Singapore	Sweden	Venezuela (Bolivarian Republic of)
Slovakia	Syrian Arab Republic	Viet Nam
Slovenia	Tajikistan	Yemen
Solomon Islands	Timor-Leste	Zimbabwe
South Africa	Tunisia	
	Turkey	

Non-Member States represented by observers

Holy See

Other observers

Palestine

United Nations

United Nations Children's Fund
United Nations Development Programme
United Nations Educational, Scientific
and Cultural Organization

United Nations Population Fund
United Nations Relief and Works Agency
for Palestine in the Near East

Specialized agencies and related organizations

International Committee of the Red Cross
International Labour Office

World Health Organization

Intergovernmental organizations

Council of Europe
European Union
League of Arab States

International Union for
Conservation of Nature
Organization of Islamic
Cooperation

National human rights institutions, international coordinating committees and regional groups of national institutions

Commission nationale indépendante des
droits de l'homme – Burundi
Danish Institute for Human Rights
Human Rights Commission of Malaysia
(Suhakam)
Human Rights Commission of Sierra Leone
Irish Human Rights Commission

National Human Rights Commission of
Nigeria
Portuguese National Human Rights
Institution
Procuraduría de los Derechos Humanos de
Guatemala

Non-governmental organizations

- Action Canada for Population and Development
- Action internationale pour la paix et le développement dans la Région des Grands Lacs
- African Association of Education for Development
- African-American Society for Humanitarian Aid and Development
- African Commission of Health and Human Rights Promoters
- Agence internationale pour le développement
- Agir Ensemble pour les Droits de l'Homme
- AIDS Information Switzerland
- Al-Hakim Foundation
- Al-Haq, Law in the Service of Man
- Al-Zubair Charity Foundation
- Amman Center for Human Rights Studies
- Amnesty International
- Anti-Slavery International
- Arab Lawyers Union
- Arab NGO Network for Development
- Arab Organization for Human Rights
- Asia Pacific Forum on Women, Law and Development
- Asian Forum for Human Rights and Development
- Asian Indigenous and Tribal Peoples Network
- Association pour l'action sociale et le développement
- Association of World Citizens
- Association Points-Cœur
- Association for the Prevention of Torture
- Associazione Comunità Papa Giovanni XXIII
- Badil Resource Center for Palestinian Residency and Refugee Rights
- Baha'i International Community
- Bangwe et Dialogue
- Bridges International
- Cairo Institute for Human Rights Studies
- Canadian HIV/AIDS Legal Network
- Canners International Permanent Committee
- Caritas Internationalis
- Center for Reproductive Rights
- Centre for Environmental and Management Studies
- Centre for Human Rights and Peace Advocacy
- Centre indépendant de recherches et d'initiatives pour le dialogue
- Centrist Democratic International
- Centro Regional de Derechos Humanos y Justicia de Género
- Cercle de recherche sur les droits de la personne humaine
- Child Development Foundation
- Civicus – World Alliance for Citizen Participation
- Colombian Commission of Jurists
- Commission of the Churches on International Affairs of the World Council of Churches
- Commission to Study the Organization of Peace
- Conectas Direitos Humanos
- Congregation of our Lady of Charity of the Good Shepherd
- Conscience and Peace Tax International
- Coordinating Board of Jewish Organizations
- Corporate Accountability International
- Defense for Children International
- Democracy Coalition Project
- Dominicans for Justice and Peace (Order of Preachers)
- Earthjustice
- Eastern Sudan Women Development Organization
- Espace Afrique International
- European Disability Forum
- European Law Students' Association
- European Region of the International Lesbian and Gay Association
- European Bureau for Lesser Used Languages
- European Union of Public Relations
- Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos
- Federatie van Nederlandse Verenigingen tot Integratie van Homoseksualiteit COC Nederland
- Federation for Women and Family Planning
- Federation of Cuban Women
- Femmes Africa Solidarité
- Forum Azzahrae pour la Femme Marocaine
- Foundation for Aboriginal and Islander Research Action

Aboriginal Corporation
 France Libertés : Fondation Danielle
 Mitterrand
 Franciscans International
 Fraternité Notre Dame
 Friedrich Ebert Foundation
 Friends World Committee for Consultation
 (Quakers)
 General Research Institute on the
 Convention on the Rights of the Child
 Geneva for Human Rights
 Grupo Intercultural Almaciga
 Helios Life Association
 Himalayan Research and Cultural
 Foundation
 Human Rights House Foundation
 Human Rights Information and Training
 Centre
 Human Rights Watch
 Human Security Initiative Organization
 Indian Council of Education
 Indian Council of South America
 Indian Law Resource Centre
 Indian Movement Tupaj Amaru
 Indigenous Peoples' Center for
 Documentation, Research and
 Information
 Indigenous World Association
 Institute for Women's Studies and Research
 International Association for Democracy
 in Africa
 International Association of Democratic
 Lawyers
 International Association of Peace
 Messenger Cities
 International Association of Schools of
 Social Work
 International Association against Torture
 International Buddhist Relief Organisation
 International Catholic Child Bureau
 International Commission of Jurists
 International Committee for the Indians of
 the Americas (Incomindios Switzerland)
 International Committee for the Respect
 and Application of the African Charter on
 Human and Peoples' Rights
 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 Private Water
 Operators
 International Federation Terre des Hommes
 International Federation of University
 Women
 International Human Rights Association of
 American Minorities
 International Humanist and Ethical Union
 International Institute for Non-Aligned
 Studies
 International Institute for Peace
 International Investment Center
 International Islamic Federation of Student
 Organizations
 International Movement against All Forms of
 Discrimination and Racism
 International Movement ATD Fourth World
 International Movement for Fraternal Union
 among Races and Peoples
 International Organization for the Right to
 Education and Freedom of Education
 International Peace Bureau
 International Peace and Development
 Organization
 International Pen
 International Planned Parenthood Federation
 International Service for Human Rights
 International Volunteerism Organization for
 Women, Education and Development
 International Women Bond
 International Work Group for Indigenous
 Affairs
 International Youth and Student Movement
 for the United Nations
 Internet Society
 Iranian Elite Research Center
 Istituto Internazionale Marie Ausiliatrice
 Kenya Alliance for Advancement of Children
 Kham Rehabilitation Centre for Victims of
 Violence
 Lawyers' Rights Watch Canada
 Liberation
 Lutheran World Federation
 Maarij Foundation for Peace and
 Development
 Mandat International
 Marangopoulos Foundation for Human
 Rights
 Medical Care Development International
 Mouvement contre le racisme et pour l'amitié
 entre les peuples

Network of Women's Non-Governmental Organizations in the Islamic Republic of Iran	Society Studies Center
New Humanity	Soka Gakkai International
Nonviolent Radical Party, Transnational and Transparty	SOS Kinderdorf International
Nord-Sud XXI – North-South XXI	Sudan Council of Voluntary Agencies
ONG Hope International	Syriac Universal Alliance,
Open Society Institute	Tchad – Agir pour l'Environnement
Organisation pour la communication en Afrique et de promotion de la coopération économique internationale	Union de l'Action Féminine
Organization for Defending Victims of Violence	Union Internationale des Avocats – International Union of Lawyers
Pax Romana	United Nations Watch (UN Watch)
Peace Worldwide	United Schools International
Permanent Assembly for Human Rights	United Towns Agency for North-South Cooperation
Plan international, Inc.	Verein Sudwind Entwicklungspolitic
Planetary Association for Clean Energy, Inc.	Vivat International
Presse Emblème Campagne	Women's Human Rights International Association
Rencontre africain pour la défense des droits de l'homme	Women's International League for Peace and Freedom
Saami Council	World Association for the School as an Instrument of Peace
Save The Children International	World Environment and Resources Council
Servas International	World Federation of Trade Unions
Shimin Gaikou Centre	World Muslim Congress
Social Service Agency of the Protestant Church in Germany	World Organization against Torture
Society for Threatened Peoples	World Student Christian Federation
	World Vision International
	World Young Women's Christian Association
	Worldwide Organization for Women

Annex II

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 III

[English/French/Spanish only]

Documents issued for the eighteenth session*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/1 and Corr.1	1	Annotations to the agenda for the eighteenth session of the Human Rights Council: note by the Secretary-General
A/HRC/18/2	1	Report of the Human Rights Council on its eighteenth session
A/HRC/18/3	6	Report of the Working Group on the Universal Periodic Review: Belgium
A/HRC/18/4	6	Report of the Working Group on the Universal Periodic Review: Denmark
A/HRC/18/4/Add.1	6	Addendum
A/HRC/18/5	6	Report of the Working Group on the Universal Periodic Review: Palau
A/HRC/18/5/Add.1	6	Addendum
A/HRC/18/6 and Corr.1	6	Report of the Working Group on the Universal Periodic Review: Somalia
A/HRC/18/7	6	Report of the Working Group on the Universal Periodic Review: Seychelles
A/HRC/18/8 and Corr.1	6	Report of the Working Group on the Universal Periodic Review: Solomon Islands
A/HRC/18/9	6	Report of the Working Group on the Universal Periodic Review: Latvia
A/HRC/18/9/Add.1	6	Addendum
A/HRC/18/10	6	Report of the Working Group on the Universal Periodic Review: Sierra Leone
A/HRC/18/10/Add.1	6	Addendum
A/HRC/18/11	6	Report of the Working Group on the Universal Periodic Review: Singapore
A/HRC/18/11/Add.1	6	Addendum
A/HRC/18/12	6	Report of the Working Group on the Universal Periodic Review: Suriname
A/HRC/18/12/Add.1	6	Addendum

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/13	6	Report of the Working Group on the Universal Periodic Review: Greece
A/HRC/18/13/Add.1	6	Addendum
A/HRC/18/14	6	Report of the Working Group on the Universal Periodic Review: Samoa
A/HRC/18/14/Add.1	6	Addendum
A/HRC/18/15	6	Report of the Working Group on the Universal Periodic Review: Saint Vincent and the Grenadines
A/HRC/18/15/Add.1	6	Addendum
A/HRC/18/16	6	Report of the Working Group on the Universal Periodic Review: Sudan
A/HRC/18/16/Add.1	6	Addendum
A/HRC/18/17	6	Report of the Working Group on the Universal Periodic Review: Hungary
A/HRC/18/17/Add.1	6	Addendum
A/HRC/18/18 and Corr.1	6	Report of the Working Group on the Universal Periodic Review: Papua New Guinea
A/HRC/18/19	2	Cooperation with the United Nations, its representatives and mechanisms in the field of human rights: report of the Secretary-General
A/HRC/18/20	2, 3	Question of the death penalty: report of the Secretary-General
A/HRC/18/21	2	Report of the United Nations High Commissioner for Human Rights on the visit by the Office of the High Commissioner to Yemen
A/HRC/18/22	2, 3	Consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development: note by the Secretariat
A/HRC/18/23	2, 3	Report of the United Nations High Commissioner for Human Rights on human rights and transitional justice
A/HRC/18/24	2, 3	Report of the Office of the United Nations High Commissioner for Human Rights on the Workshop on the Role of Prevention in the Promotion and Protection of Human Rights

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/25	2, 3	Report of the United Nations High Commissioner for Human Rights on the obligation of States to investigate serious violations of human rights, and the use of forensic genetics
A/HRC/18/26 and Corr.1	2, 3	Report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples
A/HRC/18/27 and Corr.1	2, 3	Practices in adopting a human rights-based approach to eliminate preventable maternal mortality and morbidity: report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/18/27/Corr.1/Rev.1	2, 3	Corrigendum
A/HRC/18/28	2, 3	Human rights and unilateral coercive measures: note by the Secretariat
A/HRC/18/29	2, 3	Summary of the Human Rights Council panel discussion on the issue of human rights in the context of action taken to address terrorist hostage-taking, prepared by the Office of the United Nations High Commissioner for Human Rights
A/HRC/18/30 and Corr.1	3	Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian
A/HRC/18/30/Add.1	3	Mission to Romania
A/HRC/18/30/Add.2	3	Mission to Peru
A/HRC/18/31	3	Report of the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, Calin Georgescu
A/HRC/18/31/Add.2	3	Mission to Poland
A/HRC/18/32	3	Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination
A/HRC/18/32/Add.2	3	Mission to Equatorial Guinea
A/HRC/18/32/Add.3	3	Mission to South Africa
A/HRC/18/32/Add.4	3	Mission to Iraq

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/33	3	Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque
A/HRC/18/33/Add.1	3	Compilation of good practices
A/HRC/18/33/Add.2	3	Mission to Slovenia
A/HRC/18/33/Add.3	3	Mission to Japan
A/HRC/18/33/Add.4	3	Mission to the United States of America
A/HRC/18/34	3	Report of the independent expert on human rights and international solidarity
A/HRC/18/35	3	Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya
A/HRC/18/35/Add.1	3	Communications sent, replies received and follow-up
A/HRC/18/35/Add.2	3	The situation of the Sami people in the Sápmi region of Norway, Sweden and Finland
A/HRC/18/35/Add.3	3	Observations on the situation of the rights of the indigenous people of Guatemala with relation to the extraction projects, and other types of projects, in their traditional territories
A/HRC/18/35/Add.4	3	The situation of Maori people in New Zealand
A/HRC/18/35/Add.5	3	The situation of indigenous peoples in the Republic of the Congo
A/HRC/18/35/Add.6	3	The situation of Kanak people in New Caledonia, France
A/HRC/18/35/Add.7	3	Measures needed to secure indigenous and tribal peoples' land and related rights in Suriname
A/HRC/18/35/Add.8	3	The situation of the indigenous peoples affected by the El Diquís hydroelectric project in Costa Rica
A/HRC/18/36	9	Report of the Ad Hoc Committee on the Elaboration of Complementary Standards on its third session
A/HRC/18/37	3	Thematic study on the realization of the right to health of older persons by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/38	3	Annual report of the Special Representative of the Secretary-General for children and armed conflict, Radhika Coomaraswamy
A/HRC/18/39	3	Report of the Working Group on the Right to Development on its eleventh session: note by the Secretariat
A/HRC/18/40	4	Report of the independent expert on the situation of human rights in the Sudan, Mohamed Chande Othman
A/HRC/18/40/Add.1	4	Report of the independent expert on the situation of human rights in the Sudan on the status of implementation of the recommendations compiled by the Group of Experts to the Government of the Sudan for the implementation of Human Rights Council resolution 4/8, pursuant to Council resolutions 6/34, 6/35, 7/16, 11/10 and 15/27
A/HRC/18/41	5	Report on the eighteenth meeting of special rapporteurs/representatives, independent experts and chairs of working groups of the special procedures of the Human Rights Council: note by the United Nations High Commissioner for Human Rights
A/HRC/18/42	5	Final report of the study on indigenous peoples and the right to participate in decision-making: report of the Expert Mechanism on the Rights of Indigenous Peoples
A/HRC/18/43	5	Report of the Expert Mechanism on the Rights of Indigenous Peoples on its fourth session
A/HRC/18/44	9	Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the implementation of General Assembly resolution 65/199
A/HRC/18/45	9	Report of the Working Group of Experts on People of African Descent on its tenth session
A/HRC/18/46	10	Report of the Special Rapporteur on the situation of human rights in Cambodia
A/HRC/18/47	10	Role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights: report of the Secretary-General

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/48	10	Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari
A/HRC/18/49	7	Progress made in the implementation of the recommendations of the United Nations Fact-Finding Mission on the Gaza Conflict by all concerned parties, including United Nations bodies, in accordance with Human Rights Council resolution S-12/1 B, paragraph 3: report of the Secretary-General
A/HRC/18/50	7	Progress report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolution 16/32
A/HRC/18/51	5	Communications report of special procedures
A/HRC/18/52	10	Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Côte d'Ivoire
A/HRC/18/52 (Extract)	10	Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Côte d'Ivoire
A/HRC/18/53	4	Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Syrian Arab Republic
A/HRC/18/54	2, 3	The situation of migrants and asylum seekers fleeing recent events in North Africa: report of the United Nations High Commissioner for Human Rights

Documents issued in the limited series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/L.1	3	The human right to safe drinking water and sanitation
A/HRC/18/L.2	10	Advisory services and technical assistance for Burundi
A/HRC/18/L.3	3	Human rights and issues related to terrorist hostage-taking
A/HRC/18/L.4	10	Technical assistance for the Sudan in the field of human rights

Documents issued in the limited series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/L.5 and Rev.1	10	Technical assistance and capacity-building for South Sudan in the field of human rights
A/HRC/18/L.6	3	Mandate of the Special Rapporteur on the human rights obligations related to environmentally sound management and disposal of hazardous substances and waste
A/HRC/18/L.7	3	Panel to commemorate the twentieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities
A/HRC/18/L.8	3	Preventable maternal mortality and morbidity and human rights
A/HRC/18/L.9	3	Human rights in the administration of justice, in particular juvenile justice
A/HRC/18/L.10 and Rev.1	3	Human rights of migrants
A/HRC/18/L.11	3	The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination
A/HRC/18/L.12	3	Human rights and international solidarity
A/HRC/18/L.13	3	Promotion of a democratic and equitable international order
A/HRC/18/L.14	2	Transparency in funding and staffing of the Office of the United Nations High Commissioner for Human Rights
A/HRC/18/L.15	3	The right to development
A/HRC/18/L.16	3	Human rights and unilateral coercive measures
A/HRC/18/L.17	3	Panel on the promotion of multiculturalism as a means of protecting human rights and combating xenophobia, discrimination and intolerance
A/HRC/18/L.18 and Rev.1	8	Promoting awareness, understanding and the application of the Universal Declaration of Human Rights through sport and the Olympic ideal
A/HRC/18/L.19	5	Cooperation with the United Nations, its representatives and mechanisms in the field of human rights
A/HRC/18/L.20	9	The incompatibility between democracy and racism
A/HRC/18/L.21	3	The role of prevention in the promotion and protection of human rights

Documents issued in the limited series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/L.22	3	Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence
A/HRC/18/L.23	3	Human rights and indigenous peoples
A/HRC/18/L.24 and Rev.1	10	Enhancement of technical cooperation and capacity-building in the field of human rights
A/HRC/18/L.25	10	Advisory services and technical assistance for Cambodia
A/HRC/18/L.26 and Rev.1	3	Human rights and climate change
A/HRC/18/L.27	3	Panel on freedom of expression on the Internet
A/HRC/18/L.28	1	Reporting of the Secretary-General on the question of the death penalty
A/HRC/18/L.29 and Rev.1	3	Regional arrangements for the promotion and protection of human rights
A/HRC/18/L.30	9	Mandate of the Working Group of Experts on People of African Descent
A/HRC/18/L.31	9	From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance
A/HRC/18/L.32	10	Technical assistance and capacity-building for Yemen in the field of human rights
A/HRC/18/L.33	3	Amendments to draft resolution A/HRC/18/L.13 (Poland)
A/HRC/18/L.34	3	Amendments to amendments to draft resolution A/HRC/18/L.13 contained in document A/HRC/18/L.33 (Cuba)
A/HRC/18/L.35	1	Resumption of rights of membership of Libya in the Human Rights Council

Documents issued in the Government series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/G/1	4	Note verbale dated 4 July 2011 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva addressed to the President of the Human Rights Council

Documents issued in the Government series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/G/2	4	Note verbale dated 22 July 2011 from the Permanent Mission of Azerbaijan to the United Nations Office and other international organizations in Geneva addressed to the secretariat of the Human Rights Council
A/HRC/18/G/3	4	Note verbale dated 8 August 2011 from the Permanent Mission of Armenia to the United Nations Office and other international organizations in Geneva addressed to the President of the Human Rights Council
A/HRC/18/G/4	3	Note verbale dated 25 August 2011 addressed to the secretariat of the Human Rights Council from the Permanent Mission of Guatemala to the United Nations Office and other international organizations in Geneva
A/HRC/18/G/5	10	Note verbale dated 21 September 2011 from the Permanent Mission of Cambodia to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/18/G/6 and Corr.1	4	Note verbale dated 6 September 2011 from the Permanent Mission of Azerbaijan to the United Nations Office and other international organizations in Geneva addressed to the President of the Human Rights Council
A/HRC/18/G/7	3	Note verbale dated 13 September 2011 from the Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva addressed to the secretariat of the Human Rights Council
A/HRC/18/G/8	3	Note verbale dated 16 September 2011 addressed to the President of the Human Rights Council from the Permanent Mission of Costa Rica to the United Nations Office and other international organizations in Geneva
A/HRC/18/G/9	2	Note verbale dated 15 September 2011 from the Permanent Mission of the Republic of Yemen to the United Nations Office and other international organizations in Geneva addressed to the President of the Human Rights Council
A/HRC/18/G/10	4	Note verbale dated 6 October 2011 from the Permanent Mission of Armenia to the United Nations Office and other international organizations in Geneva addressed to the President of the Human Rights Council

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NGO/1	3	Written statement submitted by the Foundation of Japanese Honorary Debts, a non-governmental organization on the roster
A/HRC/18/NGO/2	3	Written statement submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status
A/HRC/18/NGO/3	3	Written statement submitted by the Himalayan Research and Cultural Foundation, a non-governmental organization in special consultative status
A/HRC/18/NGO/4	3	Written statement submitted by the General Research Institute on the Convention on the Rights of the Child, a non-governmental organization in special consultative status
A/HRC/18/NGO/5	4	Written statement submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status
A/HRC/18/NGO/6	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/18/NGO/7	4	Written statement submitted by the Eastern Sudan Women Development Organization, a non-governmental organization in special consultative status
A/HRC/18/NGO/8	4	Written statement submitted by the Network of Women's Non-governmental Organizations in the Islamic Republic of Iran, a non-governmental organization in special consultative status
A/HRC/18/NGO/9	4	Written statement submitted by the Sudan Council of Voluntary Agencies (SCOVA), a non-governmental organization in special consultative status
A/HRC/18/NGO/10	6	Written statement submitted by the Sudan Council of Voluntary Agencies, a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NGO/11	3	Joint written statement submitted by Caritas Internationalis (International Confederation of Catholic Charities) and New Humanity, non-governmental organizations in general consultative status, and Associazione Comunità Papa Giovanni XXIII, the Association Points-Coeur, the Company of the Daughters of Charity of St. Vincent de Paul, Dominicans for Justice and Peace – Order of Preachers, the International Institute of Mary Our Help of the Salesians of Don Bosco, the International Volunteerism Organization for Women, Education and Development, the Marist International Solidarity Foundation Onlus and VIVAT International, non-governmental organizations in special consultative status
A/HRC/18/NGO/12	6	Written statement submitted by the Society Studies Centre (MADA ssc), a non-governmental organization in special consultative status
A/HRC/18/NGO/13	4	Idem
A/HRC/18/NGO/14	6	Written statement submitted by the Eastern Sudan Women Development Organization, a non-governmental organization in special consultative status
A/HRC/18/NGO/15	6	Written statement submitted by the Al Zubair Charitable Foundation, a non-governmental organization in special consultative status
A/HRC/18/NGO/16	6	Written statement submitted by the Maarij Foundation for Peace and Development (MFPD), a non-governmental organization in special consultative status
A/HRC/18/NGO/17	3	Idem
A/HRC/18/NGO/18	6	Idem
A/HRC/18/NGO/19	3	Idem
A/HRC/18/NGO/20	3	Written statement submitted by the Jammu and Kashmir Council for Human Rights (JKCHR), a non-governmental organization in special consultative status
A/HRC/18/NGO/21	3	Idem
A/HRC/18/NGO/22	6	Written statement submitted by the Eastern Sudan Women Development Organization, a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NGO/23	4	Written statement submitted by the International Educational Development, Inc., a non-governmental organization on the roster
A/HRC/18/NGO/24	3	Idem
A/HRC/18/NGO/25	3, 5	Joint written statement submitted by the International Indian Treaty Council, a non-governmental organization in general consultative status, and the Indigenous Peoples' International Centre for Policy Research and Education (Tebtebba Foundation) and the Indigenous World Association, non-governmental organizations in special consultative status
A/HRC/18/NGO/26	4	Written statement submitted by the International Educational Development, Inc., a non-governmental organization on the roster
A/HRC/18/NGO/27	4	Idem
A/HRC/18/NGO/28	3	Exposición escrita presentada por la Asamblea Permanente por los Derechos Humanos (APDH), organización no gubernamental reconocida como entidad consultiva especial
A/HRC/18/NGO/29	3	Idem
A/HRC/18/NGO/30	3	Idem
A/HRC/18/NGO/31	6	Written statement submitted by the Federation of Western Thrace Turks in Europe (ABTTF), a non-governmental organization in special consultative status
A/HRC/18/NGO/32	3	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/18/NGO/33	4	Idem
A/HRC/18/NGO/34	4	Idem
A/HRC/18/NGO/35	4	Idem
A/HRC/18/NGO/36	3	Joint written statement submitted by the Sudan Council of Voluntary Agencies (SCOVA) and the International Women Bond (IWB), non-governmental organizations in special consultative status, and the African American Society for Humanitarian Aid and Development (ASHAD), a non-governmental organization on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NGO/37	3	Joint written statement submitted by the Sudan National Committee on Harmful Traditional Practices, a non-governmental organization in special consultative status, and the African American Society for Humanitarian Aid and Development (ASHAD), on the roster
A/HRC/18/NGO/38	4	Joint written statement submitted by France-Libertés : Fondation Danielle Mitterrand, a non-governmental organization in special consultative status, and Mouvement contre le racisme et pour l'amitié entre les peuples – MRAP, a non-governmental organization on the roster
A/HRC/18/NGO/39	3, 5	Exposición escrita presentada por la Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos (Capaj), organización no gubernamental reconocida como entidad consultiva especial
A/HRC/18/NGO/40	6	Written statement submitted by the Arab NGO Network for Development, a non-governmental organization on the roster
A/HRC/18/NGO/41	3	Written statement submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status
A/HRC/18/NGO/42	4	Idem
A/HRC/18/NGO/43	6	Idem
A/HRC/18/NGO/44	9	Idem
A/HRC/18/NGO/45	5	Written statement submitted by France-Libertés Fondation : Danielle Mitterrand, a non-governmental organization in special consultative status
A/HRC/18/NGO/46	7	Written statement submitted by the Palestinian Centre for Human Rights, a non-governmental organization in special consultative status
A/HRC/18/NGO/47	7	Joint written statement submitted by Al-Haq, Law in the Service of Man, the Al Mezan Centre for Human Rights, the Defence for Children International and the Women's Centre for Legal Aid and Counselling, non-governmental organizations in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NGO/48	7	Joint written statement submitted by the BADIL Resource Center for Palestinian Refugee and Residency Rights and the Al Mezan Center for Human Rights, non-governmental organizations in special consultative status
A/HRC/18/NGO/49	6	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/18/NGO/50	6	Written statement submitted by the Marangopoulos Foundaton for Human Rights (MFHR), a non-governmental organization in special consultative status
A/HRC/18/NGO/51	4	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/18/NGO/52	3	Written statement submitted by the Franciscans International, a non-governmental organization in general consultative status
A/HRC/18/NGO/53	4	Written statement submitted by Rencontre africaine pour la défense des droits de l'homme (RADDHO), a non-governmental organization in special consultative status
A/HRC/18/NGO/54	3	Joint written statement submitted by France Libertés : Fondation Danielle Mitterrand and the WHRIA – Women's Human Rights International Association, non-governmental organizations in special consultative status, and Mouvement contre le racisme et pour l'amitié entre les peuples, a non-governmental organization on the roster
A/HRC/18/NGO/55	3	Joint written statement submitted by the France Libertés : Fondation Danielle Mitterrand, a non-governmental organization in special consultative status, and Mouvement contre le racisme et pour l'amitié entre les peuples, a non-governmental organization on the roster
A/HRC/18/NGO/56	4	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/18/NGO/57	3	Written statement submitted by the Press Emblem Campaign (PEC), a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NGO/58	4	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/18/NGO/59	5	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/18/NGO/60	3	Idem
A/HRC/18/NGO/61	4	Idem
A/HRC/18/NGO/62	10	Idem
A/HRC/18/NGO/63	9	Idem
A/HRC/18/NGO/64	3	Idem
A/HRC/18/NGO/65	4	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/18/NGO/66	4	Written statement submitted by the Jubilee Campaign, a non-governmental organization in special consultative status
A/HRC/18/NGO/67	4	Idem
A/HRC/18/NGO/68	4	Idem
A/HRC/18/NGO/69	4	Idem
A/HRC/18/NGO/70	4	Joint written statement submitted by France Libertés : Fondation Danielle Mitterrand, the Marangopoulos Foundation for Human Rights (MFHR), the Women's Human Rights International Association (WHRIA) and the World Organisation against Torture (OMCT), non-governmental organizations in special consultative status, the International Educational Development, Inc., and Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), non-governmental organizations on the roster
A/HRC/18/NGO/71	4	Joint written statement submitted by CIVICUS – World Alliance for Citizen Participation, a non-governmental organization in general consultative status, and the International Federation for Human Rights and the Human Rights House Foundation, non-governmental organizations in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NGO/72	4	Written statement submitted by the Cairo Institute for Human Rights Studies – CIHRS, a non-governmental organization in special consultative status
A/HRC/18/NGO/73	3	Idem
A/HRC/18/NGO/74 and Corr.1	4	Written statement submitted by the Nonviolent Radical Party, Transnational and Transparty, a non-governmental organization in general consultative status
A/HRC/18/NGO/75	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/18/NGO/76	3	Joint written statement submitted by 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 Association for Religious Freedom (IARF), the International Youth and Student Movement for the United Nations (ISMUN), the Brahma Kumaris University (BKWSU), Soroptimist International (SI) and the International Institute for Non-Aligned Studies (IINAS), non-governmental organizations in general consultative status; the World Young Women's Christian Association (World YWCA), Buddha's Light International Association (BLIA), Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos (España), Pax Romana (the International Catholic Movement for Intellectual and Cultural Affairs and the International Movement of Catholic Students), the Temple of Understanding (TOU), the Women's World Summit Foundation (WWSF), the Worldwide Organization for Women (WOW), the Union of Arab Jurists (UAJ), Rencontre africaine pour la défense 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), Congregation of our Lady of Charity of the Good Shepherd, Lassalle-Institut, the UNESCO

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
	<p>Centre of Catalonia (UNESCO CAT), the Pan Pacific and South East Asia Women's Association (PPSEAWA), 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 University Women (CFUW), the International Association for Women's Mental Health (IAWMH), the International Women's Year Liaison Group (IWYLG), the Institute of International Social Development, African Action on AIDS, the International Society for Traumatic Stress Studies (ISTSS), the Lama Gangchen World Peace Foundation (LGWPF), Pax Christi International, the International Catholic Peace Movement, the Tandem Project, Solar Cookers International (SCI), the World Federation for Mental Health (WFMH), the United States Federation for Middle East Peace (USFMEP), Network Women in Development Europe (KULU, Denmark), North-South XXI, the United Towns Agency for North-South Cooperation, the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), 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 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, Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples (CIRAC), the Cairo Institute for Human Rights Studies (CIHRS), the World for World Organisation (WFWO), the Universal Esperanto Association (UEA), UNANIMA International, the Deniz Feneri Association (Light House Aid and Solidarity Association), the General Arab Women Federation (GAWF), the International Association of Schools of Social Work (IASSW), the International Fellowship of Reconciliation (IFOR), Comision Colombiana de Juristas (CCJ), COJEP International (Conseil de jeunesse pluriculturelle), the Association of African Women for Research and Development (AAWORD), the Center for Migration Studies</p>

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
	<p>of New York (CMS) (member of the Scalabrini International Migration Network), the World Association for Psychosocial Rehabilitation (WAPR), the Foundation for Subjective Experience and Research, the African Women's Development and Communication Network (FEMNET), Initiatives of Change International (IOFC), the International Association of Gerontology and Geriatrics, Associazione Comunità Papa Giovanni XXIII, Action internationale pour la paix et le développement dans la région des Grands Lacs, the General Arab Women Federation, the National Council of Women of Great Britain, the United Network of Young Peacebuilders (UNOY), the African Peace Network (APNET), Right to Energy Sos Future, Myochikai (Arigatou Foundation), the Fondation Idole, IUS PRIMI VIRI International Association (IPV), the African Women Association (AWA), the Femmes Africa Solidarité (FAS), the International Movement against All Forms of Discrimination and Racism (IMADR), the National Alliance of Women's Organisations (NAWO), the Mennonite Central Committee (IMCC), the African Services Committee (ASC), the Guild of Service and the Women's International League for Peace and Freedom (WILPF), non-governmental organizations in special consultative status; the Federation for Peace and Conciliation (IFPC), the World Association for the School as an Instrument of Peace, the International Society for Human Rights (ISHR), the Institute for Planetary Synthesis (IPS), the International Peace Bureau (IPB), the 3HO Foundation, Inc. (Healthy, Happy, Holy Organization), the Dzeno Association, the Country Women Association of Nigeria (COWAN), 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) and the European Federation for Road Traffic Crash Victims (FEVR), non-governmental organizations on the roster</p>

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NGO/77	4	Joint written statement submitted by the Cairo Institute for Human Rights Studies – CIHRS, the Egyptian Organization for Human Rights – EOHR and the Center for Egyptian Women’s Legal Assistance, non-governmental organizations in special consultative status
A/HRC/18/NGO/78	5	Written statement submitted by the African-American Society for Humanitarian Aid and Development, a non-governmental organization on the roster
A/HRC/18/NGO/79	3, 5	Written statement submitted by the Syriac Universal Alliance, a non-governmental organization in special consultative status
A/HRC/18/NGO/80	9	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster
A/HRC/18/NGO/81	9	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster
A/HRC/18/NGO/82	3	Joint written statement submitted by the International Women Bond, 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/18/NGO/83	10	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/18/NGO/84	4	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/18/NGO/85	5	Joint written statement submitted by Amnesty International, the Human Rights Watch (HRW) and the International Commission of Jurists (ICJ), non-governmental organizations in special consultative status
A/HRC/18/NGO/86	3	Joint written statement submitted by the Indian Movement “Tupaj Amaru”, a non-governmental organization in special consultative status, and the World Peace Council, a non-governmental organization on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NGO/87	4	Joint written statement submitted by the Indian Movement “Tupaj Amaru”, a non-governmental organization in special consultative status, and the World Peace Council, a non-governmental organization on the roster
A/HRC/18/NGO/88	3	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster
A/HRC/18/NGO/89	3	Written statement submitted by Corporate Accountability International, a non-governmental organization in special consultative status
A/HRC/18/NGO/90	3	Written statement submitted by Corporate Accountability International, a non-governmental organization in special consultative status
A/HRC/18/NGO/91	3	Written statement submitted by UNANIMA International, a non-governmental organization in special consultative status

Documents issued in the national institution series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/18/NI/1	6	Information presented by the Human Rights Commission of Malaysia (SUHAKAM)
A/HRC/18/NI/2	3	Information presented by the Equality and Human Rights Commission of Great Britain
A/HRC/18/NI/3	3	Information presented by the New Zealand Human Rights Commission

Annex IV

Special procedures mandate holders appointed by the Council at its eighteenth session

Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

Gabor Rona (United States of America/Hungary)

Independent Expert on the situation of human rights in Côte d'Ivoire

Doudou Diène (Senegal)

Working Group on human rights and transnational corporations and other business enterprises

Michael Addo (Ghana)

Puvan Selvanathan (Malaysia)

Pavel Sulyandziga (Russian Federation)

Alexandra Guaqueta (Colombia/United States of America)

Margaret Jungk (United States of America)

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Mutuma Ruteere (Kenya)
