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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Third Committee*

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I. Introduction

1. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fifth session, under the item entitled “Promotion and protection of human rights”, the sub-item entitled “Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms” and to allocate it to the Third Committee.
2. The Third Committee held a general discussion on the sub-item jointly with sub-item 68 (c), “Human rights situations and reports of special rapporteurs and representatives”, at its 22nd to 35th meetings, from 20 to 22 and from 25 to 28 October 2010 (see A/C.3/65/SR.22-35). The Committee considered the question of the programme of activities for the International Year for People of African Descent at its 43rd and 52nd meetings, on 9 and 23 November (see A/C.3/65/SR.43 and 52).
3. For the documents before the Committee under this sub-item, see A/65/456.

* The report of the Committee on this item is being issued in five parts, under the symbol A/65/456 and Add.1-4.



II. Consideration of draft resolutions A/C.3/65/L.33 and Rev.1 and amendments thereto contained in A/C.3/65/L.67

4. At the 43rd meeting, on 9 November, the representative of Colombia, on behalf of Argentina Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Panama, Peru and Uruguay, introduced a draft resolution entitled “Programme of activities for the International Year for People of African Descent” (A/C.3/65/L.33), which read:

“The General Assembly,

“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 forth therein, without distinction of any kind, as well as other relevant international human rights instruments,

“Reaffirming also its resolution 64/169 of 18 December 2009, in which it proclaimed the year beginning on 1 January 2011 the International Year for People of African Descent, with a view to strengthening national actions and regional and international cooperation for the benefit of people of African descent in relation to their full enjoyment of economic, social, cultural, civil and political rights, their participation and integration in all political, economic, social and cultural aspects of society, and the promotion of a greater knowledge of and respect for their diverse heritage and culture,

“Recalling that, in its resolution 64/169, the General Assembly encouraged Member States and the specialized agencies of the United Nations, within their respective mandates and existing resources, to identify possible initiatives that could contribute to the success of the Year,

“Recalling also the relevant provisions of the outcomes of all major United Nations conferences and summits, in particular the Vienna Declaration and Programme of Action and the Durban Declaration and Programme of Action,

“Welcoming the report of the Secretary-General on the draft programme of activities for the International Year for People of African Descent,

“Recalling its resolutions 62/122 of 17 December 2007, 63/5 of 20 October 2008 and 64/15 of 16 November 2009 on the permanent memorial to and remembrance of the victims of slavery and the transatlantic slave trade,

“1. Takes note of the draft programme of activities for the International Year for People of African Descent as a guideline for the activities related to the Year; and invites Member States and other donors to contribute, on a voluntary basis, to those activities;

“2. Encourages Member States to participate in and support the implementation of the programme of activities for the International Year for People of African Descent, and to cooperate constructively and decisively to ensure rapid progress and concrete results in the achievement of the objectives of the Year;

“3. Encourages the specialized agencies of the United Nations system, within their respective mandates and existing resources, intergovernmental

organizations and civil society, including non-governmental organizations, to develop activities for the Year, taking into account its goals and objectives and, as a guideline, the programme of activities;

“4. *Invites* the Secretary-General to launch the International Year for People of African Descent with an opening day ceremony on 10 December 2010;

“5. *Invites* the Office of the High Commissioner for Human Rights to facilitate and assist the implementation of activities, in order to continue to contribute to the success of the International Year for People of African Descent, in collaboration with relevant United Nations entities and bodies;

“6. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the progress and implementation of the present resolution.”

5. At its 52nd meeting, on 23 November, the Committee had before it a revised draft resolution entitled “Programme of activities for the International Year for People of African Descent” (A/C.3/65/L.33/Rev.1), submitted by Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Honduras, Mexico, Panama, Paraguay, Peru, the United States of America, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Antigua and Barbuda, Haiti, India, Jamaica, the Niger and Nigeria joined in sponsoring the revised draft resolution.

6. At the same meeting, the representative of Colombia revised the draft resolution as follows:

(a) In operative paragraph 2, the words “*Takes note with appreciation of* the ongoing efforts of the Working Group of Experts on People of African Descent and of its recommendation” were replaced by the words “*Welcomes* the ongoing efforts of the Working Group of Experts on People of African Descent, bearing in mind its recommendation”;

(b) In operative paragraph 4, the words “with the participation of the Chair of the Working Group of Experts on People of African Descent, the Chair of the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, a representative of people of African descent, civil society and relevant stakeholders” were added at the end of the paragraph;

(c) In operative paragraph 7, the words “and, as a guideline, the draft programme of activities” were replaced by the words “as well as the draft programme of activities”.

7. At the same meeting, the Secretary read out a statement of the programme budget implications of the draft resolution.

8. Also at the same meeting, a statement was made by the representative of South Africa, in which the amendment contained in document A/C.3/65/L.67 was withdrawn.

9. Also at its 52nd meeting, the Committee adopted draft resolution A/C.3/65/L.33/Rev.1, as orally revised (see para. 11).

10. After the adoption of the draft resolution, statements were made by the representatives of Belgium (on behalf of the European Union), Costa Rica and Brazil (see A/C.3/65/SR.52).

III. Recommendation of the Third Committee

11. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Programme of activities for the International Year for People of African Descent

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,¹ 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 forth therein, without distinction of any kind, as well as other relevant international human rights instruments,

Reaffirming also its resolution 64/169 of 18 December 2009, in which it proclaimed the year beginning on 1 January 2011 the International Year for People of African Descent,

Stressing the importance of strengthening national actions and regional and international cooperation for the benefit of people of African descent in relation to their full enjoyment of economic, social, cultural, civil and political rights, their full and equal participation and integration in all political, economic, social and cultural aspects of society, and the promotion of a greater knowledge of and respect for their diverse heritage and culture,

Recalling that, in its resolution 64/169, the General Assembly encouraged Member States and the specialized agencies of the United Nations system, within their respective mandates and existing resources, to identify possible initiatives that could contribute to the success of the Year,

Recalling also the relevant provisions of the outcomes of all major United Nations conferences and summits, in particular the Vienna Declaration and Programme of Action² and the Durban Declaration and Programme of Action,³

Recalling further Human Rights Council resolution 14/16 of 18 June 2010,⁴ and welcoming the decision of the Council to convene a panel discussion during the high-level segment of its sixteenth session focusing on the full enjoyment of the human rights of people of African descent, to mark the Year,

Taking note with appreciation of the report of the Secretary-General on the draft programme of activities for the International Year for People of African Descent,⁵

¹ Resolution 217 A (III).

² A/Conf.157/24 (Part I), chap. III.

³ A/CONF.189/12 and Corr.1, chap. I.

⁴ See *Official Records of the General Assembly, Sixty-fifty Session, Supplement No. 53 (A/65/53)*, chap. III, sect. A.

⁵ A/65/227 and Add.1.

Recalling the human suffering of the victims of slavery and the transatlantic slave trade, and of people of African descent in particular, and the lessons, history and consequences of slavery,

Noting the decision adopted by the Assembly of the African Union at its fifteenth ordinary session, held at Kampala from 25 to 27 July 2010, on the convening of the African Diaspora Summit,⁶ which will be hosted by South Africa in 2012,

1. *Takes note* of the draft programme of activities for the International Year for People of African Descent;⁷

2. *Welcomes* the ongoing efforts of the Working Group of Experts on People of African Descent, bearing in mind its recommendation on the theme “People of African Descent: Recognition, Justice and Development” contained in its report;⁸

3. *Requests* the Secretary-General to establish a voluntary fund for the activities for the Year, to which Member States and all relevant donors are encouraged to contribute;

4. *Also requests* the Secretary-General to close the International Year for People of African Descent with the convening of a high-level thematic debate on the achievement of the goals and objectives of the Year, with the participation of the Chair of the Working Group of Experts on People of African Descent, the Chair of the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, a representative of people of African descent, civil society and relevant stakeholders;

5. *Invites* Member States to support the implementation of activities for the Year, and to cooperate constructively and decisively to ensure rapid progress and concrete results in the achievement of the objectives of the Year;

6. *Encourages* Member States, donors and other stakeholders to participate and contribute, on a voluntary basis, to activities related to the Year;

7. *Encourages* the specialized agencies of the United Nations system, within their respective mandates and existing resources, and intergovernmental organizations, as well as civil society, including non-governmental organizations, to develop activities for the Year, taking into account its goals and objectives as well as the draft programme of activities;

8. *Requests* the Secretary-General to launch the International Year for People of African Descent with an opening day ceremony on 10 December 2010;

9. *Invites* the Office of the United Nations High Commissioner for Human Rights to facilitate and assist in the implementation of activities, in order to continue to contribute to the success of the Year, in collaboration with relevant United Nations entities and bodies;

⁶ Assembly/AU/Dec. 319 (XV). Available from www.africa-union.org.

⁷ See A/65/227, sect. IX.

⁸ A/HRC/14/18.

10. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the progress and the implementation of the present resolution.
