



# General Assembly

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## Human Rights Council

Fourteenth session

Agenda item 1

**Organizational and procedural matters**

## **Report of the Human Rights Council on its fourteenth session**

*Vice-President and Rapporteur:* Mr. Hisham **Badr** (Egypt)

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## Part One

### Resolutions and decisions adopted by the Human Rights Council at its fourteenth session

#### I. Resolutions

**14/1**

#### **The grave attacks by Israeli forces against the humanitarian boat convoy**

*The Human Rights Council,*

*Guided* by the purposes and principles of the Charter of the United Nations and the provisions of the Universal Declaration of Human Rights,

*Taking into consideration* the provisions of the fourth Geneva Convention relative to the Protection of Civilian Persons in Times of War, of 12 August 1949,

*Emphasizing* the importance of the safety and well-being of all civilians, including humanitarian personnel,

*Expressing grave concern* at the deepening humanitarian crisis in occupied Gaza,

*Emphasizing* the need to ensure the sustained and regular flow of goods and people into occupied Gaza, and welcoming the initiatives aimed at creating and opening humanitarian corridors and other mechanisms for the sustained delivery of humanitarian aid,

1. *Condemns in the strongest terms* the outrageous attack by the Israeli forces against the humanitarian flotilla of ships, which resulted in the killing and injuring of many innocent civilians from different countries;
2. *Deeply deplores* the loss of life of innocent civilians, and expresses its deepest sympathy and condolences to the victims and their families;
3. *Calls upon* the occupying Power, Israel, to cooperate fully with the International Committee of the Red Cross to seek and provide information on the whereabouts status and condition of detained and injured persons;
4. *Demands* that the occupying Power, Israel, immediately release all detained men and material and facilitate their safe return to their homelands;
5. *Calls upon* the occupying Power, Israel, to immediately lift the siege on occupied Gaza and other occupied territories;
6. *Also calls upon* the occupying Power, Israel, to ensure the unimpeded provision of humanitarian assistance, including of food, fuel and medical treatment, to the occupied Gaza Strip;
7. *Welcomes* the statements made by the Secretary-General and the United Nations High Commissioner for Human Rights condemning the Israeli attacks and calls for full accountability and credible independent inquiries into these attacks;
8. *Decides* to dispatch an independent, international fact-finding mission to investigate violations of international law, including international humanitarian and human

rights law, resulting from the Israeli attacks on the flotilla of ships carrying humanitarian assistance;

9. *Also decides* to authorize the President of the Council to appoint members to the above-mentioned fact-finding mission, who should report on their findings to the Council at its fifteenth session;

10. *Further decides* to remain seized of this matter.

*10th meeting  
2 June 2010*

[Adopted by a recorded vote of 32 to 3, with 9 abstentions. The voting was as follows:

*In favour:*

Angola, Argentina, Bahrain, Bangladesh, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Chile, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Kyrgyzstan, Mauritius, Mexico, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Slovenia, South Africa, Uruguay

*Against:*

Italy, Netherlands, United States of America

*Abstaining:*

Belgium, Burkina Faso, France, Hungary, Japan, Republic of Korea, Slovakia, Ukraine, United Kingdom of Great Britain and Northern Ireland]

## 14/2

### **Trafficking in persons, especially women and children: regional and subregional cooperation in promoting a human rights-based approach to combating trafficking in persons**

*The Human Rights Council,*

*Reaffirming* all previous resolutions on the problem of trafficking in persons, especially women and children, in particular General Assembly resolutions 63/156 of 18 December 2008 and 64/178 of 18 December 2009, and Council resolutions 8/12 of 18 June 2008, in which it extended the mandate of the Special Rapporteur on trafficking in persons, especially women and children, and 11/3 of 17 June 2009, and recalling Council resolution 12/15 of 1 October 2009 on regional arrangements for the promotion and protection of human rights,

*Recalling* the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

*Reaffirming* the principles set forth in relevant human rights instruments and declarations, including the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto,

*Recalling* the United Nations Convention against Transnational Organized Crime and the Protocols thereto, and reaffirming in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and recalling the

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,

*Recalling also* the Forced Labour Convention, 1930 (No. 29) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization,

*Recognizing* the concern expressed by the Human Rights Committee, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Committee against Torture about the persistence of trafficking and the vulnerability of victims to human rights violations,

*Affirming* that trafficking in persons violates and impairs the enjoyment of human rights, continues to pose a serious challenge to humanity and requires a concerted international assessment and response and genuine multilateral cooperation among countries of origin, transit and destination for its eradication,

*Recognizing* that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance and that women and girl victims are often subject to multiple forms of discrimination and violence, including on the grounds of gender, age, disability, ethnicity, culture and religion, as well as national or social origin, and that these forms of discrimination may themselves fuel trafficking in persons,

*Bearing in mind* that all States have an obligation to exercise due diligence to prevent trafficking in persons, to investigate instances of trafficking and punish perpetrators, to rescue victims and to provide for their protection, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of victims,

*Recognizing* the need to address the impact of globalization on the particular problem of trafficking in women and children,

*Recognizing also* the challenges to combating trafficking in persons, especially women and children, owing to the lack of adequate legislation and implementation of existing legislation, the lack of availability of reliable sex- and age-disaggregated data and statistics and the lack of resources, and recognizing the role of international cooperation in this regard,

*Noting* that some of the demand for prostitution and forced labour is met by trafficking in persons,

*Emphasizing* that policies and programmes for prevention, rehabilitation, return and reintegration should be developed through a gender- and age-sensitive, comprehensive and multidisciplinary approach, with concern for the security of the victims and respect for the full enjoyment of their human rights and with the involvement of all actors in countries of origin, transit and destination,

*Welcoming in particular* the efforts of Governments, United Nations bodies and agencies and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children, including at the national, subregional and regional levels,

*Noting* the convening of the seminar on the theme “A human rights approach to combating human trafficking: challenges and opportunities” by the Office of the United Nations High Commissioner for Human Rights in Geneva on 27 and 28 May 2010,

*Noting also* the panel discussion on the theme “Giving voice to the victims and survivors of human trafficking”, held on 2 June 2010 during the fourteenth session of the Human Rights Council,

*Noting further* efforts to consider a possible review mechanism on the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,

*Noting* the ongoing work at the United Nations in New York to elaborate the Global Plan of Action to Combat Trafficking in Persons,

1. *Reiterates its concern* at:

(a) The high number of persons, especially women and children, in particular from developing countries and countries with economies in transition, who are being trafficked within and between regions and States;

(b) The increasing activities of transnational and national organized crime groups and others who profit from trafficking in persons, especially women and children, without regard for dangerous and inhumane conditions, in flagrant violation of domestic laws and international law and contrary to international standards;

(c) The use of new information technologies, including the Internet, for the purposes of exploitation of the prostitution of others and other forms of sexual exploitation, for trafficking in women as brides and for sex tourism, child pornography, paedophilia and any other form of sexual exploitation of children;

(d) The high level of impunity enjoyed by traffickers and their accomplices and the denial of rights and justice to victims of trafficking;

2. *Urges* Governments to incorporate a human rights-based approach into measures taken to prevent and end trafficking in persons and to protect, assist and provide access to adequate redress to victims, including the possibility of obtaining compensation from the perpetrators;

3. *Emphasizes* the importance of giving voice to victims of trafficking in persons, with due consideration for their psychological well-being, with a view to reinforcing the centrality of their human rights and needs, and taking into account their recommendations, when devising actions to combat human trafficking;

4. *Encourages* Governments to refer to the Recommended Principles and Guidelines on Human Rights and Human Trafficking developed by the Office of the United Nations High Commissioner for Human Rights (E/2002/68/Add.1) as a useful tool in integrating a human rights-based approach into their responses to combat trafficking in persons;

5. *Takes note with appreciation* of the report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/14/32);

6. *Calls upon* Governments to consider signing and ratifying, as a matter of priority, in the case of Governments that have not yet done so, and for States parties to implement relevant United Nations legal instruments, such as the United Nations Convention against Transnational Organized Crime and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and to take immediate steps to incorporate provisions of the Protocol into domestic legal systems;

7. *Also calls upon* Governments, with a view to enhancing regional and subregional cooperation to prevent and combat trafficking in persons, to take appropriate measures, inter alia:

(a) To promote the implementation of legally binding international instruments on combating trafficking in persons, including the Protocol to Prevent, Suppress and Punish



Trafficking in Persons, Especially Women and Children and, in particular, to promote the criminalization of all forms of trafficking as defined therein;

(b) To promote a coordinated and comprehensive approach to preventing and combating human trafficking through, inter alia, the development of regional initiatives or plans of action based on relevant international instruments, such as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and integrating a human rights-based approach to combating trafficking;

(c) To promote the provision of gender- and age-sensitive responses which adequately address the needs of women, children and men as victims, in full respect of their human rights, in order to enhance the level of protection, assistance and recovery, with special attention to the identification of victims and their access to shelter, medical and psychosocial assistance, and rehabilitation in line with relevant international instruments, and to cooperate in this regard with intergovernmental and non-governmental organizations as appropriate;

(d) To promote an effective prosecutorial and judicial response with a victim-oriented approach providing for access to effective legal remedies and, as appropriate, compensation as well as measures of protection for witnesses;

(e) To facilitate the establishment of a strong regional network of counter-trafficking practitioners to promote cross-border cooperation, inter alia, through the organization of regular regional training and workshops for law-enforcement and immigration officials and members of Governments and diplomatic and consular personnel, as well as relevant stakeholders providing assistance to victims of trafficking;

(f) To support the adoption or strengthening of legislative or other measures to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking in persons, including the demand created by sex tourism, especially in children, and forced labour, and the enhancement in this regard of preventive measures, including legislative measures, to deter exploiters of trafficked persons and ensure their accountability;

(g) To support the adoption or strengthening of measures to alleviate the factors that make persons vulnerable to trafficking, such as poverty, underdevelopment, lack of opportunity, gender inequality and discrimination;

(h) To develop and implement, in partnership with international organizations, civil society and the media, information campaigns for the general public, including children, aimed at promoting awareness of the dangers associated with all forms of trafficking and educating them on their human rights, gender equality, self-respect and mutual respect;

(i) To share good practices on the integration of a human rights-based approach into anti-trafficking policies and programmes of action, and to identify lessons learned and address obstacles to effective responses to human trafficking;

(j) To establish or improve mechanisms for data collection and information exchange as a way of promoting cooperation to combat trafficking in persons, including through the systematic collection of sex- and age-disaggregated data while protecting the private life and identity of victims;

8. *Encourages* Governments to support cooperation and the exchange of information and expertise between regions and subregions;

9. *Calls upon* all Governments to continue to cooperate with the Special Rapporteur on trafficking in persons, especially women and children, and to consider responding favourably to requests to visit their countries and to provide all necessary

information related to the mandate to enable the mandate holder to fulfil the duties of the mandate effectively;

10. *Requests* the Office of the High Commissioner to continue and strengthen its activities, including technical assistance and capacity-building, devoted to combating trafficking in persons in coordination with relevant international agencies;

11. *Also requests* the Office of the High Commissioner to promote at the regional and subregional levels the Recommended Principles and Guidelines on Human Rights and Human Trafficking developed by the Office;

12. *Requests* the Secretary-General to provide the Office of the High Commissioner with sufficient resources to fulfil its mandate in relation to combating trafficking in persons, especially women and children;

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

*34th meeting  
17 June 2010*

[Adopted without a vote.]

## **14/3**

### **Promotion of the right of peoples to peace**

*The Human Rights Council,*

*Recalling* all previous resolutions on the promotion of the right of peoples to peace adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council,

*Recalling also* General Assembly resolution 39/11 of 12 November 1984 entitled “Declaration of the Right of Peoples to Peace” and the United Nations Millennium Declaration,

*Determined* to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

*Recalling* the Declaration and Programme of Action on a Culture of Peace, adopted by the General Assembly in its resolution 53/243 of 13 September 1999, as well as Assembly resolution 53/25 of 10 November 1998, in which the Assembly proclaimed the period 2001–2010 as the International Decade for a Culture of Peace and Non-Violence for the Children of the World,

*Bearing in mind* that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and to promote and encourage respect for human rights and fundamental freedoms for all without distinction of race, sex, language or religion,

*Underlining*, in accordance with the purposes and principles of the United Nations, its full and active support for the Organization and the enhancement of its role and effectiveness in strengthening international peace, security and justice and in promoting the solution of international problems and the development of friendly relations and cooperation among States,

*Reaffirming* the obligation of all States to settle their international disputes by peaceful means in such a manner that international peace, security, human rights and justice are not endangered,

*Emphasizing* its objective of promoting better relations among all States and contributing to creating conditions in which their people can live in true and lasting peace, free from any threat to or attack against their security,

*Reaffirming* the obligation of all States to refrain, in their international relations, from the threat or use of force against the territorial integrity or political independence of any State, or from acting in any other manner inconsistent with the purposes of the United Nations,

*Reaffirming* its commitment to peace, security and justice, respect for human rights and the continuing development of friendly relations and cooperation among States,

*Rejecting* the use of violence in the pursuit of political aims, and stressing that only peaceful political solutions can assure a stable and democratic future for all peoples around the world,

*Reaffirming* the importance of ensuring respect for the purposes and principles of the Charter and international law, including sovereignty, territorial integrity and the political independence of States,

*Reaffirming also* that all peoples have the right to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

*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,

*Recognizing* that peace and security, development and human rights are mutually interlinked and reinforcing,

*Affirming* that human rights include social, economic and cultural rights and the right to peace, a healthy environment and development, and that development is, in fact, the realization of these rights,

*Underlining* that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental rights, is contrary to the Charter and an impediment to the promotion of world peace and cooperation,

*Recalling* 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,

*Convinced* of the aim of creating conditions of stability and well-being, which are necessary for peaceful and friendly relations among nations based on respect for the principle of the equal rights and self-determination of peoples,

*Convinced also* that life without war is the primary international prerequisite for the material well-being, development and progress of countries and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations,

*Convinced further* that international cooperation in the field of human rights contributes to the creation of an international environment of peace and stability,

*Welcoming* the important work being carried out by civil society organizations for the promotion of the right of peoples to peace and the codification of that right,

1. *Reaffirms* that the peoples of our planet have a sacred right to peace;
2. *Also reaffirms* that the preservation of the right of peoples to peace and the promotion of its implementation constitute a fundamental obligation of all States;

3. *Stresses* the importance of peace for the promotion and protection of all human rights for all;
4. *Also stresses* that the deep fault line that divides human society between the rich and the poor and the ever-increasing gap between the developed world and the developing world pose a major threat to global prosperity, peace, human rights, security and stability;
5. *Further stresses* that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being;
6. *Emphasizes* that ensuring the exercise of the right of peoples to peace and its promotion demands that the policies of States be directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations;
7. *Affirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and an international system based on respect for the principles enshrined in the Charter and the promotion of all human rights and fundamental freedoms, including the right to development and the right of peoples to self-determination;
8. *Urges* all States to respect and to put into practice the principles and purposes of the Charter in their relations with all other States, irrespective of their political, economic or social systems or of their size, geographical location or level of economic development;
9. *Reaffirms* the duty of all States, in accordance with the principles of the Charter, to use peaceful means to settle any dispute to which they are parties and the continuance of which is likely to endanger the maintenance of international peace and security, and encourages States to settle their disputes as early as possible, as an important contribution to the promotion and protection of all human rights of everyone and all peoples;
10. *Underlines* the vital importance of education for peace as a tool to foster the realization of the right of peoples to peace, and encourages States, United Nations specialized agencies and intergovernmental and non-governmental organizations to contribute actively to this endeavour;
11. *Calls upon* States and relevant United Nations bodies to promote the effective implementation of the Declaration and Programme on a Culture of Peace;
12. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;
13. *Welcomes* the holding of the workshop on the right of peoples to peace in Geneva on 15 and 16 December 2009, with the participation of experts from all regions of the world;
14. *Takes note with satisfaction* of the report of the Office of the United Nations High Commissioner for Human Rights on the workshop (A/HRC/14/38);
15. *Supports* the need to further promote the realization of the right of peoples to peace and in that regard requests the Advisory Committee, in consultation with Member States, civil society, academia and all relevant stakeholders, to prepare a draft declaration on the right of peoples to peace, and to report on the progress thereon to the Council at its seventeenth session;

16. *Decides* to continue considering the issue in 2011 under the same agenda item.

*34th meeting  
17 June 2010*

[Adopted by a recorded vote of 31 to 14, with 1 abstention. The voting was as follows:

*In favour:*

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

*Against:*

Belgium, Bosnia and Herzegovina, France, Hungary, Italy, Japan, Netherlands, Norway, Republic of Korea, Slovakia, Slovenia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

India]

#### **14/4**

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

*The Human Rights Council,*

*Guided* by the Charter of the United Nations, the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action and other relevant international human rights instruments,

*Reaffirming* all resolutions and decisions adopted by the Commission on Human Rights on the effects of structural adjustment and economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights, including Commission resolutions 1998/24 of 17 April 1998, 1999/22 of 23 April 1999, 2000/82 of 26 April 2000, 2004/18 of 16 April 2004 and 2005/19 of 14 April 2005, as well as Council resolutions 7/4 of 27 March 2008 and 11/5 of 17 June 2009,

*Reaffirming also* its resolution S-10/1 of 23 February 2009 on the impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights,

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

*Stressing* that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character,

*Emphasizing* that the World Conference on Human Rights agreed to call upon the international community to make all efforts to help to alleviate the external debt burden of developing countries in order to supplement the efforts of the Governments of such countries to attain the full realization of the economic, social and cultural rights of their people,

*Stressing* the determination expressed in the United Nations Millennium Declaration to deal comprehensively and effectively with the debt problems of low- and middle-income developing countries through various national and international measures designed to make their debt sustainable in the long term,

*Noting with concern* that the total external debt of low- and middle-income countries had risen to 2,983 billion United States dollars by 2006, from 1,951 billion dollars in 1995, and that, by 2007, the total debt service payments of developing countries had risen to 523 billion dollars, from 220 billion dollars in 1995,

*Acknowledging* that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries, in particular the least developed countries, is unsustainable and constitutes one of the principal obstacles to achieving progress in people-centred sustainable development and poverty eradication and that, for many developing countries and countries with economies in transition, excessive debt servicing has severely constrained their capacity to promote social development and to provide basic services to realize economic, social and cultural rights,

*Expressing its concern* that, despite repeated rescheduling of debt, developing countries continue to pay out more each year than the actual amount they receive in official development assistance,

*Affirming* that debt burden further complicates the numerous problems facing developing countries, contributes to extreme poverty and is an obstacle to sustainable human development, and is thus a serious impediment to the realization of all human rights,

1. *Welcomes* the report of the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights (A/HRC/14/21 and Add.1);

2. *Recalls* the proposed elements for a conceptual framework for understanding the relationship between foreign debt and human rights, and encourages the independent expert to continue to develop them with a view to addressing the debt crisis in a just, equitable and sustainable manner;

3. *Welcomes* the areas of focus identified by the independent expert for the period 2009–2010, in particular the development of the draft general guidelines on foreign debt and human rights and the issue of illegitimate debt, and in that regard requests the Office of the United Nations High Commissioner for Human Rights to continue to assist the independent expert in the organization and holding of regional consultations on these issues, including through the allocation of sufficient budgetary resources;

4. *Also welcomes* the convening of regional consultations on the draft general guidelines on foreign debt and human rights, in June 2010 and March 2011, to obtain views on the form and content of the guidelines with a view to improving them, and encourages the widest possible participation of States and stakeholders from the public sector, the private sector, civil society and academia;

5. *Recalls* that every State has the primary responsibility to promote the economic, social and cultural development of its people and, to that end, has the right and responsibility to choose its means and goals of development and should not be subject to external specific prescriptions for economic policy;

6. *Recognizes* that structural-adjustment reform programmes limit public expenditure, impose fixed expenditure ceilings and give inadequate attention to the provision of social services, and that only a few countries manage to achieve sustainable higher growth under these programmes;

7. *Reaffirms* that the current global financial and economic crises should not result in a decrease in debt relief, nor should they be used as an excuse to stop debt relief measures, as that would have negative implications for the enjoyment of human rights in affected countries;

8. *Expresses its concern* that the level of implementation and the reduction of overall debt stock under the enhanced Heavily Indebted Poor Countries Initiative are still low, and that the Initiative is not intended to offer a comprehensive solution to the long-term debt burden;

9. *Reiterates* its conviction that, for heavily indebted poor countries to achieve debt sustainability, long-term growth and poverty reduction goals, the debt relief under the above-mentioned Initiative will not be sufficient and that additional resource transfers, in the form of grants and concessional loans and the removal of trade barriers and better prices for their exports, would be required to ensure sustainability and permanent exit from debt overhang;

10. *Regrets* the absence of mechanisms to find appropriate solutions to the unsustainable foreign debt burden of middle- and low-income heavily indebted countries, and that, to date, little headway has been made in redressing the unfairness of the current system of debt resolution, which continues to place the interests of the lenders above those of indebted countries and the poor in those countries, and therefore calls for an intensification of efforts to devise effective and equitable mechanisms to cancel or reduce substantially the foreign debt burden of all developing countries, in particular those severely affected by the devastation of natural disasters, such as tsunamis and hurricanes, and by armed conflicts;

11. *Affirms* that, from a human rights perspective, the settlement of excessive vulture funds has a direct negative effect on the capacity of Governments to fulfil their human rights obligations, especially with regard to economic, social and cultural rights;

12. *Also affirms* that the activities of vulture funds highlight some of the problems in the global financial system and are indicative of the unjust nature of the current system, and calls upon States to take measures to combat those vulture funds;

13. *Acknowledges* that, in least developed countries and in several low- and middle-income countries, unsustainable levels of external debt continue to create a considerable barrier to economic and social development and increase the risk that the Millennium Development Goals for development and poverty reduction will not be attained;

14. *Recognizes* that debt relief can play a key role in liberating resources that should be directed towards activities consistent with attaining sustainable growth and development, including poverty reduction and the achievement of the development goals, including those set out in the United Nations Millennium Declaration, and therefore that debt relief measures, where appropriate, should be pursued vigorously and expeditiously, ensuring that they do not replace alternative sources of financing and that they are accompanied by an increase in official development assistance;

15. *Recalls once again* the call on industrialized countries, as expressed in the Millennium Declaration, to implement the enhanced programme of debt relief for the heavily indebted poor countries without further delay and to agree to cancel all official bilateral debts of those countries in return for their making demonstrable commitments to poverty reduction;

16. *Urges* the international community, including the United Nations system, the Bretton Woods institutions and the private sector, to take appropriate measures and actions for the implementation of the pledges, commitments, agreements and decisions of the major

United Nations conferences and summits, including the Millennium Summit, the World Conference on Human Rights, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the World Conference on Sustainable Development and the International Conference on Financing for Development, in particular those relating to the question of the external debt problem of developing countries, in particular of heavily indebted poor countries, least developed countries and countries with economies in transition;

17. *Recalls* the pledge contained in the Political Declaration annexed to General Assembly resolution S-24/2, adopted on 1 July 2000 by the Assembly, to find effective, equitable, development-oriented and durable solutions to the external debt and debt servicing burdens of developing countries;

18. *Stresses* the need for the economic reform programmes arising from foreign debt to be country-driven and for any negotiations and conclusion of debt relief and new loan agreements to be formulated with public knowledge and transparency, with legislative frameworks, institutional arrangements and mechanisms for consultation being established to ensure the effective participation of all components of society, including people's legislative bodies and human rights institutions, and particularly of the most vulnerable or disadvantaged, in the design, application and evaluation of strategies, policies and programmes, as well as in the follow-up to and systematic national supervision of their implementation, and for macroeconomic and financial policy issues to be integrated, on an equal footing and in a consistent way, in the realization of broader social development goals, taking into account the national context and the priorities and needs of the debtor countries to allocate resources in a way that ensures balanced development conducive to the overall realization of human rights;

19. *Also stresses* that the economic reform programmes arising from foreign debt should maximize the policy space of developing countries in pursuing their national development efforts, taking into account the views of relevant stakeholders in a way that ensures balanced development conducive to the overall realization of all human rights;

20. *Further stresses* that the economic programmes arising from foreign debt relief and cancellation must not reproduce past structural adjustment policies that have not worked, such as dogmatic demands for privatization and reduced public services;

21. *Calls upon* States, the International Monetary Fund and the World Bank to continue to cooperate closely to ensure that additional resources made available through the Heavily Indebted Poor Countries Initiative, the Global Fund to Fight AIDS, Tuberculosis and Malaria and other new initiatives are absorbed in the recipient countries without affecting ongoing programmes;

22. *Calls upon* creditors, particularly international financial institutions, and debtors alike to consider the preparation of human rights impact assessments with regard to development projects, loan agreements or Poverty Reduction Strategy Papers;

23. *Reaffirms* that the exercise of the basic rights of the people of debtor countries to food, housing, clothing, employment, education, health services and a healthy environment cannot be subordinated to the implementation of structural adjustment policies, growth programmes and economic reforms arising from the debt;

24. *Urges* States, international financial institutions and the private sector to take urgent measures to alleviate the debt problem of those developing countries particularly affected by HIV/AIDS, so that more financial resources can be released and used for health care, research and treatment of the population in the affected countries;

25. *Reiterates* its view that, in order to find a durable solution to the debt problem and for the consideration of any new debt resolution mechanism, there is a need



for a broad political dialogue between creditor and debtor countries and the multilateral financial institutions, within the United Nations system, based on the principle of shared interests and responsibilities;

26. *Also reiterates* its request to the United Nations High Commissioner for Human Rights to pay more attention to the problem of the debt burden of developing countries, in particular of least developed countries, and especially the social impact of the measures arising from foreign debt;

27. *Requests* the independent expert to continue to explore the interlinkages with trade and other issues, including HIV/AIDS, when examining the impact of structural adjustment and foreign debt, and also to contribute, as appropriate, to the process entrusted with the follow-up to the International Conference on Financing for Development, with a view to bringing to its attention the issue of the effects of structural adjustment and foreign debt on the enjoyment of human rights, particularly economic, social and cultural rights;

28. *Also requests* the independent expert to continue to seek the views and suggestions of States, international organizations, United Nations agencies, funds and programmes, regional economic commissions, international and regional financial institutions and non-governmental organizations on the draft general guidelines and his proposal of possible elements for consideration, and urges them to respond to his requests;

29. *Encourages* the independent expert to continue to cooperate, in accordance with his mandate, with the Committee on Economic, Social and Cultural Rights, special rapporteurs, independent experts and members of the expert working groups of the Council and its Advisory Committee on issues relating to economic, social and cultural rights and the right to development in his work towards the elaboration of the draft general guidelines;

30. *Requests* the independent expert to report to the General Assembly on the issue of the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights;

31. *Requests* the Secretary-General to provide the independent expert with all necessary assistance, in particular all the staff and resources required to carry out his functions;

32. *Urges* Governments, international organizations, international financial institutions, non-governmental organizations and the private sector to cooperate fully with the independent expert in the discharge of his mandate;

33. *Requests* the independent expert to submit an analytical report on the implementation of the present resolution to the Council in 2011 in accordance with its annual programme of work, and to submit a progress report thereon to the General Assembly at its sixty-fifth session;

34. *Decides* to continue the consideration of this matter at its seventeenth session under the same agenda item.

*34th meeting  
17 June 2010*

[Adopted by a recorded vote of 31 to 13, with 3 abstentions. The voting was as follows:

*In favour:*

Angola, Argentina, Bahrain, Bangladesh, Bolivia (Plurinational State of), Brazil, Burkina Faso, Cameroon, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Kyrgyzstan, Madagascar, Mauritius,

Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Uruguay, Zambia

*Against:*

Belgium, Bosnia and Herzegovina, France, Hungary, Italy, Japan, Netherlands, Republic of Korea, Slovakia, Slovenia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Chile, Mexico, Norway]

## 14/5

### **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 Council,

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

1. *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;

2. *Stresses* that States should promote supportive and enabling environments for the prevention of human rights violations;

3. *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 national human rights institutions, where they exist, as necessary, to enable them to fulfil this role effectively in accordance with the Paris Principles;

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

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

6. *Requests* the Office of the United Nations High Commissioner for Human Rights to consult States, national human rights institutions, civil society and other relevant stakeholders, using a questionnaire format, on the conceptual and practical dimensions of prevention with regard to the promotion and protection of human rights, and to compile and publish the responses on the website of the Office;

7. *Also requests* the Office of the High Commissioner to convene a workshop, within existing resources, based on the above-mentioned consultations, on the role of prevention in the promotion and protection of human rights, with a view to contributing to further discussion on the issue, and to present a summary of the workshop proceedings to the Council at its eighteenth session;

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

34th meeting  
17 June 2010

[Adopted without a vote.]

## **14/6 Mandate of the Special Rapporteur on the human rights of internally displaced persons**

*The Human Rights Council,*

*Recalling* all previous resolutions on internally displaced persons adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, including Assembly resolution 64/162 of 18 December 2009 and Council resolution 6/32 of 14 December 2007,

*Recalling also* General Assembly resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations and the Guiding Principles annexed thereto,

*Recalling further* Council resolutions 5/1, on the institution-building of the United Nations 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/her duties in accordance with those resolutions and the annexes thereto,

*Emphasizing* that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address the root causes of the displacement problem in appropriate cooperation with the international community,

*Welcoming* the adoption, on 22 October 2009, of the African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa, which marks a significant step towards strengthening the national and regional normative framework for the protection of and assistance to internally displaced persons,

1. *Commends* the Representative of the Secretary-General on the human rights of internally displaced persons for the activities undertaken to date, the catalytic role that he has played in raising the level of awareness of the plight of internally displaced persons, and his ongoing efforts to address their development and other specific needs, including through the mainstreaming of the human rights of internally displaced persons into all relevant parts of the United Nations system;

2. *Takes note* of the report of the Representative of the Secretary-General on the human rights of internally displaced persons submitted to the Council at its thirteenth session (A/HRC/13/21);

3. *Expresses its appreciation* to the Representative of the Secretary-General for his work on offering practical solutions for the challenges of internal displacement, and

encourages all relevant actors to consider making use of it, including when planning for and implementing programmes to support durable solutions;

4. *Also expresses its appreciation* to those Governments and intergovernmental and non-governmental organizations that have provided protection and assistance to internally displaced persons and have supported the work of the Representative of the Secretary-General;

5. *Expresses concern* at the persistent problems of large numbers of internally displaced persons worldwide, in particular the risk of extreme poverty and socio-economic exclusion, their limited access to humanitarian assistance, vulnerability to human rights violations and difficulties resulting from their specific situation, such as lack of food, medication or shelter, and issues pertinent during their reintegration, including, in appropriate cases, the need for the restitution of or compensation for property;

6. *Also expresses concern* at the problem of protracted internal displacement and recognizes the need to find durable solutions;

7. *Expresses particular concern* at the grave problems faced by many internally displaced women and children, including violence and abuse, sexual and labour exploitation, trafficking in persons, forced recruitment and abduction, and notes the need to continue to pay more systematic and in-depth attention to their special assistance, protection and development needs, as well as those of other groups with special needs, such as older persons, persons with disabilities and severely traumatized individuals affected by internal displacement, taking into account the relevant resolutions of the General Assembly;

8. *Expresses concern* at internal displacement caused by natural disasters, exacerbated by the expected effects of climate change and by poverty, and recognizes the need for a human rights-based approach to early warning, disaster contingency planning, disaster management and mitigation, as well as efforts to find durable solutions;

9. *Recognizes* the Guiding Principles on Internal Displacement as an important international framework for the protection of internally displaced persons, and encourages Member States and humanitarian agencies to continue to work together in endeavours to provide a more predictable response to the needs of internally displaced persons and, in this regard, calls for international support, upon request, for the capacity-building efforts of States;

10. *Calls upon* States to provide durable solutions, and encourages strengthened international cooperation, including through the provision of resources and expertise to assist affected countries, and in particular developing countries, in their national efforts and policies related to assistance, protection and rehabilitation for internally displaced persons;

11. *Decides* to extend the mandate of the special procedure on the human rights of internally displaced persons as a special rapporteur for a period of three years:

(a) To address the complex problem of internal displacement, in particular by mainstreaming human rights of the internally displaced into all relevant parts of the United Nations system;

(b) To work towards strengthening the international response to the complex problem of situations of internal displacement and engage in coordinated international advocacy and action for improving protection and respect of the human rights of the internally displaced, while continuing and enhancing dialogue with Governments, nongovernmental organizations and other relevant actors;

12. *Requests* the Special Rapporteur on the human rights of internally displaced persons, in carrying out his or her mandate:

(a) To continue, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, the analysis of the reasons for internal displacement, the needs and human rights of those displaced, measures of prevention and ways to strengthen protection, and assistance and durable solutions for internally displaced persons, taking into account specific situations and relevant information, including, in particular, national data and statistics, and to include information thereon in his or her reports submitted to the Council;

(b) To continue, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, his or her efforts to promote comprehensive strategies and support that focus on the prevention of displacement, better protection and assistance and durable solutions for those displaced, taking into account the primary responsibility of States within their jurisdiction in this regard;

(c) To continue to use the Guiding Principles on Internal Displacement in his or her dialogue with Governments, intergovernmental and non-governmental organizations and other relevant actors, and to continue his or her efforts to further the dissemination, promotion and application of the Guiding Principles and to provide support for efforts to promote capacity-building and the use of the Guiding Principles, as well as the development of domestic legislation and policies;

(d) To integrate a gender perspective throughout the work of the mandate, and to give special consideration to the human rights of internally displaced women and children, as well as of other groups with special needs, such as older persons, persons with disabilities and severely traumatized individuals affected by internal displacement, and their particular assistance, protection and development needs;

(e) To continue his or her efforts to promote, where appropriate, the consideration of the human rights and the specific protection and assistance needs of internally displaced persons in peace processes, peace agreements and reintegration and rehabilitation processes;

(f) To continue to pay attention to the role of the international community in assisting affected States, upon request, in meeting the protection and assistance needs of internally displaced persons, including in implementing national strategies, and to incorporate in his or her advocacy activities an emphasis on the mobilization of adequate resources in response to the needs of affected countries;

(g) To continue, through continuous dialogue with Governments and the intergovernmental and non-governmental organizations concerned, his or her efforts to promote the protection of human rights of internally displaced persons in the context of natural disasters;

(h) To strengthen further the cooperation established between the Representative of the Secretary-General and the United Nations, including in the framework of the Peacebuilding Commission, as well as other international and regional organizations, in particular his or her participation in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

13. *Strongly encourages* all Governments, in particular Governments of countries with situations of internal displacement, to facilitate United Nations activities addressing the protection, assistance and development needs of internally displaced persons, and to respond favourably to requests by the Special Rapporteur for visits and information, and urges Governments and the relevant bodies of the United Nations system, also at the

country level, to follow up effectively, where appropriate, on recommendations of the mandate holder and to make available information on measures taken in this regard;

14. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, mandate holders, interested institutions and independent experts, and non-governmental organizations to develop regular dialogue and cooperation with the Special Rapporteur in the fulfilment of his or her mandate;

15. *Encourages* all relevant United Nations organizations and humanitarian assistance, human rights and development organizations to enhance their collaboration and coordination, through the Inter-Agency Standing Committee and United Nations country teams in countries with situations of internal displacement, to provide all possible assistance and support to the Special Rapporteur, and requests the continued participation of the Special Rapporteur in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

16. *Requests* the Secretary-General and the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the assistance and adequate staffing necessary to carry out his or her mandate effectively, and to ensure that the mechanism works in close cooperation with the Emergency Relief Coordinator, with the continued support of the Office for the Coordination of Humanitarian Affairs and the United Nations High Commissioner for Refugees;

17. *Invites* the Special Rapporteur to continue to submit annual reports on the implementation of his or her mandate to the Council and the General Assembly, making suggestions and recommendations regarding the human rights of internally displaced persons, including on the impact of measures taken at the inter-agency level;

18. *Decides* to continue its consideration of the question of the human rights of internally displaced persons in conformity with its annual programme of work.

34th meeting  
17 June 2010

[Adopted without a vote.]

## 14/7

### **Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims**

*The Human Rights Council,*

*Guided* by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and other relevant instruments of international human rights law and international humanitarian law, as well as the Vienna Declaration and Programme of Action,

*Recognizing* the universality, indivisibility, interdependence and interrelatedness of civil, political, economic, social and cultural rights,

*Recalling* articles 32 and 33 of Additional Protocol I to the Geneva Conventions of 12 August 1949 and article 24, paragraph 2, of 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,

*Taking into account* the right to the truth as defined in Commission on Human Rights resolution 2005/66 of 20 April 2005, and Council decision 2/105 of 27 November

2006 and resolutions 9/11 of 24 September 2008 and 12/12 of 1 October 2009 on the right to the truth,

*Acknowledging* the reports of the Office of the United Nations High Commissioner for Human Rights and the significant conclusions therein related to the right to the truth (E/CN.4/2006/91, A/HRC/5/7 and A/HRC/12/19),

*Recognizing* the importance of promoting the memory of victims of gross and systematic human rights violations and the importance of the right to truth and justice,

*Acknowledging*, at the same time, the significance of paying tribute to those who have devoted their lives to, and lost their lives in, the struggle to promote and protect human rights for all,

*Recognizing in particular* the important and valuable work of Monsignor Oscar Arnulfo Romero, of El Salvador, who was actively engaged in the promotion and protection of human rights in his country, and whose work was acknowledged internationally through his messages, in which he denounced violations of the human rights of the most vulnerable populations,

*Recognizing* the values of Monsignor Romero and his dedication to the service of humanity, in the context of armed conflicts, as a humanist dedicated to defending human rights, protecting lives and promoting human dignity, his constant calls to dialogue and his opposition to all forms of violence to avoid armed confrontation, which consequently led to his death on 24 March 1980,

1. *Recommends* that the General Assembly proclaim 24 March the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims;

2. *Invites* all Member States, organizations of the United Nations system and other international organizations, and civil society entities, including non-governmental organizations and individuals, to observe the International Day in an appropriate manner;

3. *Requests* the Secretary-General to bring the present resolution to the attention of all States Members of the United Nations.

*34th meeting  
17 June 2010*

[Adopted without a vote.]

## **14/8**

### **Regional cooperation for the promotion and protection of human rights in the Asia-Pacific region**

*The Human Rights Council,*

*Recalling* resolution 1993/51 of 9 March 1993 of the Commission on Human Rights and its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

*Recalling also* Council decision 3/102 of 8 December 2006, as well as its resolutions 6/25 of 28 September 2007 and 12/15 of 1 October 2009,

*Noting with appreciation* the commitment of States in the Asia-Pacific region to developing and strengthening national capacities for the promotion and protection of human rights, in accordance with the Tehran Framework of Regional Technical Cooperation Programme for Asia and the Pacific,

*Welcoming* the efforts of the Office of the United Nations High Commissioner for Human Rights to develop partnerships for the implementation of its activities to enhance national capacities of States in the region to promote and protect human rights,

*Welcoming* the Bali Action Points concluded at the fourteenth Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, held from 10 to 12 July 2007, which served as a basis to reflect on the progress and achievements made under the Asia-Pacific Framework, including the four Tehran pillars, and to define further priorities for regional cooperation for the promotion and protection of human rights,

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

*Welcoming* the establishment of the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights, and encouraging it to play an active role in the promotion and protection of human rights in the South-East Asian region,

*Welcoming also* the convening of the fifteenth annual workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific region, held in Bangkok from 21 to 23 April 2010, and the adoption of the Bangkok Action Points,

1. *Requests* the United Nations High Commissioner for Human Rights to prepare a report containing the conclusions of the fifteenth annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific region, and to submit it to the Council for its consideration at its fifteenth session;

2. *Decides* to convene the next session of the Workshop in Maldives in 2012.

*34th meeting  
17 June 2010*

[Adopted without a vote.]

## **14/9**

### **Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity**

*The Human Rights Council,*

*Guided* by the purposes and principles of the Charter of the United Nations,

*Recalling* the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Vienna Declaration and Programme of Action and all other relevant human rights instruments,

*Recalling also* all relevant resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, including Assembly resolutions 64/81 of 7 December 2009 and 64/174 of 18 December 2009, and Council resolution 10/23 of 26 March 2009, by which it established, for a period of three years, a special procedure entitled “independent expert in the field of cultural rights”,

*Taking note* of the declarations within the United Nations system on cultural diversity and international cultural cooperation, in particular the Declaration of the Principles of International Cultural Cooperation and the Universal Declaration on Cultural



Diversity adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 4 November 1966 and 2 November 2001 respectively,

*Taking note with appreciation* of general comment No. 21 on the right of everyone to take part in cultural life, adopted by the Committee on Economic, Social and Cultural Rights on 13 November 2009,

*Noting with appreciation* the increasing number of parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 20 October 2005, which entered into force on 18 March 2007,

*Welcoming* the holding of the seminar on the theme “Implementing cultural rights: nature, issues at stake and challenges” in Geneva on 1 and 2 February 2010,

*Convinced* that international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all should be based on an understanding of the economic, social and cultural specificities of each country, the full realization and recognition of the universality of all human rights and the principles of freedom, justice, equality and non-discrimination,

*Recognizing* that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

*Determined* to treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

1. *Reaffirms* that cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent;

2. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

3. *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 the States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

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

5. *Reaffirms* that States have the responsibility to promote and protect cultural rights and that these rights should be guaranteed for all without discrimination;

6. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural heritage and cultural background, advancing the application and enjoyment of human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

7. *Also recognizes* that respect for cultural rights is essential for development, peace and the eradication of poverty, building social cohesion, and for the promotion of mutual respect, tolerance and understanding between individuals and groups, in all their diversity;

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

9. *Takes note with appreciation* of the first report of the independent expert in the field of cultural rights (A/HRC/14/36), including the identification of areas of concern and priority;

10. *Reiterates its call upon* all Governments to cooperate with and assist the independent expert in the discharge of her mandate, to provide her with all the necessary information requested by her and to give serious consideration to responding favourably to her requests to visit their countries in order to enable her to fulfil her duties effectively;

11. *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;

12. *Requests* the independent expert to present her next report to the Council at its seventeenth session, and decides to consider the report under the same agenda item in accordance with its programme of work.

*35th meeting  
18 June 2010*

[Adopted without a vote.]

## **14/10 Enforced or involuntary disappearances**

*The Human Rights Council,*

*Reaffirming* the relevant articles of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which protect the right to life, liberty and security of person, the right not to be subjected to torture and the right to recognition as a person before the law,

*Recalling* Commission on Human Rights resolution 20 (XXXVI) of 29 February 1980, in which the Commission established a working group to examine questions relevant to enforced or involuntary disappearances,

*Recalling also* all previous resolutions on enforced or involuntary disappearances of the Council, the Commission on Human Rights and the General Assembly, the most recent being Council resolution 10/10 of 26 March 2009 and Assembly resolution 64/167 of 18 December 2009,

*Recalling further* General Assembly resolution 47/133 of 18 December 1992, in which the Assembly adopted the Declaration on the Protection of All Persons from Enforced Disappearance,

*Acknowledging* the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance by the General Assembly in its resolution 61/177 of 20 December 2006, and recognizing that the entry into force of the Convention as soon as possible through its ratification by twenty States, and its implementation, will be a significant contribution to ending impunity and to the promotion and protection of all human rights for all,

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

*Deeply concerned* by the high number of cases of enforced or involuntary disappearance around the world, including arrest, detention and abduction, when these are part of or amount to enforced disappearances, and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

*Recalling* the importance of the right of victims to the truth as defined in Council resolution 12/12 of 1 October 2009,

*Recalling also* that no one shall be held in secret detention,

*Recognizing* that enforced disappearance has special consequences for vulnerable groups, especially women and children, as they most often bear the serious economic hardships which usually accompany a disappearance and, when they are subjected to disappearance themselves, they may become particularly vulnerable to sexual and other forms of violence,

*Acknowledging* that acts of enforced disappearance may amount to crimes against humanity as defined in the Rome Statute of the International Criminal Court,

*Recalling* the Set of Principles for the protection and promotion of human rights through action to combat impunity (E/CN.4/Sub.2/1997/20/Rev.1, annex II), and taking note with appreciation of the updated version of those principles (E/CN.4/2005/102/Add.1),

*Commemorating* the thirtieth anniversary of the establishment of the Working Group on Enforced or Involuntary Disappearances, and taking this opportunity to raise awareness about enforced disappearance and to call for the prevention and eradication of this crime,

1. *Takes note* of the most recent report submitted by the Working Group on Enforced or Involuntary Disappearances (A/HRC/13/31 and Corr.1) and of the comments and recommendations contained therein;

2. *Calls upon* the Governments that have not provided substantive replies concerning allegations of enforced disappearances in their countries to do so and to give due consideration to relevant recommendations concerning this subject made by the Working Group in its reports;

3. *Calls upon* Governments to offer support to all victims of enforced disappearances, especially women and children affected by this crime;

4. *Also calls upon* Governments to prevent the occurrence of enforced disappearances, including by ensuring that secret places of detention and interrogation are abolished;

5. *Urges* Governments to continue their efforts to elucidate the fate of disappeared persons and to ensure that competent authorities in charge of investigation and prosecution are provided with adequate means and resources to resolve cases and bring perpetrators to justice, including after considering the establishment, where appropriate, of specific judicial mechanisms or truth and reconciliation commissions that complement the justice system;

6. *Invites* the Working Group to provide the concerned State with relevant information, that is as detailed as possible, concerning allegations of enforced disappearances in order to facilitate a prompt and substantive response to these communications, without prejudice to the need for the concerned State to cooperate with the Working Group;

7. *Requests* the Secretary-General to ensure that the Working Group receives all the assistance and resources it requires to perform its mandate;

8. *Welcomes* the fact that 83 States have signed the International Convention for the Protection of All Persons from Enforced Disappearance and eighteen States have ratified or acceded to it, and calls upon States that have not yet done so to consider signing and ratifying the Convention as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances, with a view to its entry into force by September 2010;

9. *Invites* States to consider joining all efforts to share information on best practices and to work towards the early entry into force of the Convention with the aim of its universality;

10. *Requests* the Office of the United Nations High Commissioner for Human Rights to organize, within existing resources, a one-day event to commemorate the thirtieth anniversary of the Working Group;

11. *Encourages* the General Assembly to proclaim 30 August the International Day of the Victims of Enforced Disappearances;

12. *Requests* the Working Group to prepare a report for submission to the Human Rights Council at its sixteenth session on best practices on enforced disappearances in domestic criminal legislation based on inputs solicited from member States;

13. *Also requests* the Working Group to pay particular attention to the situation of women victims of enforced or involuntary disappearances through its activities;

14. *Decides* to continue consideration of the matter in conformity with its programme of work.

*35th meeting  
18 June 2010*

[Adopted without a vote.]

## **14/11**

### **Freedom of religion or belief: mandate of the Special Rapporteur on freedom of religion or belief**

*The Human Rights Council,*

*Recalling* General Assembly resolution 36/55 of 25 November 1981, in which the Assembly proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

*Recalling also* article 18 of the International Covenant on Civil and Political Rights, article 18 of the Universal Declaration of Human Rights, article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights and other relevant human rights provisions,

*Recalling further* its resolution 6/37 of 14 December 2007 and other resolutions on the elimination of all forms of intolerance and of discrimination based on religion or belief adopted by the General Assembly and the Commission on Human Rights,

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

1. *Condemns* all forms of intolerance and discrimination based on religion or belief, as well as violations of the freedom of thought, conscience, religion or belief;

2. *Stresses* that everyone has the right to freedom of thought, conscience and religion or belief, which includes the freedom to have or to adopt a religion or belief of one's choice and the freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance;

3. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audio-visual or electronic media or any other means;

4. *Emphasizes* that restrictions on the freedom to manifest one's religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, are non-discriminatory and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

5. *Calls upon* States to adopt measures and policies to promote respect for places of worship and religious sites;

6. *Expresses concern* at the continued existence of instances of religious intolerance, as well as at emerging obstacles to the enjoyment of the right to freedom of religion or belief, inter alia:

(a) Instances of intolerance and violence directed against members of many religious minorities and other communities in various parts of the world;

(b) Incidents of religious hatred, discrimination, intolerance and violence, which may be manifested by the derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief;

(c) Attacks on religious places, sites and shrines in violation of international law, in particular human rights and humanitarian law, as they have more than material significance on the dignity and lives of members of communities holding spiritual or religious beliefs;

(d) Instances, both in law and practice, that constitute violations of the fundamental right to freedom of religion or belief, including of the individual right to publicly express one's spiritual and religious beliefs, taking into account the relevant articles of the International Covenant on Civil and Political Rights, as well as other international instruments;

(e) Constitutional and legislative systems that fail to provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without distinction;

7. *Welcomes* the report presented by the Special Rapporteur on freedom of religion or belief (A/HRC/13/40);

8. *Also welcomes* the work of the Special Rapporteur, and concludes that there is a need for the continued contribution of the Special Rapporteur to the protection, promotion and universal implementation of the right to freedom of religion or belief;

9. *Decides* to extend the mandate of the Special Rapporteur for a further period of three years;

10. *Invites* the Special Rapporteur to take into account the content of all previous resolutions on freedom of religion or belief, in particular the concerns expressed in the present resolution, while discharging her or his mandate in accordance with paragraph 18 of Council resolution 6/37 and when reporting to the Council;

11. *Calls upon* the Special Rapporteur to work with mass-media organizations to promote an atmosphere of respect and tolerance for religious and cultural diversity, as well as multiculturalism;

12. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary resources to enable her or him to discharge her or his mandate fully;

13. *Urges* all Governments to cooperate fully with the Special Rapporteur and to respond favourably to her or his requests to visit their countries and to provide her or him with all necessary information to enable her or him to fulfil her or his mandate even more effectively;

14. *Requests* the Special Rapporteur to submit her or his reports to the Council in accordance with its annual programme of work, and the next annual report in 2011;

15. *Decides* to remain seized of this question under the same agenda item and to continue consideration of measures to implement the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

*36th meeting  
18 June 2010*

[Adopted without a vote.]

## **14/12**

### **Accelerating efforts to eliminate all forms of violence against women: ensuring due diligence in prevention**

*The Human Rights Council,*

*Reaffirming and building upon* its resolution 11/2 of 17 June 2009,

*Reaffirming* its resolution 7/24 of 28 March 2008 and all resolutions of the Commission on Human Rights on the elimination of violence against women, and recalling General Assembly resolution 64/137 of 18 December 2009 on the intensification of efforts to eliminate all forms of violence against women, and all other resolutions of the Assembly and the Commission on the Status of Women relevant to the elimination of all forms of violence against women, and Security Council resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008,

*Reaffirming also* the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, the Cairo Programme of Action, the outcome of the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”, and the declarations adopted at the forty-ninth and fifty-fourth sessions of the Commission on the Status of Women,

*Underscoring* the fact that the duty of States to exercise due diligence to prevent violence against women and girls includes using all appropriate means of a legal, political, administrative and social nature that promote the protection of human rights and ensuring that acts of violence are considered and treated as illegal acts for which adequate, effective, prompt and appropriate punishment and remedies are available,

*Recognizing* that power imbalances and structural inequality between men and women are among the root causes of violence against women, and that effective prevention of violence against women and girls requires action at all levels of government, the engagement of civil society, the involvement of men and boys and the adoption and implementation of multifaceted and comprehensive approaches that promote gender

equality and empowerment of women, and integrate awareness, education, training, political will, legislation, accountability, targeted policies and programmes, specific measures to reduce vulnerability, data collection and analysis, monitoring and evaluation, and protection, support and redress for victims,

*Recognizing also* that violence against women is one of the factors impeding progress towards meeting the Millennium Development Goals,

*Recognizing further* the importance of the full participation of women in the development of effective policies and programmes relating to the prevention of violence against women,

*Acknowledging* that confronting and changing the harmful attitudes, customs, practices and gender stereotypes that underlie and perpetuate violence against women are fundamental to ensuring effective prevention,

*Stressing* that the realization of all human rights by women and girls, such as those regarding education, access to health, economic participation, access to the labour market, conditions of work, disparities in salaries and compensation, public and political participation, access to decision-making processes, inheritance, financial services, including loans, nationality and legal capacity, ownership of land, property, housing, social security and cultural life, supported by appropriate responses dealing with legal literacy, skills training and access to productive resources, is a key factor in preventing violence against women and girls, and that, in many instances, the different treatment of women before the law has resulted in the lack of equal opportunities for them in these areas,

*Deeply concerned* that all forms of discrimination, including racism, racial discrimination, xenophobia and related intolerance and multiple or aggravated forms of discrimination and disadvantage, can lead to the targeting or vulnerability to violence of some women and girls, including women belonging to minority groups, indigenous women, refugee and internally displaced women, stateless women, migrant women, women living in rural or remote communities, women living in slums and informal settlements, women living in conditions of poverty, women in institutions or in detention, women with disabilities, elderly women, widows and women in all situations of armed conflict, women who face trafficking, sexual or labour exploitation, and women who are otherwise discriminated against, including on the basis of their HIV/AIDS status,

*Concerned* that the threat or risk of being exposed to violence may constitute a barrier to women and girls realizing their right to education,

*Alarmed* that, in situations of armed conflict, women are particularly exposed to various forms of violence, including sexual violence, and recognizing the need to intensify efforts to prevent such violence in accordance with international humanitarian law and human rights law,

1. *Stresses* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls, and must exercise due diligence to prevent, investigate, prosecute and punish the perpetrators of violence against women and girls and provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

2. *Calls upon* States to enact and, where necessary, reinforce or amend domestic legislation and take measures to enhance the protection of victims, to investigate, prosecute, punish and redress, including by ensuring access to adequate, effective, prompt and appropriate remedies, the wrongs done to women and girls subjected to any form of violence, whether in the home, the workplace, the community or society, in custody or in situations of armed conflict, to ensure that such legislation conforms with relevant international human rights instruments and international humanitarian law, to abolish

existing laws, regulations, customs and practices that constitute discrimination against women, and to remove gender bias in the administration of justice;

3. *Also calls upon* States to place a high priority on strengthening and implementing legal and policy measures that promote the full enjoyment by women and girls of all human rights, particularly those aimed at eliminating discrimination against women, promoting gender equality, empowering women and promoting their autonomy, including with regard to land, property, marriage and divorce, child custody and inheritance, and to promote equal access to literacy, education, skills training and employment opportunities, land, credit, agricultural extension, adequate housing, just and favourable conditions of work, and business and leadership skills training;

4. *Further calls upon* States to take all measures to empower women and strengthen their economic independence, including through their full participation in the development and implementation of socio-economic policies and poverty eradication strategies, and through recognition of the value of the unremunerated work by women to better protect themselves against violence and, in this regard, to give priority to and to promote their access, without discrimination, to education, training, economic opportunity and economic advancement;

5. *Urges* States to adopt and implement policies and programmes that enable women to avoid and escape situations of violence and prevent its recurrence, and that provide, inter alia, financial support and affordable access to safe housing or shelters, childcare and other social supports, legal assistance, skills training and productive resources, and to make these services accessible to women and girls with disabilities;

6. *Also urges* States to promote, at all levels, environments and communities that are safe for women and girls, and to support the efforts of civil society and other stakeholders towards this end, including by taking measures designed to enhance personal security and reduce the risk of violence in the community, in the home and in the workplace, in particular those that eliminate barriers to safe access to schools and other educational settings, drinking water sources and sanitation facilities, workplaces and livelihoods, and participation in the life of the community;

7. *Further urges* States to publicly condemn violence against women and provide visible and sustained leadership at the highest levels to prevent all forms of violence against women and girls, and, in particular, in efforts to confront the attitudes, customs, practices and gender stereotypes that lie at the core of discriminatory and harmful acts and practices that are violent towards women, such as female genital mutilation, forced and early marriage, femicide, crimes committed in the name of honour and crimes committed in the name of passion;

8. *Calls upon* States to support initiatives undertaken by women's groups, international and non-governmental organizations, the private sector, media, faith and community groups and other relevant civil society actors aimed at promoting gender equality and the full enjoyment of all human rights by women and girls, and raising awareness of and preventing violence against women and girls;

9. *Urges* States to devote the resources necessary to ensure effective and ongoing outreach, awareness-raising, education, training and engagement with relevant stakeholders who have an important role in the prevention and early response to warning signs of violence against women and girls, including government officials, community and religious leaders, and health, education, justice and law enforcement personnel, including prison personnel;



10. *Encourages* States to integrate gender analysis into policymaking to better understand the potential impact of policies on women and their contribution to eliminating violence against women and girls;
11. *Urges* Governments to identify and address the effects of all forms of discrimination that combine to heighten the vulnerability of women and girls to violence and include targeted, compounded and structural discrimination;
12. *Urges* States to enhance efforts to involve men and boys in initiatives to prevent violence against women and in highlighting the unacceptability of violence against women;
13. *Stresses* that women should be empowered to protect themselves against violence and, in this regard, that women have the right to have control over and decide freely and responsibly on matters relating to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and urges States to take legislative and policy steps in this regard;
14. *Urges* States to strengthen initiatives that would increase the capacity of women and adolescent girls to protect themselves from HIV infection, including by providing HIV and AIDS prevention, treatment, care and support services, to ensure protection from and prevention of stigma and discrimination, and to cooperate with United Nations bodies, programmes and specialized agencies and international and non-governmental organizations in this regard;
15. *Also urges* States to take appropriate legislative and policy steps to investigate, prosecute and punish the perpetrators of all forms of rape;
16. *Urges* States and the United Nations system to give attention to and encourages greater international cooperation in systematic research and the collection, analysis and dissemination of data, including data disaggregated by sex, age, disability and other relevant information on the extent, nature and consequences of violence against women and girls, as well as on the impact and effectiveness of policies and programmes aimed at combating this violence and, in this context, also urges States and the United Nations system to regularly provide information for inclusion in the Secretary-General's database on violence against women;
17. *Encourages* States to implement Security Council resolutions 1325 (2000) and 1820 (2008);
18. *Also encourages* States to create gender-sensitized training and education programmes and other appropriate measures for their armed forces, civilian police, peacekeeping units and humanitarian personnel that include instructions on their responsibilities towards the civilian population, particularly women and children, as well as mechanisms to ensure adequate safeguards to prevent violence against women and full accountability in cases of misconduct involving their personnel;
19. *Urges* States to establish or strengthen plans of action to eliminate violence against women and girls that clearly delineate government accountabilities for prevention and are supported by the necessary human, financial and technical resources, including, where appropriate, time-bound measurable targets, to promote the protection of women against any form of violence, and accelerate the implementation of existing plans of action that are regularly monitored and updated by Governments, taking into account inputs by civil society, in particular women's organizations, networks and other stakeholders;

20. *Notes with appreciation* the work of the Special Rapporteur on violence against women, its causes and consequences, and takes note of her recent report on reparations for women subjected to violence;

21. *Decides* to include in the annual full-day discussion on women's human rights, at its seventeenth session, in consultation with the Special Rapporteur on violence against women, its causes and consequences, the theme of violence against women and girls, with an emphasis on prevention, with a view to sharing good practices and identifying remaining gaps in the area of prevention, and requests the Office of the United Nations High Commissioner for Human Rights to prepare and disseminate a summary of the proceedings;

22. *Requests* the Office of the High Commissioner to prepare a compilation of good practices in efforts aimed at preventing violence against women, in consultation with the Special Rapporteur, States, civil society and other relevant stakeholders, and to present a report thereon during the annual full-day discussion on women's human rights at its seventeenth session;

23. *Looks forward* to the contribution that the new composite United Nations entity for gender equality and the empowerment of women can make to the prevention and elimination of violence against women;

24. *Decides* to continue consideration of the issue of the elimination of all forms of violence against women, its causes and consequences, as a matter of high priority, in conformity with its annual programme of work.

36th meeting  
18 June 2010

[Adopted without a vote.]

## 14/13

### **Question of the realization in all countries of economic, social and cultural rights: follow-up to Human Rights Council resolution 4/1**

*The Human Rights Council,*

*Guided* by the principles relating to economic, social and cultural rights enshrined in, inter alia, the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

*Mindful* of recent significant developments and remaining challenges in the promotion and protection of economic, social and cultural rights at the national, regional and international levels,

*Reaffirming* its resolutions 4/1 of 23 March 2007 and 10/1 of 25 March 2009 on the question of the realization in all countries of economic, social and cultural rights, and recalling the resolutions adopted by the Commission on Human Rights on the same topic,

*Noting with interest* the adoption by the General Assembly on 10 December 2008 of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the fact that thirty-two States have signed the Optional Protocol since it was opened for signature on 24 September 2009,

*Recognizing* that the early entry into force of the Optional Protocol through its ratification by 10 States, will be an important tool to help to strengthen the promotion and protection of economic, social and cultural rights worldwide,

1. *Calls upon* all States to take all measures to implement Council resolution 4/1 with a view to improving the realization of economic, social and cultural rights;
2. *Encourages* all States that have not yet done so to consider signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights with a view to its early entry into force;
3. *Notes* the recent creation of two new mandates related to economic, social and cultural rights, namely the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation and the independent expert in the field of cultural rights;
4. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights to assist States parties in fulfilling their obligations under the Covenant;
5. *Underlines* the human rights principles of, inter alia, non-discrimination, human dignity, equity, equality, universality and participation, as affirmed in international human rights law and in the Vienna Declaration and Programme of Action, and emphasizes that the rights enunciated in the Covenant are to be realized in a non-discriminatory manner;
6. *Notes with interest* the work of other relevant treaty bodies and special procedures in the promotion and protection of economic, social and cultural rights within their respective mandates;
7. *Notes* the intention of the Office of the United Nations High Commissioner for Human Rights to further strengthen its work in the field of economic, social and cultural rights at the country, regional and international levels;
8. *Encourages* the Office of the High Commissioner, the treaty bodies, special procedures of the Council and other relevant United Nations bodies and mechanisms, specialized agencies or programmes, within their respective mandates, to continue their efforts to promote the realization of economic, social and cultural rights worldwide and to enhance their cooperation in this regard;
9. *Takes note* of the report of the High Commissioner on the question of the realization in all countries of economic, social and cultural rights submitted to the Council pursuant to resolution 10/1;
10. *Requests* the High Commissioner to continue to prepare and submit to the Council an annual report on the question of the realization in all countries of economic, social and cultural rights under agenda item 3;
11. *Decides* to remain seized of the matter.

*36th meeting  
18 June 2010*

[Adopted without a vote.]

## **14/14**

### **Technical assistance and cooperation on human rights for Kyrgyzstan**

*The Human Rights Council,*

*Guided* by the Charter of the United Nations and the Universal Declaration of Human Rights and other applicable human rights instruments,

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

*Recalling also* Council resolution 5/1 of 18 June 2007,

*Reaffirming* that all 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 instruments to which they are parties,

*Reaffirming also* that Governments have the primary responsibility to protect their citizens,

*Bearing in mind* the change of government that took place in Kyrgyzstan on 7 April 2010,

*Deeply concerned* at the loss of life that occurred on 7 April 2010 during the protests leading to the change of government,

*Deeply concerned also* at the recent inter-ethnic violence and at the loss of life sustained as a result,

*Considering* the importance of the promotion and protection of the rights of persons belonging to minorities and the contribution of that promotion and protection to the political and social stability of the States in which such persons live,

1. *Strongly condemns* the human rights violations committed during the protests surrounding the change of government, and also condemns the provocations and violence in Osh and Jalalabad;

2. *Calls upon* the Government of Kyrgyzstan to conduct a full and transparent investigation that holds perpetrators accountable for the loss of life in relation to the events of 7 April 2010 and during the recent inter-ethnic violence;

3. *Urges* the Government of Kyrgyzstan to promote and protect all human rights and fundamental freedoms and to promote respect for democracy and the rule of law;

4. *Also urges* the Government of Kyrgyzstan to promote inter-ethnic reconciliation, and calls upon all actors to refrain from violence;

5. *Notes with appreciation* the participation of Kyrgyzstan in the universal periodic review process in May 2010, and welcomes its commitment to implement recommendations accepted at the review;

6. *Expresses its support and encouragement* for efforts made to restore democratic and constitutional order and the rule of law in Kyrgyzstan;

7. *Calls upon* the Government of Kyrgyzstan to uphold its commitment to the human rights principles enshrined in the Universal Declaration of Human Rights and to all its international human rights obligations;

8. *Encourages* the Government of Kyrgyzstan to continue to engage in a genuine process of open dialogue and national reconciliation to enhance peace for the people of Kyrgyzstan;

9. *Requests* the international community to provide the necessary humanitarian relief and assistance to Kyrgyzstan;

10. *Requests* the United Nations High Commissioner for Human Rights to continue to provide technical assistance through her office in Bishkek and to work with the Government of Kyrgyzstan and other actors, as needed, to identify additional areas of assistance that will aid Kyrgyzstan in its ability to fulfil its human rights obligations, to brief the Council on progress and to submit a report thereon to the Council for consideration at its seventeenth session.

36th meeting  
18 June 2010

[Adopted without a vote.]

## 14/15

### Addressing attacks on schoolchildren in Afghanistan

*The Human Rights Council,*

*Appalled* by attacks targeting innocent schoolchildren, particularly girls, in Afghanistan,

*Reaffirming* that, under the Charter of the United Nations, the Universal Declaration of Human Rights, the international covenants on human rights and other applicable instruments to which they are party, all States are to promote and protect human rights and fundamental freedoms,

*Reaffirming also* that, as enshrined in the Universal Declaration of Human Rights, everyone has the right to education,

*Recalling* that States parties to the Convention on the Rights of the Child have obligations relating to the right of the child to education, and that States parties to the Convention on the Elimination of All Forms of Discrimination against Women have obligations relating to the right of girls to equal treatment in education,

*Reaffirming* that Governments have the primary responsibility to protect their citizens,

*Noting with sadness and deep concern* those who have been threatened or intimidated into not attending school and harmed while attending school,

*Aware of* the focus on women's human rights in the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan (A/HRC/13/62),

*Welcoming* the statements from the Government of Afghanistan and other Governments condemning such attacks and pledging action to combat them,

1. *Deplores and condemns* attacks targeting innocent schoolchildren in Afghanistan;

2. *Expresses* solidarity with the Government of Afghanistan in its efforts to protect all students from such heinous attacks, and encourages further vigilance;

3. *Urges* all parties in Afghanistan to take appropriate measures to protect children and uphold their rights;

4. *Encourages* Governments and relevant United Nations and international agencies to respond positively to the requests made by Afghanistan for assistance to support its efforts to prevent and address such attacks;

5. *Requests* the United Nations High Commissioner for Human Rights, in her reports on Afghanistan to the Council, to increase the focus on the situation of girl schoolchildren.

36th meeting  
18 June 2010

[Adopted without a vote.]

## **14/16**

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

*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* Council resolution 9/14 of 24 September 2008,

*Welcoming* General Assembly resolution 64/169 of 18 December 2009, in which the Assembly proclaimed 2011 the International Year for People of African Descent,

*Noting* General Assembly resolution 64/148 of 18 December 2009, in which the Assembly noted the approaching commemoration of the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, and decided to call for a one-day plenary event to commemorate the tenth anniversary during its high-level segment,

*Underlining* the fact that the tenth anniversary of the adoption of the Durban Declaration and Programme of Action represents an important opportunity for the international community to reaffirm its commitment to the eradication of racism, racial discrimination, xenophobia and related intolerance, and encouraging States and communities to commemorate the tenth anniversary in all regions through a wide range of activities,

*Stressing* the imperative need of the Working Group of Experts on People of African Descent to accomplish its mandate,

*Noting with appreciation* the efforts made by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action in its work aimed at the effective implementation of the Durban Declaration and Programme of Action, 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 the duplication of initiatives,

*Noting with appreciation also* the efforts made by the Intergovernmental Working Group in its work for the effective implementation of the Durban Declaration and Programme of Action, and acknowledging the need to, inter alia, consider the necessary measures to enhance the effectiveness of the follow-up mechanisms to the Durban Declaration and Programme of Action with a view to achieving better synergy and complementarity in the work of these mechanisms, thereby avoiding the duplication of

initiatives, in line with paragraph 124 of the outcome document of the Durban Review Conference,

1. *Takes note with appreciation* of the report of the Working Group of Experts on People of African Descent (A/HRC/14/18), including the recommendations annexed thereto, in particular the recommendation relating to the theme “People of African descent: recognition, justice and development”, in the context of the International Year for People of African Descent proclaimed by the General Assembly for 2011;

2. *Decides* to convene a panel discussion during its high-level segment of its sixteenth session focusing on the full enjoyment of the human rights of people of African descent, to mark the International Year for People of African Descent;

3. *Also decides* that the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action should convene its eighth session from 11 to 22 October 2010;

4. *Further decides* to dedicate two working days of the eighth session of the Intergovernmental Working Group to prepare for the commemoration of the tenth anniversary of the Durban Declaration and Programme of Action;

5. *Decides* to dedicate part of the programme of work under item 9 at its seventeenth session to a discussion on, inter alia, best practices in the fight against racism, racial discrimination, xenophobia and related intolerance in the context of the tenth anniversary of the Durban Declaration and Programme of Action during the high-level segment of the General Assembly;

6. *Requests* the Secretary-General to make available to the Council, at its fifteenth session, his report submitted to the General Assembly pursuant to Assembly resolution 64/169 containing proposals for a programme of work of activities for people of African descent;

7. *Calls on* the Office of the United Nations High Commissioner for Human Rights to provide the necessary resources and support to allow the Working Group of Experts on People of African Descent to discharge its mandate fully;

8. *Invites* interested stakeholders, including non-governmental organizations, to participate fully in the commemoration of the tenth anniversary of the Durban Declaration and Programme of Action;

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

*36th meeting  
18 June 2010*

[Adopted without a vote.]

## II. Decisions

### 14/101

#### Outcome of the universal periodic review: Qatar

*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 Qatar on 8 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Qatar which is constituted of the report of the Working Group on Qatar (A/HRC/14/2), together with the views of Qatar 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/14/37, chapter VI and A/HRC/14/2/Add.1).

*20th meeting  
9 June 2010*

[Adopted without a vote.]

### 14/102

#### Outcome of the universal periodic review: Nicaragua

*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 Nicaragua on 8 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Nicaragua which is constituted of the report of the Working Group on Nicaragua (A/HRC/14/3), together with the views of Nicaragua 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/14/37, chapter VI).

*20th meeting  
9 June 2010*

[Adopted without a vote.]



**14/103****Outcome of the universal periodic review: Italy**

*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 Italy on 9 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Italy which is constituted of the report of the Working Group on Italy (A/HRC/14/4), together with the views of Italy 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/14/37, chapter VI and A/HRC/14/4/Add.1).

*20th meeting  
9 June 2010*

[Adopted without a vote.]

**14/104****Outcome of the universal periodic review: Kazakhstan**

*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 Kazakhstan on 12 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Kazakhstan which is constituted of the report of the Working Group on Kazakhstan (A/HRC/14/10), together with the views of Kazakhstan 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/14/37, chapter V and A/HRC/14/10/Add.1).

*22nd meeting  
9 June 2010*

[Adopted without a vote.]

## 14/105

### Outcome of the universal periodic review: Slovenia

*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 Slovenia on 16 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Slovenia which is constituted of the report of the Working Group on Slovenia (A/HRC/14/15), together with the views of Slovenia 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/14/37, chapter VI and A/HRC/14/15/Add.1).

*22nd meeting  
9 June 2010*

[Adopted without a vote.]

## 14/106

### Outcome of the universal periodic review: Bolivia (Plurinational State of)

*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 Plurinational State of Bolivia on 10 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on the Plurinational State of Bolivia which is constituted of the report of the Working Group on the Plurinational State of Bolivia (A/HRC/14/7), together with the views of the Plurinational State of Bolivia 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/14/37, chapter VI and A/HRC/14/7/Add.1).

*22nd meeting  
9 June 2010*

[Adopted without a vote.]

**14/107****Outcome of the universal periodic review: Fiji**

*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 Fiji on 11 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Fiji which is constituted of the report of the Working Group on Fiji (A/HRC/14/8), together with the views of Fiji 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/14/37, chapter VI and A/HRC/14/8/Add.1).

*23rd meeting  
10 June 2010*

[Adopted without a vote.]

**14/108****Outcome of the universal periodic review: San Marino**

*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 San Marino on 11 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on San Marino which is constituted of the report of the Working Group on San Marino (A/HRC/14/9), together with the views of San Marino 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/14/37, chapter VI and A/HRC/14/9/Add.1).

*23rd meeting  
10 June 2010*

[Adopted without a vote.]

**14/109****Outcome of the universal periodic review: El Salvador**

*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 El Salvador on 9 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on El Salvador which is constituted of the report of the Working Group on El Salvador (A/HRC/14/5), together with the views of El Salvador 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/14/37, chapter VI and A/HRC/14/5/Add.1).

*23rd meeting  
10 June 2010*

[Adopted without a vote.]

## **14/110**

### **Outcome of the universal periodic review: Angola**

*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 Angola on 12 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Angola which is constituted of the report of the Working Group on Angola (A/HRC/14/11), together with the views of Angola 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/14/37, chapter VI).

*24th meeting  
10 June 2010*

[Adopted without a vote.]

## **14/111**

### **Outcome of the universal periodic review: Iran (Islamic Republic of)**

*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 Islamic Republic of Iran on 15 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on the Islamic Republic of Iran which is constituted of the report of the Working Group on the Islamic Republic of Iran (A/HRC/14/12), together with the views of the Islamic Republic of Iran 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/14/37, chapter VI, A/HRC/12/Add.1 and A/HRC/12/Add.1/Corr.1).

24th meeting  
10 June 2010

[Adopted without a vote.]

## 14/112

### Outcome of the universal periodic review: Madagascar

*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 Madagascar on 15 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Madagascar which is constituted of the report of the Working Group on Madagascar (A/HRC/14/13), together with the views of Madagascar 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/14/37, chapter VI and A/HRC/14/13/Add.1).

24th meeting  
10 June 2010

[Adopted without a vote.]

## 14/113

### Outcome of the universal periodic review: Iraq

*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 Iraq on 16 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Iraq which is constituted of the report of the Working Group on Iraq (A/HRC/14/14), together with the views of Iraq 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/14/37, chapter VI and A/HRC/14/14/Add.1).

*25th meeting  
11 June 2010*

[Adopted without a vote.]

#### **14/114**

#### **Outcome of the universal periodic review: Gambia**

*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 Gambia on 10 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Gambia which is constituted of the report of the Working Group on Gambia (A/HRC/14/6), together with the views of Gambia 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/14/37, chapter VI).

*25th meeting  
11 June 2010*

[Adopted without a vote.]

#### **14/115**

#### **Outcome of the universal periodic review: Egypt**

*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 Egypt on 17 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Egypt which is constituted of the report of the Working Group on Egypt (A/HRC/14/17), together with the views of Egypt 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/14/37, chapter VI and A/HRC/14/17/Add.1).

*25th meeting  
11 June 2010*

[Adopted without a vote.]

**14/116****Outcome of the universal periodic review: Bosnia and Herzegovina**

*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 Bosnia and Herzegovina on 17 February 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

*Adopts* the outcome of the universal periodic review on Bosnia and Herzegovina which is constituted of the report of the Working Group on Bosnia and Herzegovina (A/HRC/14/16), together with the views of Bosnia and Herzegovina 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/14/37, chapter VI and A/HRC/14/16/Add.1).

*26th meeting  
11 June 2010*

[Adopted without a vote.]

**14/117****Independent expert on the situation of human rights in the Sudan**

At its 24th meeting, on 10 June 2010, the Human Rights Council decided to adopt the following text:

*“The Human Rights Council,*

*Taking note of the fact* that the independent expert on the situation of human rights in the Sudan was unable, for medical reasons, to present his report (A/HRC/14/41) to the Council at its fourteenth session, as originally scheduled,

1. *Decides*, given the exceptional nature of the circumstances and without setting a precedent, to proceed with a technical extension of the mandate of the independent expert on the situation of human rights in the Sudan until the end of the fifteenth session of the Council to allow an interactive dialogue to be held with him. This is without prejudice to the relevant provisions of Council resolution 5/1 of 18 June 2007;

2. It is understood that the independent expert will continue his work until the end of the fifteenth session and will be in a position to complement his report thereupon, if he so decides, at that session. It is also understood that the issue of the extension of the mandate will be discussed at that session.”

*24th meeting  
10 June 2010*

[Adopted without a vote.]

## **14/118**

### **Missing persons**

At its 34th meeting, on 17 June 2010, the Human Rights Council decided to adopt the following text:

*“The Human Rights Council,*

*Recalling* its resolution 7/28 of 28 March 2008 and all previous resolutions on missing persons adopted by the General Assembly and the Commission on Human Rights,

*Recalling also* its decision 12/117 of 1 October 2009, in which the Council requested the Advisory Committee to submit the study on best practices in the matter of missing persons to the Council at its fourteenth session,

1. *Takes note* of the progress report on best practices in the matter of missing persons submitted by the Advisory Committee (A/HRC/14/42);
2. *Requests* the Advisory Committee to finalize the study on best practices and to submit it to the Council at its sixteenth session.”

*34th meeting*  
*17 June 2010*

[Adopted without a vote.]

## **14/119**

### **Assistance to Somalia in the field of human rights**

At its 36th meeting, on 18 June 2010, the Human Rights Council decided to adopt the following text:

*“The Human Rights Council,*

*Recalling* its resolution 12/26 of 2 October 2009 entitled ‘Assistance to Somalia in the field of human rights’,

*Welcoming* the recent appointment by the Secretary-General of his Special Representative for Somalia,

1. *Recalls* that the interactive dialogue with the independent expert on the situation of human rights in Somalia is scheduled to be held at its fifteenth session;
2. *Decides* to hold, at its fifteenth session, a stand-alone interactive dialogue with the participation of the United Nations High Commissioner for Human Rights, the independent expert on the situation of human rights in Somalia and the Special Representative of the Secretary-General for Somalia on the status of technical cooperation, capacity-building programmes inside the country and effective measures to improve the human rights situation in Somalia and to enhance the effectiveness of United Nations support in the promotion and protection of human rights;
3. *Also decides* to invite high-level officials of the Transitional Federal Government and a high-level representative of the African Union to take part in the interactive dialogue;



4. *Requests* the Office of the High Commissioner to provide the assistance necessary for the holding of the interactive dialogue;

5. *Encourages* the independent expert and the Special Representative of the Secretary-General to engage in sustained interaction in the pursuit of their respective mandates, given the interrelationship between promotion and protection of the enhancement of human rights in Somalia, the timely provision of much needed humanitarian assistance, development and the support necessary to achieve sustainable security with a view to obtaining lasting political stabilization throughout the country.”

*36th meeting  
18 June 2010*

[Adopted without a vote.]

## **Part Two**

### **Summary of proceedings**

#### **I. Organizational and procedural matters**

##### **A. Opening and duration of the session**

1. The Human Rights Council held its fourteenth session at the United Nations Office at Geneva from 31 May to 18 June 2010. 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 fourteenth session was held on 20 May 2010.
3. At the 35th meeting, on 18 June 2010, the director of the Division of Conference Management of the United Nations Office at Geneva addressed the Council in connection with the request made by several Member States that the tenth session of the Working Group on the universal periodic review be held in February 2011 instead of January 2011.
4. At the same meeting, the chief of the Division of Conference Management of the United Nations Office at Geneva provided the Human Rights Council with background information on the technical aspects of the issues relating to the calendar of meetings of the Council.
5. The fourteenth session consisted of 36 meetings, held over 15 days (see paragraph 24 below).

##### **B. Attendance**

6. 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 of the session**

7. At its 1st meeting, on 31 May 2010, the Council adopted the agenda and programme of work of the fourteenth session.

##### **D. Organization of work**

8. At the 1st meeting, on 31 May 2010, the President outlined the modalities for the general debate on the update by the United Nations High Commissioner for Human Rights of the activities of her Office, which would be three minutes for Member States and two minutes for observer States and other observers.
9. At the 2nd meeting, on 31 May 2010, the President outlined the modalities for the interactive dialogue with special procedures mandate holders under agenda item 3, which would be as follows: 10 minutes for the presentation by the mandate holder of the main report, with a further two minutes to present each additional report; five minutes for

concerned countries, if any, and States Members of the Council; three minutes for statements by observer States of the Council and other observers, including United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations; and five minutes for concluding remarks by the mandate holder.

10. At the 5th meeting, on 1 June 2010, the President outlined the modalities for the urgent debate on the raid on the flotilla by Israeli defence forces, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

11. At the 8th meeting, on 2 June 2010, the President outlined the modalities for the panel discussion to give voice to victims of trafficking in persons, especially women and children, which would be five minutes for panellists and two minutes for States Members of the Council, observer States and other observers.

12. At the 9th meeting, on 3 June 2010, the President outlined the modalities for the interactive dialogue on the Joint study on global practices in relation to secret detention in the context of countering terrorism, which would be three minutes for States Members of the Council and two minutes for observer States, followed by other observers.

13. At the 12th meeting, on 4 June 2010, the President outlined the modalities for the panel discussions, which would be seven minutes for panellists, three minutes for States Members of the Council and two minutes for observer States and other observers.

14. At the 14th meeting, on 7 June 2010, the President outlined the modalities for the full-day discussion on women's human rights, which would be seven minutes for panellists, three minutes for States Members of the Council and two minutes for observer States and other observers.

15. At the 17th meeting, on 8 June 2010, the President outlined the modalities for the general debate on thematic reports of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Secretary-General, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

16. At the 18th meeting, on 8 June 2010, the President outlined the modalities for the general debate on agenda item 4, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

17. At the 20th meeting, on 9 June 2010, the President outlined the modalities for the consideration of the outcomes of the universal periodic review under agenda item 6, which would be 20 minutes for the State concerned to present its views; up to 20 minutes for States Members of the Council, observer States and United Nations agencies to express their views on the outcome of the review, whenever necessary, and in order to accommodate the maximum number of speakers; two minutes for Member States and observer States; and up to 20 minutes for stakeholders to make general comments on the outcome of the review, of which two minutes would be given to each speaker.

18. At the 21st meeting, on 9 June 2010, the President outlined the modalities for the general debate on agenda item 5, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

19. At the 26th meeting, on 11 June 2010, the President outlined the modalities for the general debate on agenda item 6, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

20. At the 27th meeting, on 14 June 2010, the President outlined the modalities for the general debate on agenda item 7, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

21. At the 29th meeting, on 14 June 2010, the President revised the modalities for the panel discussion on maternal mortality and morbidity, which would be seven minutes for panellists and two minutes for States Members of the Council, observer States and other observers.

22. At the 30th meeting, on 15 June 2010, the President outlined the modalities for the general debate on agenda item 8, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

23. At the 31st meeting, on 15 June 2010, the President outlined the modalities for the general debate on agenda item 9, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

## **E. Meetings and documentation**

24. The Human Rights Council held 36 fully serviced meetings during its fourteenth session.

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

26. Annex I contains the list of attendance.

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

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

29. Annex IV contains the list of documents issued for the fourteenth session of the Human Rights Council.

30. Annex V contains the list of special procedures mandate holders appointed by the Human Rights Council at its fourteenth session.

## **F. Visits**

31. At the 2nd meeting, on 31 May 2010, the Minister for Foreign Affairs of Spain, Miguel Ángel Moratinos Cuyaubé, delivered a statement to the Council.

## **G. Urgent debate on the raid on the flotilla by Israeli defence forces**

32. At its 3rd meeting, on 1 June 2010, the President of the Council announced that, following a request received from the Group of Arab States and the Organization of the Islamic Conference, the Council would convene in the afternoon an urgent debate on the raid on the flotilla by the Israeli defence forces.

33. At its 5th meeting, on the same day, the Council held an urgent debate on the raid on the flotilla by Israeli defence forces. The Deputy High Commissioner for Human Rights made a statement on behalf of the High Commissioner for the urgent debate.

34. At the same meeting, the representative of Israel made a statement as a concerned country.

35. Also at the same meeting, the representative of Palestine made a statement as a concerned party.

36. During the ensuing discussion at the same meeting, and at the 6th meeting on 2 June 2010, the following made statements:

(a) Representatives of States Members of the Council: Argentina, Bahrain, Bangladesh, Bolivia (Plurinational State of), Brazil, Chile, China, Cuba, Djibouti, Egypt (on behalf of the Non-Aligned Movement), France, India, Indonesia, Italy, Japan, Jordan, Mexico, Nicaragua, Nigeria (on behalf of the Group of African States), Norway, Pakistan (also on behalf of the Organization of the Islamic Conference), Qatar, Republic of Korea, Russian Federation, Saudi Arabia, South Africa, Spain<sup>1</sup> (on behalf of the European Union), Sudan<sup>1</sup> (on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay;

(b) Representatives of the following observer States: Afghanistan, Algeria, Australia, Austria, Belarus, Canada, Ecuador, El Salvador, Germany, Greece, Iceland, Iran (Islamic Republic of), Iraq, Ireland, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Morocco, New Zealand, Oman, Panama, Paraguay, Peru, Somalia, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tunisia, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam, Yemen;

(c) Observer for the Holy See;

(d) Observers for intergovernmental organizations: African Union, League of Arab States;

(e) Observer for a national human rights institution: Palestinian National Institution for Human Rights;

(f) Observers for the following non-governmental organizations: Amnesty International, Cairo Institute for Human Rights Studies (also on behalf of Al-Haq, Law in the Service of Man), Commission of the Churches on International Affairs, Human Rights Watch, Indian Movement Tupaj Amaru, International Federation for Human Rights Leagues (also on behalf of the Palestinian Centre for Human Rights), International Human Rights Association of American Minorities, International Islamic Federation of Student Organizations, Mouvement contre le racisme et pour l'amitié entre les peuples (also on behalf of the American Association of Jurists, Centre Europe – Tiers Monde, France Libertés : Fondation Danielle Mitterrand, the Women's International League for Peace and Freedom and the World Federation of Trade Unions), Nord-Sud XXI (also on behalf of the Arab Lawyers Union, the International Organization for the Elimination of All Forms of Racial Discrimination and the Union of Arab Jurists), United Nations Watch, World Muslim Congress.

## H. Selection and appointment of mandate holders

37. At its 36th meeting, on 18 June 2010, the Council appointed special procedures mandate holders in accordance with Council resolution 5/1 (see annex V).

38. At the same meeting, the representatives of Brazil, Burundi, Mexico, Nigeria, Pakistan, Uganda and the United Kingdom of Great Britain and Northern Ireland made statements in relation to the appointment of mandate holders.

<sup>1</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

## **I. Election of members of the Human Rights Council Advisory Committee**

39. At the 36th meeting, on 18 June 2010, pursuant to its resolution 5/1, the Council elected an expert of the Human Rights Council Advisory Committee from the Group of Latin American and Caribbean States. The Council had before it a note by the Secretary-General (A/HRC/14/28) containing the nomination of the candidate for election, in accordance with Council decision 6/102, and the biographical data of the candidate.

40. There was only one candidate for one seat from the Group of Latin American and Caribbean States to be filled. The practice of holding a secret ballot pursuant to paragraph 70 of Council resolution 5/1 was therefore dispensed with, and Miguel d'Escoto Brockman was elected as member of the Advisory Committee by consensus.

## **J. Adoption of the report of the session and the annual report**

41. At its 36th meeting, on 18 June 2010, the Human Rights Council adopted the draft report of the Council on the session (A/HRC/14/L.10) ad referendum, and decided to entrust the Rapporteur with its finalization.

42. Also at the same meeting, the representatives of Nigeria (on behalf of the Group of African States) and Spain<sup>1</sup> (on behalf of the European Union) and the observer for Amnesty International made general comments in connection with the session.

43. At the same meeting, the President of the Council made a closing statement.

## **K. Consideration of and action on draft proposals**

### **The grave attacks by Israeli forces against the humanitarian boat convoy**

44. At the 7th meeting, on 2 June 2010, the representative of Pakistan (on behalf of the Organization of the Islamic Conference and the Group of Arab States) introduced draft resolution A/HRC/14/L.1, sponsored by Pakistan (on behalf of the Organization of the Islamic Conference) and co-sponsored by Palestine<sup>1</sup> and Sudan<sup>1</sup> (on behalf of the Group of Arab States).

45. At the same meeting, the representative of Pakistan orally revised the draft resolution by modifying paragraphs 3 and 7, and adding new paragraphs 4 bis and 7 bis.

46. Also at the same meeting, the representative of Israel made a statement as a concerned country.

47. At the same meeting, the representative of Palestine made a statement as a concerned party.

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

49. At the same meeting, the representatives of France, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America made statements in explanation of vote before the vote.

50. Also at the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/HRC/14/L.1 as orally revised. The draft resolution as orally revised was adopted by 32 votes in favour, 3 against, with 9 abstentions. The voting was as follows:

*In favour:*

Angola, Argentina, Bahrain, Bangladesh, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Chile, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Kyrgyzstan, Mauritius, Mexico, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Slovenia, South Africa, Uruguay

*Against:*

Italy, Netherlands, United States of America

*Abstaining:*

Belgium, Burkina Faso,<sup>2</sup> France, Hungary, Japan, Republic of Korea, Slovakia, Ukraine, United Kingdom of Great Britain and Northern Ireland

51. For the text as adopted, see part one, chapter I, resolution 14/1.
52. At the same meeting, the representatives of Norway and Nicaragua made statements in explanation of vote after the vote.

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<sup>2</sup> The Permanent Mission of Burkina Faso subsequently informed the Human Rights Council that Burkina Faso had intended to vote in favour of the resolution.

## **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**

53. At the 1st meeting, on 31 May 2010, the United Nations High Commissioner for Human Rights made a statement providing an update of the activities of her Office.

54. 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 Council: Bahrain, Bangladesh, Brazil, Chile, China, Cuba, Egypt, France, India, Indonesia, Italy, Japan, Jordan, Mexico, Nigeria (also on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Slovenia, South Africa, Spain<sup>1</sup> (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 and Turkey), United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Azerbaijan, Canada, Colombia, Czech Republic, Democratic People's Republic of Korea, Ecuador, Ethiopia, Iran (Islamic Republic of), Ireland, Kuwait, Libyan Arab Jamahiriya, Lithuania, Malaysia, Maldives, Morocco, Nepal, New Zealand, Oman, Sri Lanka, Sudan, Switzerland, Thailand, Turkey, United Arab Emirates, Viet Nam, Yemen;

(c) Observer for Palestine;

(d) Observer for an intergovernmental organization: African Union;

(e) Observers for the following non-governmental organizations: Amnesty International, Cairo Institute for Human Rights Studies, CIVICUS – World Alliance for Citizen Participation, Human Rights Watch, International Humanist and Ethical Union, United Nations Watch.

55. At the 2nd meeting, on the same day, statements in exercise of the right of reply were made by the representatives of the Democratic People's Republic of Korea, Israel, Japan, Sri Lanka and the Sudan.

56. At the same meeting, on the same day, statements in exercise of a second right of reply were made by the representatives of the Democratic People's Republic of Korea, Israel and Japan.

### **B. Reports of the Office of the High Commissioner and the Secretary-General**

57. At the 17th meeting, on 8 June 2010, the Deputy High Commissioner for Human Rights presented thematic reports prepared by the Office of the High Commissioner and the Secretary-General.

58. At the same meeting, on 8 June 2010, and at the 20th and 21st meetings, on 9 June 2010, the Council held a general debate on thematic reports presented by the Deputy High Commissioner (see paragraphs 147–148 below).



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

#### **A. Interactive dialogue with special procedures**

##### **Independent expert in the field of cultural rights**

59. At the 2nd meeting, on 31 May 2010, the independent expert in the field of cultural rights, Fareeda Shaheed, presented her report (A/HRC/14/36).

60. During the ensuing interactive dialogue at the 3rd meeting, on 1 June 2010, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Bangladesh, Bolivia (Plurinational State of), Bosnia and Herzegovina, Chile, China, Cuba, Egypt, Indonesia, Mexico, Nicaragua, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Senegal, United States of America;

(b) Representatives of the following observer States: Algeria, Armenia, Australia, Azerbaijan, Canada, Iran (Islamic Republic of), Malaysia, Morocco, Nepal, Peru, Switzerland, Venezuela (Bolivarian Republic of);

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

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

(e) Observers for the following non-governmental organizations: Indian Council of South America, International Movement ATD Fourth World, Nord-Sud XXI (also on behalf of the Union of Arab Jurists), Planetary Association for Clean Energy, Inc. (also on behalf of the Al-Hakim Foundation, Fundación Intervida, Nord-Sud XXI, the Susila Dharma International Association and the World Association of Girl Guides and Girl Scouts).

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

##### **Special Rapporteur on the human rights of migrants**

62. At the 2nd meeting, on 31 May 2010, the Special Rapporteur on the human rights of migrants, Jorge Bustamante, presented his report (A/HRC/14/30 and Add.1-3).

63. At the same meeting, the representatives of Romania and the United Kingdom of Great Britain and Northern Ireland made statements as concerned countries.

64. During the ensuing interactive dialogue at the 3rd meeting, on 1 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Angola, Argentina, Bangladesh, Bolivia (Plurinational State of), Brazil, Chile, China, Cuba, Egypt, Ghana, Indonesia, Japan, Mexico, Nicaragua, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Senegal, South Africa;

(b) Representatives of the following observer States: Algeria, Australia, Ecuador, Greece, Guatemala, Malaysia, Morocco, Nepal, Peru, United Arab Emirates;

(c) Observers for intergovernmental organizations: African Union, European Union;

(d) Observers for national human rights institutions: Commission on Human Rights of the Philippines, New Zealand Human Rights Commission, Scottish Human Rights Commission;

(e) Observers for the following non-governmental organizations: Human Rights Advocates Inc., Human Rights Watch.

65. At the same meeting, on the same day, the Special Rapporteur answered questions and made his concluding remarks.

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

66. At the 4th meeting, on 1 June 2010, the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie, presented his report (A/HRC/14/27).

67. During the ensuing interactive dialogue at the same meeting, and at the 6th meeting on 2 June 2010, the following made statements and asked the Special Representative questions:

(a) Representatives of States Members of the Council: Argentina, Bangladesh, Belgium, Brazil, China, Egypt, France, India, Indonesia, Netherlands, Nigeria (on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Canada, Denmark, Nepal, Sweden, Switzerland;

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

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

(e) Observers for the following non-governmental organizations: American Association of Jurists (also on behalf of France Libertés : Fondation Danielle Mitterrand), Amnesty International, Centre Europe – Tiers Monde (also on behalf of the American Association of Jurists, France Libertés : Fondation Danielle Mitterrand, the International Association of Democratic Lawyers and Mouvement contre le racisme et pour l'amitié entre les peuples), Human Rights Advocates, Inc., Indian Movement Tupaj Amaru, International Commission of Jurists, International Federation of Human Rights Leagues.

68. At the 6th meeting, on 2 June 2010, the Special Representative answered questions and made his concluding remarks.

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

69. At the 4th meeting, on 1 June 2010, the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights, Cephias Lumina, presented his report (A/HRC/14/21 and Add.1).

70. At the same meeting, the representatives of Norway and Ecuador made statements as concerned countries.

71. During the ensuing interactive dialogue at the same meeting, and at the 6th meeting on 2 June 2010, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Bangladesh, Brazil, China, Cuba, Egypt, Nigeria (on behalf of the Group of African States), United Kingdom of Great Britain and Northern Ireland, Zambia;

(b) Representatives of the following observer States: Algeria, Côte d'Ivoire, Nepal, Sudan;

(c) Observer for the Holy See;

(d) Observer for a non-governmental organization: Centre Europe – Tiers Monde (also on behalf of the American Association of Jurists, France Libertés : Fondation Danielle Mitterrand, the International Association of Democratic Lawyers and Mouvement contre le racisme et pour l'amitié entre les peuples).

72. At the 6th meeting, on 2 June 2010, the independent expert answered questions and made his concluding remarks.

#### **Special Rapporteur on the right to education**

73. At the 4th meeting, on 1 June 2010, the Special Rapporteur on the right to education, Vernor Muñoz Villalobos, presented his report (A/HRC/14/25, A/HRC/14/25/Corr.1 and Add.1-4).

74. At the same meeting, the representatives of Mexico, Mongolia and Paraguay made statements as concerned countries.

75. During the ensuing interactive dialogue at the same meeting, and at the 6th meeting on 2 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Bangladesh, Brazil, China, Cuba, Egypt, Indonesia, Italy (on behalf of the European Union), Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Republic of Korea, South Africa, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Costa Rica, Guatemala, Nepal, Portugal, Switzerland, Venezuela (Bolivarian Republic of);

(c) Observers for intergovernmental organizations: African Union, European Union;

(d) Observer for a national human rights institution: National Commission of Mexico.

76. At the 6th meeting, on 2 June 2010, the Special Rapporteur answered questions and made his concluding remarks.

#### **Special Rapporteur on the independence of judges and lawyers**

77. At the 7th meeting, on 2 June 2010, the Special Rapporteur on the independence of judges and lawyers, Gabriela Carina Knaul de Albuquerque e Sylva, presented her report (A/HRC/14/26 and Add.1-2).

78. At the same meeting, the representative of Colombia made a statement as a concerned country.

79. During the ensuing interactive dialogue at the same meeting, and at the 9th meeting, on 3 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, China, Cuba, Djibouti, Egypt, Hungary, Indonesia, Mexico, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Azerbaijan, Costa Rica, Ireland, Maldives, Morocco, Sri Lanka, Switzerland, Venezuela (Bolivarian Republic of);

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

(d) Observers for the following non-governmental organizations: Colombian Commission of Jurists, Human Rights Watch, International Club for Peace Research, International Commission of Jurists, Lawyers' Rights Watch Canada, Union of Arab Jurists (also on behalf of the Arab Lawyers Union, the General Federation of Iraqi Women, the International Organization for the Elimination of All Forms of Racial Discrimination and Nord-Sud XXI), World Organization against Torture.

80. At the 9th meeting, on 3 June 2010, the Special Rapporteur answered questions and made his concluding remarks.

**Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism**

81. At the 7th meeting, on 2 June 2010, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin, presented his report (A/HRC/14/46 and Add.1).

82. During the ensuing interactive dialogue at the same meeting, and at the 9th meeting, on 3 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Brazil, China, Cuba, Hungary, Indonesia, Mexico, Norway, Pakistan, Russian Federation, United States of America;

(b) Representatives of the following observer States: Algeria, Denmark, New Zealand, Sri Lanka, Sweden, Switzerland;

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

(d) Observer for a non-governmental organization: International Commission of Jurists.

83. At the 9th meeting, on 3 June 2010, the Special Rapporteur answered questions and made his concluding remarks.

**Joint study on global practices in relation to secret detention in the context of countering terrorism of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Working Group on Arbitrary Detention**

84. At the 7th meeting, on 2 June 2010, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak, and the vice-chairperson of the Working Group on Arbitrary Detention, Shaheen Sardar Ali, presented the report on the joint study (A/HRC/13/42).

85. During the ensuing interactive dialogue at the 9th meeting, on 3 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Argentina, China, Chile, Cuba, France, India, Japan, Mexico, Nigeria (on behalf of the Group of African States), Norway, Pakistan, Philippines, Republic of Korea, Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Canada, Denmark, Ethiopia, Germany, Nepal, Romania, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic;

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

(d) Observers for the following non-governmental organizations: Helsinki Foundation for Human Rights (also on behalf of the Society for Threatened Peoples), Human Rights Advocates Inc., International Commission of Jurists (also on behalf of Amnesty International, Human Rights Watch and the International Federation for Human Rights Leagues), International Human Rights Association of American Minorities, International Movement against All Forms of Discrimination and Racism, World Organization against Torture (also on behalf of the International Federation of Actions by Christians for the Abolition of Torture and the International Rehabilitation Council for Torture Victims).

86. At the same meeting, the vice-chairperson of the Working Group on Arbitrary Detention and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism answered questions and made their concluding remarks.

87. At the 11th meeting, on 3 June 2010, a statement in exercise of the right of reply was made by the representative of China.

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

88. At the 10th meeting, on 2 June 2010, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue, presented his report (A/HRC/14/23 and Add.1-2).

89. At the same meeting, the Council observed a minute of silence for Floribert Chebeya Bahizire, a human rights defender from the non-governmental organization Voice of the Voiceless, who was found dead in his car on 2 June 2010 in Kinshasa.

90. During the ensuing interactive dialogue at the 11th meeting, on the same day, and the 12th meeting, on 4 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Angola, Bangladesh, Belgium, Brazil, Chile, China, Egypt, France, Indonesia, Mexico, Nigeria (on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Republic of Korea, Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Azerbaijan, Canada, Denmark, Ecuador, Iran (Islamic Republic of), Nepal, Peru, Sweden, Switzerland;

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

(d) Observers for the following non-governmental organizations: Article 19 – The International Centre against Censorship (also on behalf of the Cairo Institute for Human Rights Studies), Asian Forum for Human Rights and Development (Forum-Asia), European Region of the International Lesbian and Gay Association (ILGA-Europe) (also on behalf of the Canadian HIV/AIDS Legal Network), Freedom House, Reporters without Borders – International.

91. At the 11th meeting, on 3 June 2010, statements in exercise of the right of reply were made by the representatives of Iraq and Tunisia.

92. At the 12th meeting, on 4 June 2010, the Special Rapporteur answered questions and made his concluding remarks.

#### **Special Rapporteur on extrajudicial, summary or arbitrary executions**

93. At the 10th meeting, on 3 June 2010, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, presented his report (A/HRC/14/24 and Add.1-9).

94. At the same meeting, the representatives of Brazil, the Central African Republic, Colombia and the Democratic Republic of the Congo made statements as concerned countries.

95. During the ensuing interactive dialogue at the 11th meeting, on the same day, and the 12th meeting, on 4 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Bangladesh, Belgium, China, India, Nigeria (on behalf of the Group of African States), Norway, Pakistan (also on behalf of the Organization of the Islamic Conference), Philippines, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Canada, Ecuador, Iran (Islamic Republic of), Nepal, Singapore, Sri Lanka, Sweden, Switzerland;

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

(d) Observers for the following non-governmental organizations: Amnesty International, Asian Forum for Human Rights and Development (Forum-Asia), Colombian Commission of Jurists, Conectas Direitos Humanos.

96. At the 12th meeting, on 4 June 2010, the Special Rapporteur answered questions and made his concluding remarks.

#### **Special Rapporteur on trafficking in persons, especially women and children**

97. At the 10th meeting, on 3 June 2010, the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, presented her reports (A/HRC/14/32 and Add.1-5).

98. At the same meeting, the representatives of Belarus, Japan and Poland made statements as concerned countries.

99. During the ensuing interactive dialogue at the 11th meeting, on the same day, and the 12th meeting, on 4 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Bangladesh, Bosnia and Herzegovina, China, Egypt, France, Indonesia, Mexico, Nigeria (on behalf of the Group of

African States), Norway, Philippines, Republic of Korea, Saudi Arabia, Slovakia, Sudan<sup>3</sup> (on behalf of the Group of Arab States), United States of America, Uruguay, Viet Nam<sup>3</sup> (on behalf of the Association of Southeast Asian Nations (ASEAN));

(b) Representatives of the following observer States: Australia, Costa Rica, Germany, Malaysia, Nepal;

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

(d) Observer for a non-governmental organization: Global Alliance against Traffic in Women.

100. At the 12th meeting, on 4 June 2010, the Special Rapporteur answered questions and made his concluding remarks.

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

101. At the 13th meeting, on 4 June 2010, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, presented his report (A/HRC/14/20 and Add.1-4).

102. At the same meeting, the representatives of Australia, India and Poland made statements as concerned countries.

103. During the ensuing interactive dialogue at the same meeting, and at the 16th meeting, on 7 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Bangladesh, Belgium, Bolivia (Plurinational State of), Brazil, China, Egypt, France, Mexico, Netherlands, Nigeria (on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Slovenia, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Australia, Botswana, Canada, Colombia, Guatemala, Iran (Islamic Republic of), Nepal, Sri Lanka, Sweden, Switzerland;

(c) Observer for the Sovereign and Military Order of Malta;

(d) Observers for intergovernmental organizations: African Union, European Union;

(e) Observer for a United Nations entities, specialized agencies and related organization: Joint United Nations Programme on HIV/AIDS (UNAIDS);

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

(g) Observers for the following non-governmental organizations: Amnesty International, Canadian HIV/AIDS Legal Network, Center for Reproductive Rights, CIVICUS – World Alliance for Citizen Participation, Federation for Women and Family Planning (also on behalf of Action Canada for Population and Development), International Save the Children Alliance.

<sup>3</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

104. At the 13th meeting, on 4 June 2010, the Special Rapporteur answered questions and made his concluding remarks.

**Independent expert on the question of human rights and extreme poverty**

105. At the 13th meeting, on 4 June 2010, the independent expert on the question of human rights and extreme poverty, Maria Magdalena Sepúlveda Carmona, presented her reports (A/HRC/14/31 and Add.1).

106. At the same meeting, the representative of Zambia made a statement as a concerned country.

107. During the ensuing interactive dialogue at the same meeting, and at the 16th meeting, on 7 June 2010, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Bangladesh, Bolivia (Plurinational State of), Brazil, China, Chile, Cuba, Egypt, France, Indonesia, Mexico, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Saudi Arabia, South Africa, Sudan<sup>3</sup> (on behalf of the Group of Arab States), United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Colombia, Ecuador, Finland, Guatemala, Iran (Islamic Republic of), Morocco, Nepal, Panama, Sri Lanka, Sudan, Thailand, Viet Nam, Yemen;

(c) Observer for the Sovereign and Military Order of Malta;

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

(e) Observers for the following non-governmental organizations: CIVICUS – World Alliance for Citizen Participation, International Movement ATD Fourth World.

108. At the 13th meeting, on 4 June 2010, the independent expert answered questions and made her concluding remarks.

**Special Rapporteur on violence against women, its causes and consequences**

109. At the 13th meeting, on 4 June 2010, the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, presented her report (A/HRC/14/22 and Add.1-2).

110. At the same meeting, the representative of Kyrgyzstan made a statement as a concerned country.

111. During the ensuing interactive dialogue at the same meeting, and at the 16th meeting, on 7 June 2010, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Belgium, Bolivia (Plurinational State of), Brazil, Chile, China, Cuba, Egypt, France, Hungary, Indonesia, Japan, Mexico, Nigeria (on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Republic of Korea, Slovenia, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Azerbaijan, Canada, Colombia, Denmark, Guatemala, Maldives, Morocco, Nepal, New Zealand, Sri Lanka, Sweden, Switzerland, Tunisia;

(c) Observer for the Sovereign and Military Order of Malta;



(d) Observers for intergovernmental organizations: African Union, European Union;

(e) Observers for the following non-governmental organizations: Amnesty International, CIVICUS – World Alliance for Citizen Participation, European Disability Forum, General Arab Women Federation (also on behalf of the General Federation of Iraqi Women and the Union of Arab Jurists).

112. At the 16th meeting, on 7 June 2010, the Special Rapporteur answered questions and made her concluding remarks.

113. At the same meeting, statements in exercise of the right of reply were made by the representatives of Japan and the Republic of Korea.

## B. Panels

### **Panel discussion on trafficking in persons, especially women and children: giving voice to victims of trafficking**

114. At the 8th meeting, on 2 June 2010, the Council held a panel discussion to give voice to victims of trafficking in persons, especially women and children, in accordance with Council decision 13/117. The Deputy High Commissioner made opening remarks for the panel.

115. At the same meeting, the following panellists made statements: Joy Ngozi Ezeilo, Charlotte Awino, Angelina Atyam, Kumar Ramjali, Jana Kohut and Kikka Cerpa.

116. Also at the same meeting, a short video produced by the United Nations Global Initiative to Fight Human Trafficking, as well as a video of the testimony of Andrey Pura, one of the panellists, who was not able to travel to Geneva, were broadcasted.

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

(a) Sponsor States of Council decision 13/117: Brazil, Egypt, Germany, Philippines;

(b) Representatives of States Members of the Council: Argentina, Burkina Faso, China, Colombia<sup>3</sup> (on behalf of the Group of Latin American and Caribbean States), France, Indonesia, Mexico, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Republic of Korea, Russian Federation, Slovakia, Slovenia, Spain<sup>3</sup> (on behalf of the European Union), United States of America, Uruguay;

(c) Representatives of the following observer States: Algeria, Australia, Azerbaijan, Belarus, Congo, Lithuania, Morocco, Nepal, Panama, Paraguay, Peru, Switzerland, Thailand, Tunisia, Turkey;

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

(e) Observers for non-governmental organizations: Global Alliance against Traffic in Women (also on behalf of Amnesty International and Franciscans International), International Federation Terre des Hommes.

118. At the same meeting, the panellists Charlotte Awino and Jana Kohut answered questions and made comments.

119. Also at the same meeting, the panellists Kikka Cerpa, Angelina Atyam, Kumar Ramjali and Joy Ngozi Ezeilo answered questions and made their concluding remarks.

### **Panel discussion on the protection of journalists in armed conflict**

120. At the 12th meeting, on 4 June 2010, the Human Rights Council held a panel discussion on the protection of journalists in armed conflict, in accordance with Council resolution 13/24. The Deputy High Commissioner made opening remarks for the panel.

121. At the same meeting, the following panellists made statements: Frank La Rue, Robin Geiss, Mogens Schmidt, Osama Saraya, Omar Faruk Osman, Hedayat Abdel Nabi.

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

(a) Sponsor States of Council decision 13/24: Egypt, Mexico, Norway;

(b) Representatives of States Members of the Council: China, Colombia<sup>3</sup> (on behalf of the Group of Latin American and Caribbean States), France, Italy, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Spain<sup>3</sup> (on behalf of the European Union), Sudan<sup>3</sup> (on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland, United States of America;

(c) Representatives of the following observer States: Algeria, Azerbaijan, Canada (also on behalf of Australia and New Zealand), Greece, Syrian Arab Republic;

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

(e) Observers for non-governmental organizations: Article 19 – The International Centre against Censorship, International Pen, Reporters without Borders – International.

123. At the same meeting, the panellists Hedayat Abdel Nabi, Omar Faruk Osman and Robin Geiss answered questions and made comments.

124. Also at the same meeting, the panellists Frank La Rue and Mogens Schmidt answered questions and made their concluding remarks.

### **Discussion on women's human rights**

125. On 7 June 2010, the Human Rights Council held a full-day discussion on women's human rights, in accordance with Council resolution 6/30. The Council divided the panel discussion into two parts: the first was held at the 14th and 15th meetings, on 7 June 2010; the second, at the 15th meeting, on the same day.

126. At the 14th meeting, the Deputy High Commissioner made introductory remarks for the panel. At the same meeting, the following panellists made statements: Vernor Muñoz Villalobos, Catarina de Albuquerque, Rashida Manjoo, Cecilia Baldeh, Susana Villaran de la Puente, Amina Lemrini and Neha Sood.

127. During the ensuing panel discussion for the first part, at the 14th and 15th meetings, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Belgium, Brazil, Chile, China, Colombia<sup>3</sup> (on behalf of the Group of Latin American and Caribbean States), Cuba, Egypt, France, India, Italy, Japan, Lithuania<sup>3</sup> (also on behalf of Cape Verde, Chile, the Czech Republic, El Salvador, India, Italy, Mali, Mexico, Mongolia, Morocco, the Philippines, Poland, Portugal, the Republic of Korea, South Africa and the United States of America), Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Saudi Arabia, Slovenia, Spain<sup>3</sup> (on behalf of the European Union), United States of America;

(b) Representatives of the following observer States: Finland, Guatemala, Ireland, Sri Lanka, Turkey;

(c) Observer for a United Nations entities, specialized agencies and related organization: United Nations Population Fund;

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

(e) Observers for the following non-governmental organizations: Interfaith International, Madre, Inc., Verein Sudwind Entwicklungspolitik, World Alliance of Young Men's Christian Associations (also on behalf of Defence for Children International).

128. At the 14th meeting, the panellists Vernor Muñoz Villalobos, Amina Lemrini, Rashida Manjoo and Neha Sood answered questions and made comments.

129. At the end of the first part, at the 15th meeting, Vernor Muñoz Villalobos, Cecilia Baldeh, Amina Lemrini and Neha Sood answered questions.

130. During the ensuing panel discussion for the second part, at the 15th meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Council: Argentina, Bangladesh, Hungary, Indonesia, Norway, Pakistan, Qatar, Republic of Korea, Senegal, Slovakia, United Kingdom of Great Britain and Northern Ireland, Viet Nam<sup>3</sup> (on behalf of ASEAN);

(b) Representatives of the following observer States: Algeria, Azerbaijan, Iran (Islamic Republic of), Iraq, Morocco, New Zealand (also on behalf of Australia and Canada), Panama, Paraguay, Portugal, Sudan, Sweden, Thailand, Tunisia, Yemen;

(c) Observers for the following non-governmental organizations: International Humanist and Ethical Union, Worldwide Organization for Women.

131. At the 15th meeting, the panellists Vernor Muñoz Villalobos, Amina Lemrini, Cecilia Baldeh and Neha Sood answered questions and made comments.

132. At the same meeting, Vernor Muñoz Villalobos, Amina Lemrini, Cecilia Baldeh and Neha Sood answered questions and made concluding remarks.

133. At the 16th meeting, on the same day, a statement in exercise of the right of reply was made by the representative of Haiti.

#### **Panel discussion on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights**

134. At the 19th meeting, on 8 June 2010, the Human Rights Council held a panel discussion on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, in accordance with Council resolution 12/18. A representative of OHCHR made opening remarks for the panel on behalf of the High Commissioner.

135. At the same meeting, a representative of OHCHR read the statement 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, Okechukwu Obinna Ibeanu.

136. Also at the same meeting, the panellists Katharina Kummer Peiry, Fe Sanchis-Moreno, André Banhouman Kamate and Bashir Mohamed Hussein made statements.

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

(a) Representatives of States Members of the Council: Brazil, Djibouti, Indonesia, Mexico, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Spain<sup>3</sup> (on behalf of the European Union), United Kingdom of Great Britain and Northern Ireland, Uruguay;

(b) Representatives of the following observer States: Armenia, Costa Rica, Côte d'Ivoire, Yemen;

(c) Observers for non-governmental organizations: Human Rights Advocates International, Inc., Indian Council of South America, Planetary Association for Clean Energy, Inc.

138. At the same meeting, the panellists Katharina Kummer Peiry, Fe Sanchis-Moreno, André Banhouman Kamate and Bashir Mohamed Hussein answered questions and made their concluding remarks.

#### **Panel on maternal mortality and morbidity**

139. At the 29th meeting, on 14 June 2010, the Council held a panel discussion on maternal mortality and morbidity, in accordance with Council resolution 11/8. The High Commissioner made opening remarks for the panel.

140. At the same meeting, a representative of OHCHR read the statement of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

141. Also at the same meeting, the panellists Rocio Barahona Riera, Susana Fried, Aminata Touré, Mahmoud Fathalla and Ariel Frisancho made statements.

142. Also at the same meeting, two short video statements by Michael Mbizvo, of the World Health Organization in Geneva, and Alicia Yamin, of Harvard Law School and the Harvard School of Public Health, were broadcast.

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

(a) Representatives of States Members of the Council: Argentina, Belgium, Brazil, Burkina Faso, China, Colombia<sup>3</sup> (also on behalf of the Group of Latin American and Caribbean States, Burkina Faso and New Zealand), Cuba, Egypt, Finland<sup>3</sup> (also on behalf of Denmark, Iceland, Norway and Sweden), Hungary, Indonesia, Japan, Mauritius, Mexico, Netherlands, Pakistan (on behalf of the Organization of the Islamic Conference), Senegal, Spain<sup>3</sup> (on behalf of the European Union), Sudan (also on behalf of the Group of Arab States), Uruguay;

(b) Representatives of the following observer States: Algeria, Australia, Malaysia, New Zealand, Paraguay, Turkey;

(c) Observer for an intergovernmental organization: African Union;

(d) Observers for non-governmental organizations: Amnesty International, Center for Reproductive Rights (also on behalf of Action Canada for Population and Development, the Canadian HIV/AIDS Legal Network, the Center for Economic and Social Rights, the Federation for Women and Family Planning, Human Rights Watch, the International Alliance of Women, International Commission of Jurists, IPAS and Women's International League for Peace and Freedom).

144. Also at the same meeting, the panellists Rocio Barahona Riera, Susana Fried, Aminata Touré, Mahmoud Fathalla and Ariel Frisancho answered questions and made their concluding remarks.

### C. General debate on agenda item 3

145. At the 17th meeting, on 8 June 2010, and at the 20th and 21st meetings, on 9 June 2010, the Council held a general debate on thematic reports under agenda item 3, during which the following made statements:

(a) Representatives of States Members of the Council: Colombia<sup>4</sup> (on behalf of the Group of Latin American and Caribbean States), France, Ghana, Hungary, Norway, Pakistan, Russian Federation, Spain<sup>4</sup> (on behalf of the European Union), United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Iceland, Libyan Arab Jamahiriya, Malaysia, Morocco, Portugal, Switzerland, Tunisia;

(c) Observer for the Holy See;

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

(e) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Agence internationale pour le développement (Aide-Fédération), Al-Hakim Foundation, Amnesty International (also on behalf of the International Commission of Jurists), Associazione Comunità Papa Giovanni XXIII (also on behalf of Caritas Internationalis (International Confederation of Catholic Charities)), Dominicans for Justice and Peace – Order of Preachers, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, the International Volunteerism Organization for Women, Education and Development – VIDES), Cairo Institute for Human Rights Studies, Centre for Human Rights and Peace Advocacy, Centre on Housing Rights and Evictions, Centrist Democratic International, Charitable Institute for Protecting Social Victims, Commission to Study the Organization of Peace, European Union of Public Relations, Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos, France Libertés : Fondation Danielle Mitterrand (also on behalf of the American Association of Jurists, International Educational Development, Inc., Mouvement contre le racisme et pour l'amitié entre les peuples and the World Federation of Trade Unions), Friends World Committee for Consultation (Quakers), Helsinki Foundation for Human Rights, Indian Council of Education, Indian Movement Tupaj Amaru, Institute for Women's Studies and Research, Interfaith International, International Association of Democratic Lawyers (also on behalf of the Commission of the Churches on International Affairs of the World Council of Churches, Franciscans International and Indian Council of South America), International Club for Peace Research, International Committee for the Respect and Application of the African Charter on Human and People's Rights, International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Non-Aligned Studies, International Institute for Peace, International Islamic Federation of Student Organizations, International Service for Human Rights (also on behalf of the Asian Forum for Human Rights and Development (Forum-Asia) and the Cairo Institute for Human Rights Studies, Liberation, Movimiento Cubano por la Paz y la Soberanía de los Pueblos (also on behalf of the Asociación Cubana de las Naciones Unidas, the Federation of Cuban Women and the Organization for the Solidarity of the Peoples of Asia, Africa and Latin America), Nord-Sud XXI, Norwegian Refugee Council (also on behalf of the Badil Resource Center for Palestinian Residency and Refugee Rights, Caritas Internationalis (International Confederation of Catholic Charities), the Centre on Housing Rights and Evictions,

<sup>4</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

Community and Family Services International, the International Rehabilitation Council for Torture Victims, the International Save the Children Alliance, the Jesuit Refugee Service and Refugees International), Organisation pour la communication en Afrique et de promotion de la coopération économique internationale, Society for Threatened Peoples, The Democracy Coalition Project, Tides Center (also on behalf of Human Rights Watch), Union de l'action féminine, Union of Arab Jurists, World Alliance of Young Men's Christian Associations (also on behalf of Defence for Children International), World Federation of Democratic Youth, World Muslim Congress, World Organization Against Torture (also on behalf of the Defence for Children International).

146. At the same meeting, on the same day, statements in exercise of the right of reply were made by the representatives of Algeria, Morocco, Thailand and Uzbekistan.

#### **D. Consideration of and action on draft proposals**

##### **Trafficking in persons, especially women and children: regional and subregional cooperation in promoting a human rights-based approach to combating trafficking in persons**

147. At the 34th meeting, on 17 June 2010, the representatives of Germany and the Philippines introduced draft resolution A/HRC/14/L.4, sponsored by Germany and the Philippines and co-sponsored by Armenia, Australia, Austria, Belarus, Bosnia and Herzegovina, Bulgaria, Colombia, Costa Rica, Croatia, the Czech Republic, Ecuador, Estonia, France, Greece, Guatemala, Hungary, Indonesia, Italy, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Thailand, Turkey and Ukraine. Subsequently, Albania, Algeria, Argentina, Belgium, Burkina Faso, Cambodia, Canada, Chile, the Congo, Côte d'Ivoire, Cyprus, Denmark, Egypt, Finland, Iceland, Ireland, Israel, Japan, Kazakhstan, Maldives, Malta, Mauritius, Montenegro, Morocco, Nigeria, the Republic of Korea, the Republic of Moldova, Senegal, Serbia, Sri Lanka, Switzerland, the former Yugoslav Republic of Macedonia, Uganda, the United States of America, Uruguay, Venezuela (Bolivarian Republic of) and Viet Nam joined the sponsors.

148. At the same meeting, the representative of the United States of America made general comments in relation to the draft resolution.

149. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 14/2).

##### **Promotion of the right of peoples to peace**

150. At the 34th meeting, on 17 June 2010, the representative of Cuba introduced draft resolution A/HRC/14/L.12, sponsored by Cuba and co-sponsored by Algeria, Bangladesh, Belarus, Bolivia (Plurinational State of), the Congo, Côte d'Ivoire, the Democratic People's Republic of Korea, Ecuador, El Salvador, the Lao People's Democratic Republic, Nicaragua, Nigeria, the Sudan, the Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Burkina Faso, China, the Dominican Republic, Egypt, the Islamic Republic of Iran and Sri Lanka joined the sponsors.

151. At the same meeting, the representative of France, 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.

152. Also at the same meeting, at the request of the representative of France, on behalf of States members of the European Union that are members of the Council, a recorded vote

was taken on draft resolution A/HRC/14/L.12. The draft resolution was adopted by 31 votes in favour, 14 against, with 1 abstention. The voting was as follows:

*In favour:*

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

*Against:*

Belgium, Bosnia and Herzegovina, France, Hungary, Italy, Japan, Netherlands, Norway, Republic of Korea, Slovakia, Slovenia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

India

153. For the text as adopted, see part one, chapter I, resolution 14/3.

154. At the 36th meeting, on 18 June 2010, the representative of Argentina (also on behalf of Chile and Mexico) made a statement in explanation of vote after the vote.

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

155. At the 34th meeting, on 17 June 2010, the representative of Cuba introduced draft resolution A/HRC/14/L.13, sponsored by Cuba and co-sponsored by Algeria, Bangladesh, Belarus, Bolivia (Plurinational State of), the Congo, Côte d'Ivoire, the Democratic People's Republic of Korea, Ecuador, the Lao People's Democratic Republic, Nicaragua, Nigeria, the Sudan, the Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Egypt, the Islamic Republic of Iran and Sri Lanka joined the sponsors.

156. At the same meeting, the representatives of France, 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.

157. Also at the same meeting, at the request of the representative of France, on behalf of States members of the European Union that are members of the Council, a recorded vote was taken on draft resolution A/HRC/14/L.32. The draft resolution was adopted by 31 votes in favour, 13 against, with 3 abstentions. The voting was as follows:

*In favour:*

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

*Against:*

Belgium, Bosnia and Herzegovina, France, Hungary, Italy, Japan, Netherlands, Republic of Korea, Slovakia, Slovenia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Chile, Mexico, Norway

158. For the text as adopted, see part one, chapter I, resolution 14/4.

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

159. At the 34th meeting, on 17 June 2010, the representative of Ukraine introduced draft resolution A/HRC/14/L.15/Rev.1, sponsored by Ukraine. Subsequently, Australia, Azerbaijan, Burkina Faso, Canada, Colombia, the Czech Republic, Estonia, France, Georgia, Germany, Guatemala, Hungary, Italy, Latvia, Lithuania, Morocco, Peru, the Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined the sponsors.

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

161. At the same meeting, the representative of France, on behalf of States members of the European Union that are members of the Council, made general comments in relation to the draft resolution.

162. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 14/5).

#### **Mandate of the Special Rapporteur on the human rights of internally displaced persons**

163. At the 34th meeting, on 17 June 2010, the representatives of Austria and Uganda introduced draft resolution A/HRC/14/L.18, sponsored by Austria and co-sponsored by Albania, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Colombia, Côte d'Ivoire, Cyprus, the Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Uganda, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Armenia, Chile, Costa Rica, Croatia, Georgia, Iceland, Italy, the Republic of Korea, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Ukraine joined the sponsors.

164. At the same meeting, the representative of Austria orally revised the draft resolution by modifying paragraph 3.

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

166. 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 14/6).

#### **Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity**

167. At the 35th meeting, on 18 June 2010, the representative of Cuba introduced draft resolution A/HRC/14/L.14, sponsored by Cuba and co-sponsored by Bangladesh, Belarus, Bolivia (Plurinational State of), the Congo, Côte d'Ivoire, the Democratic People's Republic of Korea, Ecuador, El Salvador, the Lao People's Democratic Republic, Mexico, Nicaragua, Nigeria, Pakistan, the Philippines, the Sudan, the Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Armenia, Burkina Faso, China, the Dominican Republic, Indonesia, the Islamic Republic of Iran, Panama, the Russian Federation, Senegal, Serbia and Uruguay joined the sponsors.



168. At the same meeting, the representative of Cuba orally revised the draft resolution.
169. Also at the same meeting, the representatives of France, on behalf of States members of the European Union that are members of the Council, made general comments in relation to the draft resolution.
170. At the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.
171. 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 14/9).

#### **Enforced or involuntary disappearances**

172. At the 35th meeting, on 18 June 2010, the representatives of France (also on behalf of Argentina and Morocco) and Morocco introduced draft resolution A/HRC/14/L.19, sponsored by Argentina, France and Morocco and co-sponsored by Andorra, Australia, Austria, Bolivia (Plurinational State of), Brazil, Bulgaria, Canada, Colombia, Costa Rica, Croatia, Cuba, the Czech Republic, Denmark, Ecuador, Estonia, Germany, Greece, Guatemala, Hungary, Italy, Japan, Latvia, Luxembourg, Malta, Mexico, the Netherlands, Norway, Panama, Paraguay, Portugal, Romania, Slovakia, Slovenia, Spain, Switzerland and Uruguay. Subsequently, Albania, Azerbaijan, Belgium, Bosnia and Herzegovina, Chile, Cyprus, Finland, Iceland, Ireland, Lithuania, New Zealand, Poland, the Republic of Moldova, Senegal, Serbia, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of) joined the sponsors.
173. At the same meeting, the representative of Argentina orally revised the draft resolution.
174. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution (see annex II).
175. 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 14/10).
176. At the 36th meeting, on 18 June 2010, the representative of Norway (also on behalf of Switzerland and Mexico) made a statement in explanation of vote after the vote.

#### **Freedom of religion or belief: mandate of the Special Rapporteur on freedom of religion or belief**

177. At the 36th meeting, on 18 June 2010, the representative of Spain, also on behalf of Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland, introduced draft resolution A/HRC/14/L.5, sponsored by Spain and co-sponsored by Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Peru, Portugal, Romania, Slovakia, Slovenia, Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Albania, Andorra, Australia, Chile, Colombia, Iceland, Japan, Montenegro, New Zealand, the Republic of Moldova, Serbia, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and Uruguay joined the sponsors.
178. At the same meeting, the representative of Spain orally revised the draft resolution.

179. Also at the same meeting, the representatives of Egypt, Pakistan (on behalf of the Organization of the Islamic Conference) and the United States of America made general comments in relation to the draft resolution.

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

181. 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 14/11).

182. Also at the same meeting, the representative of Algeria made comments in relation to the resolution.

#### **Accelerating efforts to eliminate all forms of violence against women: ensuring due diligence in prevention**

183. At the 36th meeting, on 18 June 2010, the representative of Canada (also on behalf of Albania, Andorra, Armenia, Australia, Austria, Belgium, Brazil, Bolivia (Plurinational State of), Bulgaria, Colombia, the Congo, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, Rwanda, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay) introduced draft resolution A/HRC/14/L.9/Rev.1, sponsored by Canada and co-sponsored by Albania, Andorra, Armenia, Australia, Austria, Belgium, Brazil, Bolivia (Plurinational State of), Bulgaria, Colombia, the Congo, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, Rwanda, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Argentina, Azerbaijan, Bosnia and Herzegovina, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, Côte d'Ivoire, Djibouti, El Salvador, Israel, Jamaica, Jordan, Kenya, Madagascar, Maldives, Mauritius, Monaco, Montenegro, Morocco, Palestine, Republic of Moldova, Romania, the former Yugoslav Republic of Macedonia, the United States of America and Venezuela (Bolivarian Republic of) joined the sponsors.

184. At the same meeting, the representative of Canada orally revised the draft resolution.

185. 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 14/12).

#### **Question of the realization in all countries of economic, social and cultural rights: follow-up to Human Rights Council resolution 4/1**

186. At the 36th meeting, on 18 June 2010, the representative of Portugal introduced draft resolution A/HRC/14/L.17, sponsored by Portugal and co-sponsored by Austria, Brazil, Croatia, Cuba, Cyprus, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Latvia, Luxembourg, Malta, Mexico, Morocco, Nicaragua, Norway, Panama, Peru, Slovakia, Slovenia, Spain, Ukraine, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Azerbaijan, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Chile, Ireland, Italy, Lithuania, the Netherlands, Romania, Senegal, Serbia, Switzerland and the former Yugoslav Republic of Macedonia joined the sponsors.

187. At the same meeting, the representative of Portugal orally revised the draft resolution.

188. Also at the same meeting, the representative of South Africa made general comments in relation to the draft resolution.

189. 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 14/13).

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

### A. General debate on agenda item 4

190. At its 18th meeting, on 8 June 2010, and at the 20th and 21st meetings, on 9 June 2010, 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 Council: Belgium, China, Cuba, France, Japan, Netherlands, Norway, Pakistan, Slovakia, Slovenia, Spain<sup>5</sup> (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Liechtenstein, Montenegro and the former Yugoslav Republic of Macedonia), United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Canada, Czech Republic, Denmark, Ethiopia, Germany, Iran (Islamic Republic of), Ireland, Israel, Luxembourg, New Zealand, Sweden, Switzerland, Syrian Arab Republic;

(c) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Agence internationale pour le développement (Aide-Fédération), Amnesty International, Asian Forum for Human Rights and Development (Forum – Asia), Baha'i International Community, Cairo Institute for Human Rights Studies, Centre for Human Rights and Peace Advocacy (also on behalf of the Commission to Study the Organization of Peace), Centrist Democratic International, Charitable Institute for Protecting Social Victims, CIVICUS – World Alliance for Citizen Participation (also on behalf of the American Association of Jurists, Franciscans International and the International Association of Democratic Lawyers), European Region of the International Lesbian and Gay Federation (ILGA-Europe), France Libertés : Fondation Danielle Mitterrand (also on behalf of the American Association of Jurists, Mouvement contre le racisme et pour l'amitié entre les peuples and International Educational Development, Inc.), Democracy Coalition Project, Helsinki Foundation for Human Rights, Human Rights Watch, Indian Council of South America, International Committee for the Respect and Application of the African Charter on Human and People's Rights, International Educational Development, Inc., International Federation for Human Rights Leagues, International Humanist and Ethical Union, International Institute for Peace (also on behalf of the European Union of Public Relations), International Islamic Federation of Student Organizations, International Service for Human Rights, Organization for Defending Victims of Violence, Society for Threatened Peoples, The Democracy Coalition Project, Union de l'action féminine, United Nations Watch, Verein Sudwind Entwicklungspolitik, World Federation of Democratic Youth, World Muslim Congress.

191. At the 19th meeting, on 8 June 2010, statements in exercise of the right of reply were made by the representatives of Argentina, Belarus, the Democratic People's Republic of Korea, Japan, Kyrgyzstan, the Philippines, Sri Lanka, the United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of) and Zimbabwe.

192. At the same meeting, statements in exercise of a second right of reply were made by the representatives of Argentina, the Democratic People's Republic of Korea, Japan, the United Kingdom of Great Britain and Northern Ireland and Zimbabwe.

<sup>5</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

193. At the 21st meeting, on 9 June 2010, statements in exercise of the right of reply were made by the representatives of Algeria, China, the Democratic Republic of the Congo, the Islamic Republic of Iran and Morocco.

194. At the same meeting, a statement in exercise of a second right of reply was made by the representative of Morocco.

## **B. Interactive dialogue with special procedures**

195. At the 21st meeting, on 9 June 2010, the President informed the States Members of the Human Rights Council, observer States and other observers that the independent expert on the situation of human rights in the Sudan was unable for medical reasons to present his report (A/HRC/14/41) at the session as originally scheduled.

196. At the same meeting, the President circulated a draft decision to proceed with a technical extension of the mandate of the independent expert on the human rights situation in the Sudan until the end of the fifteenth session, to allow the Council to hold an interactive dialogue with him.

197. At its 24th meeting, on 10 June 2010, the Human Rights Council adopted draft decision 14/117 without a vote (for the text adopted, see part one, chapter II).

## **V. Human rights bodies and mechanisms**

### **A. General debate on agenda item 5**

198. At its 21st meeting, on 9 June 2010, 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 Council: China, France, Russian Federation, Spain<sup>5</sup> (on behalf of the European Union);

(b) Representatives of the following observer States: Armenia, Azerbaijan, Cyprus;

(c) Observers for the following non-governmental organizations: Amnesty International, Permanent Assembly for Human Rights, World Organisation against Torture.

199. At the same meeting, on the same day, statements in exercise of the right of reply were made by Cyprus and Turkey.

### **B. Consideration of and action on draft proposals**

#### **Missing persons**

200. At the 34th meeting, on 17 June 2010, the representative of Azerbaijan introduced draft decision A/HRC/14/L.6, sponsored by Azerbaijan. Subsequently, Armenia, Ecuador, France, Guatemala, the Republic of Moldova, Serbia and Ukraine joined the sponsors.

201. At the same meeting, the draft decision was adopted without a vote (for the text as adopted, see part one, chapter II, decision 14/118).

## VI. Universal periodic review

202. Pursuant to General Assembly resolution 60/251, Human Rights Council resolution 5/1 and President's statements (PRST/8/1 and PRST/9/2) on modalities and practices for the universal periodic review process, the Council considered the outcome of the reviews conducted during the seventh session of the Working Group on the Universal Periodic Review, held from 8 to 19 February 2010.

### A. Consideration of universal periodic review outcomes

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

#### Qatar

204. The review of Qatar was held on 8 February 2010 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 Qatar in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/QAT/1 and Corr.1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/QAT/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/QAT/3).

205. At its 20th meeting, on 9 June 2010, the Human Rights Council considered and adopted the outcome of the review on Qatar (see section C below).

206. The outcome of the review on Qatar comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/2), the views of Qatar 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/14/2/Add.1).

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

207. The delegation stated that Qatar paid significant attention to the universal periodic review mechanism, which provided all countries with a great opportunity to improve, strengthen and promote their commitments under international human rights law. The interactive dialogue contributed greatly to strengthening cooperation and helped sharing experiences among countries, which led to the achievement of the Council's objectives.

208. Qatar participated in the review process in an open and transparent spirit, and undertook to duly consider all the recommendations. To that end, all sections of society and relevant stakeholders were involved in the drafting process of commentaries and responses to the recommendations. Most of the recommendations made during the interactive dialogue enjoyed Qatar's support; of a total of 112 recommendations, 76 had been accepted during the Working Group session, while more time was needed for 24 recommendations to

ensure detailed study, in-depth analysis and coordination with all stakeholders, as well as with the Qatari national human rights committee.

209. Several recommendations were already or currently being implemented, and they were consistent with the State's objectives and strategies. Moreover, Qatar's support for most of the recommendations and the many steps taken at both the national and international levels to promote fundamental human rights stemmed from its endeavour to improve human rights and promote constructive cooperation with relevant human rights mechanisms. This was confirmed by Qatar's acceptance of the recommendation to extend an open and standing invitation to special procedures mandate holders.

210. Qatar could not accept some recommendations, as they related to issues that were incompatible with the provisions of Islamic law, the Constitution and laws, or contradicted national identity. Some temporary difficulties, such as the lack of technical capacities, prevented Qatar from acceding to more conventions at the present time.

211. Qatar's position on the 24 pending recommendations was outlined in the addendum to the report of the Working Group (A/HRC/14/2/Add.1).

212. A total of 11 recommendations had been accepted; 8 of them were regarded as either already implemented or in the process of implementation. They included recommendations 7, 9, 10, 13, 14, 17–21 and 24 (A/HRC/14/2, para. 85).

213. A total of 13 recommendations did not enjoy the State's support. They included recommendations 1–6, 8, 11, 12, 15, 16, 22 and 23 (A/HRC/14/2, para. 85).

214. The delegation stressed that, although only four months had passed since Qatar was reviewed by the Working Group, it was pleased to report on the implementation of a number of constructive recommendations, as well as on its commitment to implement others in the near future. The follow-up to the recommendations accepted was no less important than preparing and discussing the report before the Working Group. In this respect, the national committee that prepared the national report would continue its work as a mechanism for following up on the implementation of recommendations.

215. The delegation added that no effort would be spared to build and strengthen capacities through technical cooperation with human rights mechanisms. In this regard, Qatar wished to benefit from the activities and programmes of the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region in Doha, inaugurated in May 2009, in order to contribute to the training of national human resources and to the development and building of capacities.

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

216. Saudi Arabia noted that the acceptance by Qatar of most of the recommendations and its constructive approach towards the universal periodic review process were clear evidence of its commitment to promote and protect human rights. Qatar's policy of openness and the hosting of numerous international conferences on development, democracy, human rights and peace were testament to its political will to continue the reform process and the promotion of all rights. It commended Qatar for the numerous steps taken to guarantee the provision of social services, in particular in the areas of health and education.

217. Cuba noted the detailed information provided by Qatar during the interactive dialogue. Qatar's achievements in the promotion and protection of all human rights for all people had been confirmed during its review. In particular, Cuba underscored Qatar's advances in education, health, the rights of people with disabilities and many other areas. In addition, Cuba highlighted Qatar's cooperation with other developing countries, as well as



its leading role in setting the world's development agenda. Cuba welcomed the decision of Qatar to accept its recommendations, which had been made in a spirit of cooperation and constructive dialogue.

218. Jordan thanked Qatar for presenting its position on the recommendations. Jordan valued the steps taken to enhance women's full participation in all areas of life. These steps were part of Qatar's efforts to develop the necessary human rights legislative framework. Jordan welcomed the efforts made to combat human trafficking through the enactment of new legislative and institutional measures, and by supporting victims. Qatar's cooperation with the United Nations system had been shown by the establishment of the Human Rights Training and Documentation Centre for South-West Asia and the Arab Region. Jordan welcomed the contribution of Qatar to the promotion of dialogue and peaceful coexistence through the establishment of the Doha International Centre for Interfaith Dialogue.

219. Oman commended Qatar for its positive cooperation during the interactive dialogue, its acceptance of the majority of the recommendations and its readiness to implement them. This showed Qatar's commitment to the principles of human rights in accordance with its constitutional provisions and national traditions and values, based on equality and tolerance.

220. The United Arab Emirates noted Qatar's efforts to guarantee a decent life for its population, and expressed confidence in its capacity and political will to promote human rights. It welcomed Qatar's determination to pursue the dissemination of a culture of human rights and to integrate human rights into development efforts, in particular by involving women in the development process and offering them the opportunity to participate actively in society. The delegation welcomed Qatar's acceptance of a number of recommendations and its commitment to continue upholding national and international human rights obligations.

221. Bahrain commended Qatar for the positive steps taken in the context of accepting and implementing many recommendations, in particular those made by Bahrain relating to the protection and promotion of the rights of persons with disabilities. Bahrain welcomed the efforts made to continue combating human trafficking, the acceptance of a visit by the Special Rapporteur on trafficking in persons, especially women and children, and the consideration of draft laws on combating human trafficking and on domestic workers. The number of measures taken showed Qatar's political determination to promote and protect human rights.

222. Venezuela (Bolivarian Republic of) expressed its satisfaction at the responses provided by Qatar during the universal periodic review, in particular regarding its efforts to empower women and guarantee their fundamental rights. It stressed that Qatar placed the promotion and protection of human rights at the centre of its reform policies in the constitutional, economic, social and cultural spheres. Qatar's support for the great majority of recommendations was an indication of the seriousness of its commitment to the universal periodic review. It also commended Qatar's efforts to promote and protect human rights in accordance with its customs and traditional values.

223. Egypt commended Qatar for its cooperation with the universal periodic review. It noted with appreciation Qatar's serious approach to the preparation of the review and to the national discussions in relation to the recommendations, which had involved all State institutions, in consultation with civil society. The adoption of the outcome report would represent a significant boost to Qatar's national efforts to promote human rights and to achieve the aspirations of the Government and the people alike. Egypt was confident that Qatar would continue to promote and protect human rights at the national level, and contribute to that end at the regional and international levels.

224. Kuwait stated that, through the universal periodic review, Qatar had shown that human rights were the cornerstone to its comprehensive reform policies at the constitutional, economic, social and cultural levels. Qatar had established a national human rights commission in line with the Paris Principles, as well as other independent institutions dealing with interfaith dialogue and press freedom. Kuwait commended Qatar for hosting the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region, and for accepting a number of recommendations, particularly those made by Kuwait regarding the promotion of the rights of women and their role in society.

225. Pakistan noted that Qatar had accepted a large number of recommendations and welcomed its resolve to accelerate efforts to promote and protect human rights. It was pleased by Qatar's readiness to consider ratifying international human rights instruments, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Pakistan noted that women were key partners in the social development of the country, and welcomed its commitment to continue ensuring women's full participation in the social and political fields. Pakistan recognized the presence of considerable numbers of foreign workers in Qatar and noted the Government's commitment to strengthen labour laws to improve their living and working conditions.

### **3. General comments made by other relevant stakeholders**

226. The National Human Rights Committee of Qatar commended the efforts made to uphold human rights at the legislative and executive levels. It hoped that Qatar would soon accede to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Although national laws, with a few exceptions, guaranteed all rights, the Committee noted the efforts made to amend laws in the areas of media, housing, workers and labour, and hoped for their prompt adoption. The Committee also noted the efforts made in cooperating with treaty bodies, by submitting initial and periodic reports and presenting the necessary clarifications. The effective implementation of international obligations required further efforts in order to incorporate them into national legislation.

227. The Cairo Institute for Human Rights Studies called for the repeal of two laws used to fight terrorism, which legalized de facto arbitrary and incommunicado detention. It asked Qatar to define torture in its domestic legislation, in conformity with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to prohibit the expulsion, return or extradition of a person to another State that practices torture. It noted that the code governing nationality authorized the withdrawal of a citizen's nationality in certain cases and that the law established inequality between naturalized citizens and those of Qatari origin. Measures should be taken to ensure de facto equal rights for all citizens and to fight against situations of statelessness.

228. The Indian Council of South America congratulated Qatar on having accepted many recommendations, including that on the death penalty. It welcomed the acceptance of the visit by the Special Rapporteur on trafficking in persons, especially women and children, and the effort to draft laws on combating human trafficking and on domestic workers. It called upon Qatar to invite more special procedures mandate holders to visit the country and to continue to strengthen cooperation with civil society in areas such as the administration of justice, education, public health, migrant workers and gender equality. It asked for more women to be allowed in higher levels of government, and that Qatar support regional meetings to discuss the injustices that women face.

229. Organisation pour la communication en Afrique et de promotion de la coopération économique internationale welcomed the commitments made by Qatar during the universal periodic review, including with regard to women's education. It congratulated Qatar on its

efforts to promote and protect human rights, in particular of women and children, as well as for its constructive participation in the review. While welcoming the ratification of the Convention on the Elimination of All Forms of Discrimination against Women, the progress made in the promotion of gender equality and the emancipation of women in Qatar, it highlighted that much remained to be done. It recommended the ratification of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and encouraged Qatar to implement the economic, social and cultural rights of women in the country.

230. Action internationale pour la paix et le développement dans la région des Grands Lacs welcomed the progress made in line with Qatar National Vision 2030, which addressed key human rights issues in the areas of health, environment, expatriate workers, women's empowerment, children, the elderly and persons with disabilities. A series of international conferences had been hosted by Qatar on democracy, human rights, peace and trade. A number of centres had been established to promote interfaith dialogue and press freedom. It called on the Council to assist Qatar to include the crime of torture and appropriate penalties in its legislation, and to consider ratifying the Optional Protocol to the Convention against Torture.

231. The Al Hakim Foundation underscored Qatar's positive engagement with the Council's mechanisms, and commended Qatar for hosting the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region. It congratulated Qatar on its leading role in the adoption of the Convention on the Rights of Persons with Disabilities, and welcomed the establishment of international centres to build a culture of dialogue, democracy and peaceful coexistence. It hoped that Qatar would reconsider the recommendations that had not been accepted, and would commit greater resources to combat domestic violence, promote the rights of children and reconsider the sponsorship system governing foreign workers.

232. Comité internationale pour le respect et l'application de la Charte Africaine des droits de l'homme et des peuples acknowledged Qatar's determination to make the promotion and protection of human rights a non-negotiable priority. It highlighted the legislative measures taken to ensure improved protection of migrant workers, persons with disabilities, women and children, as well as freedom of religion, expression and association. Qatar's contribution to establishing peace and security in many countries had been unanimously recognized by the international community. Qatar's significant contribution to humanitarian aid programmes in Africa and other regions was also mentioned.

233. Amnesty International welcomed Qatar's support for recommendations to consider ratifying the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and urged Qatar to do so without delay and without reservations. It encouraged Qatar to repeal provisions that criminalize legitimate forms of freedom of expression, and those that punish blasphemy and consensual "illicit sexual relations". Amnesty International called on Qatar to reconsider its position regarding the rejection of recommendations to review and repeal laws that discriminate against women, and to establish an official moratorium on the use of the death penalty with a view to its abolition. It urged Qatar to ensure an end to the use of arbitrary detention without charge and trial, including in the context of counter-terrorism and public security.

#### **4. Concluding remarks of the State under review**

234. The delegation expressed its gratitude and appreciation to all States and stakeholders for their valuable observations and comments. It stressed that all the comments and observations would be taken into consideration. It renewed Qatar's commitment to further its cooperation and consultation with all United Nations human rights mechanisms and its support for the Council.

**Nicaragua**

235. The review of Nicaragua was held on 8 February 2010, 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 Nicaragua in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/NIC/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/NIC/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/NIC/3).

236. At its 15th meeting, on 9 June 2010, the Human Rights Council considered and adopted the outcome of the review on Nicaragua (see section C below).

237. The outcome of the review on Nicaragua comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/3), the views of Nicaragua 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**

238. The Permanent Representative of Nicaragua to the United Nations Office at Geneva expressed Nicaragua's appreciation for the recommendations made and for the participation of civil society organizations in the review. This process allowed Nicaragua to identify challenges and to continue to strengthen the protection and promotion of human rights in the country.

239. Nicaragua clarified its position with regard to 42 recommendations included in paragraph 92 of the report of the Working Group. Its position was based on its constitutional framework, the socioeconomic situation of the country and the full exercise of its sovereignty.

240. With regard to recommendations 1 to 4, on the adoption of new international instruments, Nicaragua accepted the recommendation regarding the ratification of the International Labour Organization (ILO) Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention No. 169). This step was commended by the Special Rapporteur on the situation of rights and fundamental freedoms of indigenous people. With regard to the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, the Rome Statute and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, Nicaragua did not consider it appropriate for the moment to make additional commitments.

241. With regard to recommendations 5, 12 and 15–24, related to the protection, assistance and health care for women and girl victims of rape and violence, Nicaragua supported these recommendations, except for the amendment of the law prohibiting therapeutic abortion. This decision was the result of Nicaragua's exercise of its sovereignty, and had been adopted by the National Assembly, which represented the majority of the Nicaraguan people, who upheld the right to life of the unborn child. Nicaragua had sought to improve the access of vulnerable groups to justice, and promoted the recourse to alternative conflict-resolution methods. Nicaragua had provided rehabilitation to victims of trafficking and sexual exploitation, and had set up a specialized department for women and children and 35 specialized police units for women and children. The Government had

developed a national strategy on reproductive and sexual health, with the aims of improving maternal and postnatal health, encouraging family planning and avoiding unwanted pregnancy. Primary obstetric care was provided by health-care centres, to preserve the life and integrity of women facing obstetric emergencies.

242. Nicaragua did not support recommendations 6 and 7, on the introduction of the definition of torture in its legislation, in accordance with the Convention against Torture, as it considered that the definition of torture in its legislation was more comprehensive than that of the Convention.

243. Regarding recommendation 8, to eliminate the crime of defamation from the Penal Code, the recommendation was not appropriate, as the above-mentioned crime did not appear as such in its Penal Code.

244. Nicaragua supported recommendation 9, on the establishment of a national council on women, which was in line with Government policies.

245. Nicaragua supported recommendations 10, 11 and 25 to 29 on the dissemination and full implementation of the Declaration on Human Right Defenders. No State policy against human rights defenders existed, and the promotion and protection of human rights, besides being a Government policy, was a State commitment. Accordingly, Nicaragua supported these recommendations. It added that incidents affecting human rights defenders had originated in the private sphere and that the police had investigated all seven reports, which was not an alarming figure. Nicaragua had conformed to respect human rights and to promote human rights education at all levels in order to ensure tolerance and respect of human rights defenders, in close coordination with the Procuraduría para la Defensa de los Derechos Humanos. Victims could also resort to legal remedies.

246. Nicaragua supported recommendations 13, 14, 40 and 41, on strengthening measures to tackle violence against women, stating that they were in line with its development policies, which focused on the “human being”. The new Penal Code of 2008 introduced domestic violence as a crime and provided for protection measures for victims. Other measures had been taken: offenders did not benefit from release on bail; crimes were tried by professional judges; the State promoted free access of women to justice; specialized police units promoted awareness-raising campaigns; and the Office of the Public Attorney had established a specialized unit on gender violence and a specialized office for the assistance of victims of crimes, adopted guidelines on domestic violence for prosecutors, and concluded an agreement to improve coordination with judges, police agents and forensic experts.

247. The right to freedom of expression was guaranteed by the State as a constitutional right. In that regard, recommendation 31 was not appropriate.

248. Nicaragua supported recommendation 32, relating to allowing civil society organizations to express themselves freely on Government policies. However, this right pertained only to national civil society organizations, since foreign or international organizations, by nature, could not interfere with the internal affairs of Government policy.

249. Regarding recommendation 33, which called for the establishment of an independent body to regulate the access to information, Nicaragua did not favour the establishment of such an organ; access to information was already regulated by the State through the Office for the Coordination on Access to Public Information. It added that access to information was guaranteed by law 621, which also provided for the *habeas data* remedy.

250. Nicaragua had noted recommendation 34, on measures to guarantee that opposition political parties could freely express their opinion, stating that measures had already been taken to guarantee this right, which was also protected by the Constitution.

251. Nicaragua noted recommendation 35, relating to the amendment to the electoral law to allow the participation of people living in autonomous regions in decision-making processes, because indigenous peoples' rights were already recognized by law and that, with respect to communities living in the Atlantic coast, this right had a constitutional recognition.

252. On recommendations 36 to 39, relating to ensuring the independence of the judiciary, Nicaragua was not in a position to make amendments in this regard, as the separation of powers was already guaranteed by the Constitution. Magistrates and judges were independent; their judgements were implemented by State authorities, and the law on the judicial career, which provided for a transparent system of appointment of judges, was being implemented.

253. Nicaragua supported recommendation 42, on increasing the national budget on education, and explained that steps had already been taken in this regard. The budget had already increased by 1,745 million córdobas in the past four years. Measures had been taken to improve access to education for the most vulnerable sectors of the population, and food had been provided for nearly 1 million children.

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

254. Cuba noted that the Sandinista revolution had made human rights a reality, and stated that a similar revolution was being carried out by President Ortega, building on the aftermath of a war financed and conducted by the Empire and successive neoliberal Governments. It highlighted Nicaragua's approach to the universal periodic review, its efforts to make dignity and social justice a reality, and to combat poverty and ensure food security. It also highlighted the fact that access to health and education was free, and welcomed the elimination of illiteracy in 2008. It congratulated Nicaragua's work in the implementation of recommendations and the ratification of ILO Convention No. 169.

255. Qatar valued the positive and constructive attitude of Nicaragua in dealing with the recommendations. It noted Nicaragua's acceptance of 68 recommendations, including the one made by Qatar, which demonstrated the seriousness and the importance attached by Nicaragua to the realization of human rights, despite obstacles. Qatar also noted a number of programmes and strategies aimed at reducing illiteracy and poverty and combating marginalization. Qatar supported Nicaragua's efforts to realize economic and social development. Qatar also thanked Nicaragua for its support for the Palestinian cause.

256. Algeria was united to Nicaragua in the defence of the objectives and principles of the United Nations, as well as in the protection of human rights. It noted Nicaragua's engagement with the international community through the Council. Algeria expressed its satisfaction at Nicaragua's acceptance of its three recommendations.

257. Venezuela (Bolivarian Republic of) welcomed the Sandinista Government's open and constructive spirit during the review. It noted its achievements in the implementation of appropriate social policies in the field of education. It recognized Nicaragua's valuable efforts in favour of human rights and the will and commitment shown to achieve goals in this regard, despite the difficulties due to the economic crisis. It highlighted Nicaragua's efforts to guarantee access to free education. It encouraged Nicaragua to maintain this approach.

258. Bolivia (Plurinational State of) congratulated Nicaragua on its ratification of ILO Convention No. 169. It noted Nicaragua's achievements in institutionalizing the conquests of the Sandinista revolution, seeking to eliminate exploitation through respect for human rights. It highlighted Nicaragua's implementation of its human rights plan by harmonizing legislation to ensure the protection of human rights, prioritizing vulnerable groups. It was

pleased that Nicaragua had accepted its recommendation to continue implementing plans and programmes and following up on its obligations to human rights treaties.

259. Pakistan noted that Nicaragua had accepted most of the recommendations, which showed its commitment to human rights. It also noted with satisfaction the readiness of Nicaragua to consider imposing sanctions against organizations that promoted racial discrimination and taking appropriate measures to combat racial prejudice in both the public and private media channels. Pakistan appreciated the special attention accorded to the realization of economic, social and cultural rights and the commitment to strengthen policies and programmes further for the welfare of its people.

260. Malaysia noted Nicaragua's acceptance of a large number of recommendations, and that Nicaragua had already started to implement some of them. Malaysia commended Nicaragua for its commitment to the promotion of human development with a view to eradicating poverty. It also praised Nicaragua's firm commitment to achieve the Millennium Development Goals despite considerable constraints.

261. Sri Lanka appreciated Nicaragua's detailed responses on the recommendations. Sri Lanka welcomed Nicaragua's acceptance of 68 recommendations, and the detailed responses to the additional 42 recommendations, which was a clear sign of its constructive engagement with the Council. It encouraged Nicaragua to make all efforts to implement the accepted recommendations fully. Sri Lanka also noted that the key challenge facing Nicaragua was the fight against poverty, and was confident that the agreed recommendations would facilitate efforts further at the national level.

262. Uzbekistan welcomed Nicaragua's national plan for human development for the period 2009–2011, taking into account a gender perspective, providing assistance to vulnerable groups as a priority, and conducting a massive awareness-raising campaign on human rights. Uzbekistan had also noted the efforts to improve the judiciary for 2009–2011. Uzbekistan expressed satisfaction that Nicaragua had accepted Uzbekistan's recommendation that it continue to implement national priorities and measures aimed at settling issues relating to the promotion and protection of human rights in accordance with its legislation and international obligations.

263. The Islamic Republic of Iran welcomed the constructive engagement of Nicaragua in the universal periodic review, and thanked it for accepting many recommendations, including those that it had made. This clearly demonstrated Nicaragua's will and commitment to human rights at international and national levels, particularly in the field of social and economic rights. It commended the principled position of the Government of Nicaragua on the occupied Palestinian territories, particularly following the recent, brutal attack against the humanitarian aid convoy.

264. The Democratic People's Republic of Korea appreciated the sincere and constructive approach adopted by Nicaragua towards the universal periodic review process. It noted its consistent policies and efforts aimed at the promotion and protection of human rights. Despite the difficulties and challenges, Nicaragua had made constant efforts and considerable achievements in the areas of economic, social and cultural rights, as well as in civil and political rights. It had also noted a series of measures taken to improve the living conditions of its people, particularly of vulnerable groups.

### **3. General comments made by other relevant stakeholders**

265. The Procuraduría para la Defensa de los Derechos Humanos of Nicaragua welcomed the ratification of ILO Convention No. 169 and its extension to Afro-descendants. It recognized Nicaragua's will and achievements in access to health, education, social housing and citizen security, in spite of the lack of resources. It suggested that Nicaragua should reconsider the legislative prohibition of therapeutic abortion; to this end, it urged the four

powers of State to coordinate, since this decision would override each one's competency. It suggested that Nicaragua should assign more resources to develop public policies on sustainable land use and to promote food production. It highlighted the fact that the privatization of social security affected those over 60 years of age. It recognized that a lack of resources and drug trafficking threatened the well-being of the population in detention, and invited Nicaragua to continue to combat this scourge.

266. The World Organization against Torture, in a joint statement with the International Federation for Human Rights, referred to procedures lacking transparency, which had led to the electoral fraud in 2008 and remained in place in the 2010 elections, and would jeopardize the 2011 elections. It had also noted a presidential decree of January 2010 that, contrary to the Constitution, sought to keep the magistrates of the Supreme Electoral Council whose term of office ended in place, and which gravely affected the independence of the judiciary. It expressed its support for recommendations on the respect of rule of law, including the current Constitution, which prohibited the continuing re-election of the President. The State continued to discredit human rights defenders, and even encouraged new forms of aggression against them. It also stated that violence against women continued, noting Nicaragua's refusal to allow therapeutic abortions despite the recommendations of four treaty bodies and more than 30 universal periodic review recommendations.

267. Madre, Inc. noted that the law prohibiting abortion could not be declared unconstitutional since the Supreme Court of Justice had itself been formed illegally. It noted that two lawyers whose terms of office had expired were still in the Court, a situation backed by an illegal Presidential decree. These illegal actions had been imposed through threats and intimidation, without any kind of investigation into the events. Madre, Inc. requested that the Special Rapporteur on the independence of judges and lawyers investigate the matter.

268. Amnesty International welcomed Nicaragua's immediate support for 68 recommendations, including those to uphold freedom of expression, assembly and association, and to ensure that human rights defenders work without harassment and that national laws comply with international human rights obligations. The total ban on abortions had been introduced in 2006, and subsequently enforced by the new criminal law introduced in 2008. Amnesty International expressed disappointment that Nicaragua was unable to support consistent calls for the repeal of the ban by treaty bodies and at the universal periodic review. It noted that, so long as the ban remained in place, victims of rape and incest would be subjected to health risks and imprisonment if they sought legal abortions. Furthermore, medical professionals fearful of prosecution would delay or deny life-saving medical treatment to women and girls who suffered complications during pregnancy. It urged Nicaragua to work to build support for changing legislation over time at the national level.

269. The International Save the Children Alliance welcomed the ban on corporal punishment. It regretted that the Government had limited its focus on child victims of rape, resulting in forced pregnancies. It expected the Government to allocate more resources to the education sector and to provide rehabilitation and education opportunities for street children. It urged sustained investment in education to achieve universal basic education. It welcomed the support for the follow-up to and strengthening and implementation of plans for combating poverty. It urged the Government to double its efforts to create decent jobs, in order to reduce migration and the risk of abandonment resulting in child exploitation. It welcomed the acceptance of recommendations on strengthening and impartiality of the ombudsman.

270. Action Canada for Population and Development, in a joint statement with Ipas, noted that the ban on therapeutic abortions continued, despite the recommendations of human rights bodies and those made during the universal periodic review. The law



prohibiting therapeutic abortion had been challenged on constitutionality grounds in 2008, but the remedy was still pending at the Supreme Court. A draft amendment of law 641, which allowed for exceptions in exceptional circumstances, enjoyed the support of all political parties, except for the Sandinista Front. It stated that the protocol for assistance in cases of obstetric emergencies was not an adequate solution, since it was not a law but only an administrative regulation, so medical personnel still feared reprisals of being punished. It requested the Council to maintain the recommendations regarding therapeutic abortion until the law was amended.

271. The European Region of the International Lesbian and Gay Federation requested that all universal periodic review recommendations be implemented and that new and independent machinery be established by law to tackle discrimination based on sexual orientation and gender identity. It urged the Government to ratify the Optional Protocol to the Convention on the Elimination of Discrimination against Women, the San Salvador Protocol and the Rome Statute, and to adopt the Yogyakarta Principles and relevant resolutions of the Organization of American States as guidelines of its public policies. It also encouraged Nicaragua to include civil society in the implementation of recommendations.

#### **4. Concluding remarks of the State under review**

272. Nicaragua appreciated the opportunity to engage in a sincere, genuine and transparent dialogue, and all recommendations made. It would continue to cooperate with the Council, and reiterated its willingness to overcome human rights obstacles and challenges, highlighting the fact that its commitment to human rights was permanent.

#### **Italy**

273. The review of Italy was held on 9 February 2010 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 Italy in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/ITA/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/ITA/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/ITA/3).

274. At its 20th meeting, on 9 June 2010, the Human Rights Council considered and adopted the outcome of the review on Italy (see section C below).

275. The outcome of the review on Italy comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/4), the views of Italy 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/14/4/Add.1).

#### **1. Views expressed by the State under review on the recommendations and/or conclusions, its voluntary commitments and the outcome**

276. Italy noted that the universal periodic review had contributed significantly to an assessment of its domestic situation in the field of human rights. In presenting its national report, Italy had focused on priority areas, such as the fight against racism and racial discrimination, the situation of migrants and asylum seekers, the presence of Roma and

Sinti communities, the human rights of women and children, freedom of opinion and expression, the independence of the judiciary and administration of justice, and the commitment to establish an independent human rights institution.

277. Italy would take important decisions concerning migration policy within the framework of the European Union, with due regard for sustainability, social integration and the rule of law.

278. With regard to the recommendations made during the interactive dialogue, Italy referred to its responses in the addendum submitted before the session. In this context, it noted that, since February 2010, the authorities had convened two meetings with civil society organizations and two parliamentary hearings devoted to the results of the review. Italy stressed that it had accepted 78 of the 92 recommendations made, and had provided detailed comments and explanations in relation to its response to a large number of recommendations.

279. Many recommendations focused on challenging areas, to which further attention was required, such as integration policies and equal opportunities. Italy noted that some concrete action had already been taken in recent months, such as the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings; the allocation of a further 200 million euros to integration policies for migrants; and the imminent launching by the Minister for Equal Opportunities of an updated national plan of action against racism and racial discrimination.

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

280. Algeria warmly thanked Italy for the replies given to the recommendations made. Italy had shown its commitment to human rights by accepting most recommendations, including three of the four recommendations made by Algeria. However, in the light of the difficulties encountered by migrant workers, it had hoped that its recommendation that Italy become a party to the Convention on Migrant Workers would also be accepted. Algeria welcomed the noble spirit of Italy in settling a historic conflict with a former colony, as well as its renewed commitment to achieve the target of 0.7 per cent for official development assistance set by the United Nations.

281. The Islamic Republic of Iran referred to the recommendations that it had made during the Working Group session, requesting that the delegation elaborate on the measures taken to effectively address them, including the recommendations to ratify the Convention on Migrant Workers; to develop a comprehensive strategy in areas such as housing, education, employment and health care, to improve the situation of Roma and Sinti communities; to take a comprehensive set of measures to combat racism and racist political platforms; and to develop a national integrated human rights plan in line with the Vienna Declaration and Programme of Action. It deplored the position taken by Italy on Council resolution 14/1, which it considered brought into doubt Italy's commitment to human rights.

282. Belarus was grateful for the detailed comments provided by Italy on the recommendations. It welcomed Italy's goodwill and efforts in implementing recommendations, a sign of its continuing commitment to its international obligations in the area of human rights. Continuous efforts were needed to combat human trafficking, by reducing the demand for victims and taking victim identification measures. Additional efforts were also required to better manage the massive influx of illegal migrants and to counter discriminatory and racial acts. Belarus noted Italy's comments in relation to the recommendations that could not be implemented, and expressed understanding in this regard.

283. The United States of America commended Italy for enhancing its commitment to address human rights issues with the proposed establishment of an independent national human rights institution. It aligned itself with the recommendations that Italy continue to ensure freedom of expression and the media, and called for the adoption of safeguards to ensure the independent functioning of all media. It expressed appreciation for Italy's acceptance of recommendations regarding immigration, in particular those relating to Muslim immigrants and the Roma community. It underlined the importance of recommendations regarding the forced eviction of persons living in unauthorized camps, and encouraged Italy to accept these recommendations, if it had not already done so, and to intensify efforts to consult with affected residents.

284. Iraq greatly appreciated Italy's efforts to prepare its report, which reflected its desire to promote human rights. It acknowledged the efforts made by Italy in ratifying the Optional Protocol to the Convention against Torture, as well as its adoption of a bill of ratification of the Convention to combat trafficking in persons. Iraq valued the reaffirmation by Italy that it would fully abide by recently adopted legislation, particularly in relation to the treatment of migrants, also known as the security package, as well as other implementing measures, principles and obligations in the area of human rights. Iraq wished Italy success in making further progress, particularly in the field of human rights.

285. Somalia noted that a large number of recommendations had been made during the review of Italy, many of which were focused on such challenges as migration policies and the fight against racial discrimination. Somalia expressed satisfaction at the acceptance by Italy of most recommendations and the detailed explanations provided in this regard. It recalled its historic ties with Italy, and called on Italy to continue to devote attention and resources to the pursuit of a lasting solution to the political, social and economic problems that had affected Somalia for so many years. Somalia seized the opportunity to thank the Commission on Human Rights of the Parliament of Italy for organizing a special hearing on the situation of human rights in Somalia.

### **3. General comments made by other relevant stakeholders**

286. Human Rights Watch shared the concerns expressed by many delegations about intolerance and xenophobia towards migrants and minorities, including the Roma and the Sinti. Racism and xenophobia characterized by violence, as well as offensive political discourse, were serious problems in Italy. Human Rights Watch noted that, although during its review Italy had reiterated its commitment to rescue operations at sea, to date it had failed to renounce publicly its policy of intercepting and summarily returning boat migrants on the high seas. It welcomed Italy's acceptance of the recommendation to ensure that its legislation and practices comply with the principle of non-refoulement, stressing that it was vital for Italy to comply with this principle also in relation to terrorism suspects, as the global ban on torture and the European system of human rights protection would otherwise be undermined.

287. The Joint Charitable Institute for Protecting Social Victims expressed its concern at the persistence of xenophobic attitudes and reported instances of hate speech against foreign nationals. It also expressed concern at the role of the media in associating Muslims with extremism and terrorism. It asked that Italy rectify this situation by eliminating all forms of discrimination against minorities and migrants and ensuring equal opportunities for the enjoyment of economic, social and cultural rights; that it take administrative and legal measures against perpetrators of racially-motivated acts; and that it ratify the Optional Protocol to the Convention against Torture in order to permit the Subcommittee on Prevention of Torture to conduct visits to places of detention, including reclusion centres for migrants and asylum seekers.

288. The International Federation of Human Rights Leagues and its affiliated league in Italy, the Union of Jurists for the Protection of Human Rights, expressed satisfaction at the large number of pertinent recommendations that had been made. It noted a marked increase in racism and discriminatory behaviour against migrants and Roma and Sinti populations in Italy. Despite existing legal instruments, judicial authorities had failed to prosecute those responsible. It also stated that Italy's reply in relation to questions on the treatment and refoulement of illegal migrants and asylum seekers did not reflect the widespread practice of pushing back migrants in the high seas. It further observed the increasing restrictions on the freedom of expression and the right to information, and indicated that concerns raised about media concentration were particularly relevant.

289. Amnesty International noted that many delegations had asked Italy to take effective measures to counter racism and prevent discrimination against migrants, asylum seekers and members of minorities. It welcomed Italy's support for most recommendations on these issues. It also noted with appreciation that Italy had accepted recommendations to ensure compliance with international law in relation to forced evictions. It expressed disappointment at the rejection of the recommendations to incorporate into domestic law the crime of torture, as defined in the Convention against Torture, and urged Italy to reconsider. Lastly, it regretted that Italy had rejected recommendations made to eliminate from its legislation provisions that criminalized irregular entry and stay in the country, and called on Italy to amend or withdraw these provisions.

290. The International Save the Children Alliance noted that Italy had not accepted a recommendation relating to the prohibition of corporal punishment. It urged Italy to prohibit corporal punishment and other forms of cruel or degrading punishment in all settings, including the family, by enshrining the prohibition in national law. On the other hand, the Alliance welcomed Italy's acceptance of a recommendation relating to the effective protection of the rights of unaccompanied children and their access to asylum procedures. It noted with concern, however, that the principle of the benefit of doubt was not applied in the assessment of a child's age, and that migrants who arrived as children were not placed in integration projects for at least two years and were not entitled to have their residents permits renewed when adults. It called on Italy to introduce adequate legal safeguards to protect the rights of unaccompanied children, and welcomed the acceptance by Italy of recommendations relating to the improvement of asylum procedures and respect for the principle of non-refoulement.

291. Rencontre Afrique pour la Défense des Droits de l'Homme noted that Italy faced great difficulties in migration management. Some migrants lived in very difficult conditions, working in some instances over 16 hours a day for very low wages, half of which they had to give to the local mafia. It welcomed Italy's contribution to the achievement of the Millennium Development Goals in many developing countries, through the promotion of food security and the right to safe drinking water. It encouraged Italy to establish a national dialogue to re-examine recommendations that it had not accepted. Lastly, it requested that Italy establish a favourable framework to rehabilitate victims of trafficking and to launch a dialogue with the countries concerned to put an end to the distress of migrants.

292. Reporters without Borders stated that Italy seemed to be drifting away from democratic standards with regard to press freedom, the financial status of the media and the separation of powers. It expressed concern at a draft law that would criminalize the publication of telephone recordings and prohibit publications relating to cases in which the investigation was not terminated as well as the use of hidden microphones or cameras, thus jeopardizing the freedom of the press and the investigative work of journalists. Reporters without Borders further referred to a conflict of interest created by the control exercised by the Prime Minister of Italy over public television channels and private media. In this context, it expressed alarm at the restrictions on investigative journalism and political

discourse on television, including during the electoral period. It also noted that a number of journalists needed to live under police protection owing to their investigative work on the mafia.

293. The Joint European Region of the International Lesbian and Gay Federation commended Italy for accepting a recommendation to strengthen measures to prohibit discrimination based on sexual orientation and gender identity and to ensure adequate protection of LGB people. It noted that legal protection against discrimination of LGB persons only existed in the area of employment. In view of increasing violence against these groups, they should be included in appropriate hate-crime legislation. Training should be provided to the police and other relevant authorities. Public education and awareness-raising campaigns should also be promoted. It welcomed Italy's support for the joint statement on sexual orientation and gender identity and human rights delivered in December 2008 at the General Assembly.

294. Franciscans International was pleased with the involvement of Italian civil society in the universal periodic review process, and recommended that Italy put in place a follow-up mechanism and continue the dialogue with civil society. It appreciated Italy's commitment to reduce pollution emissions from the Cerano coal power plant in the Apulia region and the Taranto metallurgical plant, and requested that concrete steps be taken and made public as soon as possible. It regretted the fact that Italy had declined to ratify the Convention on the Rights of Migrant Workers, and invited Italy to consider leading a consultation process to review the position vis-à-vis the Convention among the members of the European Union. It regretted Italy's reasons for rejecting recommendations concerning the decriminalization of irregular migrants.

295. Volontariato Internazionale per lo Sviluppo stated that Italy remained one of the few European countries without a national human rights institution, and expressed concern at the continuing delay in the establishment of such a body, noting that no concrete action had been taken to date. In this regard, it recalled the voluntary pledge made by Italy in 2008, when presenting its candidature for membership in the Council. It also noted that, in 2008, a draft bill had been announced, although its text had never been made public. It considered that budgetary constraints could not constitute a valid excuse, and recommended that Italy should establish such an institution as a matter of urgency.

#### **4. Concluding remarks of the State under review**

296. In response to the comments and queries, Italy observed that, to a great extent, they had focused on the area of migration and the integration of the Roma and the Sinti. In this regard, Italy acknowledged that the situation was not perfect, but it was improving. While Italy had still been a country of massive emigration some 30 years earlier, it had now suddenly become a country of massive immigration. This shift had brought about a number of complications for the legislature and for the general public.

297. A main feature of Italy's policy was that it distinguished between regular and irregular migrants, to encourage the former and discourage the latter. Italy was not in a position to sign the Convention on Migrant Workers, which made no such distinction. A key component of the migration policy was the fight against organized crime, which took advantage of unfortunate people seeking to leave their countries. This fight was intensifying. The second goal was to work with countries of origin, which were supposed to treat their citizens well, but frequently failed to do so. This often resulted in the unfortunate departure of the most talented people, known as the "brain drain". A third line of action was cooperation with transit countries, which were also responsible for the humane treatment of migrants. In addition, Italy was working with partners in the European Union towards increased regulation and burden-sharing, noting that a large number of migrants arriving in

Italy were continuing their path to other countries, and that only about 40 per cent of migrants stayed on in Italy.

298. Italy was committed to protecting the human rights of migrants, and recognized the positive contribution of migrant workers to the Italian economy and society. Its policies aimed at their full integration.

299. Italy highlighted its efforts aimed at rescuing migrants at sea, noting that approximately 40,000 migrants had been rescued by Italian vessels in 2008 and 2009. However, it was important to put a stop to this dramatic situation and to prevent criminal groups from profiting from it, with the help of all countries concerned. With regard to the issue of refoulement, the Frontex common patrol operation at sea, in which many European countries participated, was in full compliance with relevant legal standards and United Nations conventions.

300. Italy was making efforts to address the issue of the Roma and the Sinti. The Roma had long lived in Italy, and many were Italian citizens, but the recent arrival of large groups from other parts of Europe had posed problems with regard to their integration. In total, there were now more than 160,000 Roma and Sinti in Italy. Italy stressed that all incidents had been regularly condemned by all political forces, and that rigorous investigations had been conducted. The most important task was the social integration of the Roma, in particular with regard to housing, education and employment. Efforts in this regard were continuing. With regard to its recognition as a minority, however, this would not be in line with the Constitution of Italy, which required a certain stability and duration of settlement of relevant communities in a specific area of the country.

301. With regard to racial discrimination and xenophobia, Italy acknowledged that episodes of these phenomena did indeed still occur, and that related social attitudes still existed, although the Government was strongly committed to their eradication. The legal framework had a multitude of provisions to fight racial discrimination and xenophobia, including provisions prohibiting incitement to hatred, and the judicial system was very active in this regard. Italy also paid special attention to the educational system, fostering an intercultural approach through specific programmes.

302. Lastly, with regard to a query related to its negative vote on Council resolution 14/1, Italy explained that its decision in this regard had not been easy, and asserted its very friendly relations with the Palestinian people, the Arab world as a whole, and Turkey, which had also been directly and dramatically involved. Italy stressed its willingness to continue to work, in conjunction with the European Union, for a just and comprehensive solution to the Middle East conflict, taking into account the legitimate concerns of all parties involved.

### **Kazakhstan**

303. The review of Kazakhstan was held on 12 February 2010 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 Kazakhstan in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/KAZ/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/KAZ/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/KAZ/3).

304. At its 22nd meeting, on 9 June 2010, the Human Rights Council considered and adopted the outcome of the review on Kazakhstan (see section C below).

305. The outcome of the review on Kazakhstan comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/10), the views of Kazakhstan 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/14/10/Add.1).

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

306. The delegation thanked the States that had participated in the review of Kazakhstan for their impartial assessment of the human rights situation in the country. Kazakhstan had accepted 121 recommendations, or 95 per cent of all recommendations made. It was not in a position to accept seven recommendations (1–4, 10, 12 and 19) in paragraph 97 of the Working Group report. The delegation reiterated Kazakhstan's willingness to comply with the recommendations regarding the protection of human dignity, freedom of thought, conscience and religion, protection of the economic, social and cultural rights, and the strengthening of national human rights institutions.

307. The protection of parenthood and childhood remained a key priority of social policy. The delegation cited ongoing measures and new plans in several areas, including development, education, health care, law enforcement, juvenile justice, domestic violence and human rights education. The national human rights plan of action for the period 2009–2012 and the Legal Policy Concept for the period 2010–2020, which were highly valued during the universal periodic review, would allow the continuation of the stage-by-stage implementation of strategies protecting all human rights.

308. The delegation referred to Kazakhstan's intention to continue to adhere to international human rights treaties. Taking into account financial resources and a need for change in law and practice, Kazakhstan intended to ratify instruments gradually, the first step of which was the acceleration of the ratification process of the Convention on the Rights of Persons with Disabilities. The ratification in March 2010 of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption would allow the country to cooperate with other States to protect the rights of children from Kazakhstan adopted by foreign citizens.

309. Kazakhstan would continue to accept regular visits from the special procedures mandate holders of the Human Rights Council in accordance with its extended standing invitation. It referred to the upcoming visit of the Special Rapporteur on adequate housing.

310. The reforms in the judiciary and law enforcement system would continue, taking into due account the recommendations made during the review. The delegation referred to its plans and the steps taken to improve the penitentiary system and reducing the prison population. In April 2010, the Government had approved a separate plan of action to modernize legislation and law enforcement to prevent torture, and drafted a bill on the national torture prevention mechanism.

311. The delegation highlighted Kazakhstan's acceptance of all recommendations regarding cooperation with non-governmental organizations, protection of human rights advocates and journalists, and the reinforcement of the role of the ombudsman. In that regard, the delegation shared the plans to, inter alia, introduce the draft bill on the reinforcement of the status of the human rights ombudsman to Parliament in 2011 and possible amendments to the legislation on public associations and, specifically, on the taxation of non-governmental organizations. The delegation also cited its continuous efforts

to protect the rights and freedoms of ethnic minorities and the targeted policy to support minority languages and ethnic cultures.

312. Kazakhstan would continue to expand and intensify its cooperation in the protection and promotion of human rights at the international level. The delegation expressed the Government's readiness to share its experience and best practices with other States, particularly regarding issues on inter-ethnic and inter-denominational accords, the protection of the rights of women and children, and education, and to learn from the best experiences of other States. Kazakhstan expressed its firm intention to strive for successful achievements in sustainable development.

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

313. Bahrain appreciated the steps and the measures taken by Kazakhstan for the implementation of the recommendations made during the universal periodic review. Bahrain appreciated Kazakhstan's efforts reflected, inter alia, in its national human rights plan of action. It valued Kazakhstan's commitment to continue its efforts to promote and protect the rights of children, to disseminate a human rights culture and to ensure education in human rights.

314. Algeria welcomed the additional information provided by Kazakhstan regarding the follow-up to recommendations made during the universal periodic review. It appreciated the Government's commitment to promote and protect human rights, and highlighted the fact that half of the recommendations had been implemented by Kazakhstan. Algeria expressed its satisfaction that only one of the five recommendations made by Algeria and related to the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Their Families did not enjoy the support of Kazakhstan. Having in mind the importance of the recommendation, Algeria encouraged Kazakhstan to protect the rights of the vulnerable population of migrant workers.

315. Uzbekistan thanked Kazakhstan for the comprehensive information on the recommendations made during the review. It praised Kazakhstan for the consistent steps taken for human rights protection, in particular for setting up national human rights priorities in the national human rights plan of action for the period 2009–2012 and in the Legal Policy Concept. Uzbekistan noted that Kazakhstan attached great importance to the realization of economic, social and cultural rights, including protection of the rights of women and children and the rights to health and education. Uzbekistan welcomed Kazakhstan's efforts to, inter alia, develop international cooperation in the area of human rights. During its review, Kazakhstan demonstrated that it had developed national human rights mechanisms to address problems in this area effectively.

316. Pakistan noted with appreciation that Kazakhstan had accepted 112 recommendations and that most of them had either been implemented or were in the process of implementation. Kazakhstan's willingness to comply with the recommendations demonstrated the importance it attached to the universal periodic review. Pakistan appreciated the Government's commitment to end gender discrimination, including domestic violence, and its readiness to strengthen law enforcement and the judicial system further. Pakistan highlighted Kazakhstan's willingness to establish an independent national human rights institution in accordance with the Paris Principles.

317. Malaysia was encouraged by Kazakhstan's commitment to pursue a non-confrontational and dialogue-based approach in expanding its international cooperation in the promotion and protection of human rights. It appreciated the Government's acceptance of a large number of recommendations, which demonstrated Kazakhstan's commitment to strengthen democratic standards and to ensure respect for all human rights. It welcomed



Kazakhstan's decision to accelerate the ratification of the Convention on the Rights of Persons with Disabilities.

318. Indonesia appreciated Kazakhstan's cooperative engagement within the Working Group, and commended the Government for its achievements in the field of economic, social and cultural rights and the remarkable results in education, health and social welfare. It also commended Kazakhstan for its efforts to modernize the judiciary, trial procedures and detention conditions. Kazakhstan should continue to pursue the total eradication of torture and the upgrading of all legislation relevant to the reform of the judiciary, to promote unrestricted freedom of the media and to intensify its measures regarding the rights of women, children and the disabled. An upgraded human rights commission would contribute to that endeavour.

319. Qatar welcomed the additional information provided by Kazakhstan. It noted that Kazakhstan had accepted many recommendations, including the recommendation made by Qatar. It welcomed Kazakhstan's achievements, in particular the implementation of Millennium Development Goals, the enhancement of human rights and the improvements of the economic and social situation.

320. Belarus welcomed the detailed information provided by Kazakhstan regarding the recommendations made during the Working Group session. The universal periodic review had provided the Government with the opportunity to assess its successes in the areas of social, economic and cultural rights and the improvement of its national legislation and to identify areas that might require further attention. Belarus welcomed Kazakhstan's determination to continue implementing universal periodic review recommendations. Belarus appreciated Kazakhstan's readiness to step up measures to protect the rights of children, combat domestic violence and develop human rights education.

321. The United States of America commended Kazakhstan for the adoption of its national human rights plan of action and its plan to end torture by 2012, and encouraged Kazakhstan to implement both plans. It hoped that Kazakhstan would carry out, in close cooperation with civil society, the recommendations calling for the establishment of an independent monitoring mechanism to prevent torture. The United States appreciated the acceptance of recommendations regarding the protection of women's rights, particularly through the enactment of the law on domestic violence, the rights of children, including children with disabilities, and the elimination of child labour. It reiterated its support for the recommendations calling for measures to ensure an impartial and independent judiciary. It was concerned that the Government did not see the need to decriminalize libel.

322. Iraq highly valued the Government's efforts in preparing the national report. It highlighted Kazakhstan's achievement in securing reconciliation among the ethnic and religious groups that peacefully coexisted in the country. It commended Kazakhstan for its economic growth achieved to reduce poverty and increase the prosperity of its citizens, its reform of public policies, and for having become a party to many international human rights treaties.

323. Norway noted that a significant number of recommendations had been accepted by Kazakhstan. The recommendations made by Norway regarding human rights defenders and journalists, fair trial, implementation of international treaties by courts and freedom of expression were regarded as implemented or in the process of implementation. At the time of proposing those recommendations, Norway was not aware of the advanced stage of their implementation and would continue to follow them up closely. Norway welcomed the acceptance of the recommendations to counter the practice of repression of free speech by easing the restrictions on web-based media. However, it regretted that Kazakhstan had not accepted to reconsider the rules for registration of religious groups and to take steps to promote interfaith harmony for those faiths considered to be non-traditional in the country.

324. The Russian Federation welcomed the initiative of Kazakhstan to expand its treaty obligations in the area of human rights and implement relevant measures at a national level, and facilitate a constructive and non-confrontational dialogue on human rights in international forums. It noted Kazakhstan's high level of cooperation throughout the process of the universal periodic review. Such cooperation was evident both during the discussion of Kazakhstan's report in the Working Group and the Government's response to the recommendations made by States. This was a sign of Kazakhstan's decisiveness to strengthen respect for all categories of human rights.

### **3. General comments made by other relevant stakeholders**

325. Human Rights Watch stated that a number of developments of the past four months, involving arrests and prosecutions of journalists, civil society activists and opposition party members underscored the urgent need for Kazakhstan to implement recommendations made during the review. It called on Kazakhstan to put an immediate end to the harassment of journalists and civil society activists and to implement without further delay meaningful reforms, as pledged by accepting recommendations made during the universal periodic review process. It welcomed Kazakhstan's acceptance of recommendations regarding implementation of the national human rights plan of action, and urged the Government to it fully, including by allocating the necessary budget for its implementation.

326. The International Federation for Human Rights supported the recommendations made by a number of countries requesting Kazakhstan to protect the rights of migrants, and in particular to sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. While referring to the violations found during the fact-finding mission in Kazakhstan, the Federation recommended that Kazakhstan ensure that the new law on migration, currently under preparation, was in full conformity with international law. It also recommended that Kazakhstan review the relevant legal provisions and practices with a view to ensuring strict compliance with the principle of non-refoulement. Since 2005, many Uzbek and Uyghur asylum seekers and refugees had been forcibly returned to the countries from which they had fled persecution. It indicated that some provisions of the regional agreements, such as the Minsk Convention and the Shanghai Cooperation Organization, contradicted the principle of non-refoulement.

327. Amnesty International welcomed Kazakhstan's support of the recommendations relating to strengthening safeguards against torture, and called on the Government to give immediate effect to those recommendations. It remained concerned, however, at the persistent allegations of torture or other ill-treatment of individuals deprived of their liberty by security officers, who often failed to respect current legislation with the requirement to register detainees within three hours of their deprivation of liberty. It also urged Kazakhstan to accept the recommendation to abolish the death penalty and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.

328. Interfaith International indicated that Kazakhstan was a multi-ethnic and multicultural cosmopolitan society. It congratulated Kazakhstan on taking into account the recommendations made during the universal periodic review, as well as on the progress made with regard to the Millennium Development Goals. It noted the Government's cooperation with special procedures mandate holders and treaty bodies, and the efforts to ensure the right to education and health. It encouraged Kazakhstan to establish a national commission for human rights in accordance with the Paris Principles, and to improve the independence of judges and the media.

329. Reporters sans Frontières stated that, despite its chairmanship of the Organization for Security and Cooperation in Europe, Kazakhstan had not demonstrated any improvements in ensuring the press freedom. Independent or opposition press was frequently subject to excessive fines and closure. It stated that such forms of disguised

ensorship were directed against publications that criticize the Government. The law promulgated by the President in July 2009 restricted editorial activities and freedom of expression on the Internet. Reporters sans Frontières stated that there was also a restrictive law on protection of private life, which had drastically worsened conditions for investigative journalism.

330. The Canadian HIV/AIDS Legal Network welcomed Kazakhstan's acceptance of the recommendations 39 and 40 in paragraph 95 of the Working Group report, and urged the Government to take steps to prevent HIV infection in prisons. It commended Kazakhstan for developing anti-discrimination legislation, and encouraged it to include sexual orientation and gender identity as grounds of discrimination. It urged Kazakhstan to apply international best practices, in particular the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity to recognize the rights of transgender people to change gender and name in official documents in accordance with their self-defined identity. It asked Kazakhstan what measure might assist the Government to reach a favourable conclusion to recommendation 2 in paragraph 97 related to joining the declaration on sexual orientation and gender identity.

#### **4. Concluding remarks of the State under review**

331. The delegation stated that many recommendations made during the review had been included in the 2010 report on the human rights situation prepared by the national commission of human rights in close cooperation with civil society. Furthermore, the national commission had submitted a recommendation to relevant State bodies to take relevant steps for the decriminalization of libel and defamation in the media. The delegation also referred to Kazakhstan's plan to establish a national human rights institution in accordance with the Paris Principles.

332. In response to the statements on cases of torture, the delegation referred to the Government's decision with regard to the implementation of the Committee against Torture and the Prosecutor's decision to initiate a prompt and thorough investigation in respect to individual complaints on cases of torture.

333. With regard to the reform of the judiciary, the Government was considering the recommendations to improve national legislation and practice in this area made by the national human rights mechanism and a number of countries in the Working Group. Kazakhstan had already established a judicial system that comprised three levels of courts, and all judges and law enforcement officials participated in human rights courses.

334. The delegation assured that Kazakhstan had taken all measures to ensure the equal enjoyment of rights of migrants. In December 2009, Kazakhstan ratified the Convention on the Status of Migrant Workers of the Commonwealth of Independent States. A new law on migration had been drafted and presented to civil society for its feedback.

335. In its response to statements on the freedom of religion, the delegation stated that, taking into account the recommendations made during the universal periodic review, the Government was working on a new draft law on religious organizations and freedom of religion and belief.

336. The national commission on human rights, with the active participation of Government agencies and non-governmental organizations, continued to work to address issues related to the protection of the rights of journalists.

337. Regarding gender equality, Kazakhstan was currently implementing a State programme on gender equality, with the goal of ensuring that 30 per cent of decision-making positions were covered by women by 2016.

338. The delegation thanked the representatives of States and civil society for their comments and recommendations, and reassured the active cooperation of Kazakhstan with the Human Rights Council to implement the recommendations accepted.

### **Slovenia**

339. The review of Slovenia was held on 16 February 2010 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 Slovenia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/SVN/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/SVN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/SVN/3).

340. At its 22nd meeting, on 9 June 2010, the Human Rights Council considered and adopted the outcome of the review on Slovenia (see section C below).

341. The outcome of the review on Slovenia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/15), together with the views of Slovenia 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/14/15/Add.1).

### **1. Views expressed by the State under review on the recommendations and/or conclusions, its voluntary commitments and the outcome**

342. Slovenia was pleased to address the Council on the adoption of the outcome document of its first review, noting that its commitment to the universal periodic review process had been demonstrated by, inter alia, the decision to have the delegation led by a person of ministerial rank. The preparation of the national report had been a comprehensive exercise involving all relevant ministries and Government offices, as well as civil society. Slovenia had viewed the process as an opportunity to take stock of its human rights situation; the dialogue had enabled it to compare its assessment of the situation with that made by other States Members of the United Nations.

343. With regard to the recommendations made, Slovenia had decided to take them back to Ljubljana for consideration and to provide a response to each individually. Accordingly, the addendum to the report of the Working Group was submitted to OHCHR on 19 March 2010.

344. Slovenia informed the Council that it had rejected only 5 of the 97 recommendations made.

345. Regarding the rejected recommendations, Slovenia could not accept the recommendation to pass a law on domestic violence owing to the national criminal legislative system; in Slovenia, criminal offences and sanctions were defined by the Criminal Code and General Offences Act.

346. Slovenia could not accept the recommendation on specialized family courts, as it planned to strengthen existing family departments gradually and systematically at the district court level, and to facilitate the creation of new departments if the need was independently established by the judiciary. The introduction of new courts with sole

jurisdiction over family relations and children might result in new court backlogs and/or lengthy trials.

347. Additionally, Slovenia could not accept the recommendation to strengthen the status of the German-speaking community. The rights of this community were adequately protected by a bilateral agreement and a convention between the Government of Austria and the Government of Slovenia on cooperation in the fields of culture, education and science for the period 2008–2012. Furthermore, the rights of the members of the German-speaking community, and in particular their rights to maintain their national, linguistic and cultural characteristics, were fully protected by the Constitution.

348. Slovenia could not make a definitive statement regarding the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and noted this recommendation. Most of the rights contained in the Convention were already guaranteed by Slovenia to migrant workers and their families in its labour markets, in compliance with that treaty's objectives.

349. One recommendation was not accepted, as it was considered unclear and contradictory.

350. Slovenia observed that many of the recommendations accepted were already being implemented. It gave the example of recent measures taken to improve the situation of the Roma community, in particular the national programme of measures for the Roma for the period 2010–2015.

351. A standing invitation had been made to the special procedures, and the first country visit, by the independent expert on access to safe drinking water and sanitation, had taken place from 24 to 28 March 2010.

352. Slovenia underlined the importance of a strong follow-up mechanism, and informed the Council that it had decided that the existing interministerial working commission on human rights, which included representatives of civil society, would monitor the follow-up to the recommendations. Another part of follow-up would be an analysis of existing institutional protection of human rights. The universal periodic review process had highlighted that some areas could be more efficiently covered, and the Ministry of Foreign Affairs had initiated a dialogue on how to improve institutional capacity for a more proactive promotion of human rights.

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

353. Algeria expressed its appreciation at the acceptance by Slovenia of almost all recommendations received, which demonstrated the country's commitment to the universal periodic review. It noted that two out of the three recommendations made by Algeria had been accepted. Algeria was encouraged by Slovenia's determination to continue its efforts to promote and protect human rights, in particular those of vulnerable groups. It affirmed that, in this spirit, it would appreciate it if Slovenia continued to examine Algeria's third recommendation in relation to the ratification of the Convention on Migrant Workers. Lastly, Algeria congratulated Slovenia on having pronounced itself in favour of humanitarian and human rights law during the consideration of Council resolution 14/1, thus giving priority to ethical values over political expedience.

354. The Islamic Republic of Iran referred to serious concerns expressed by various United Nations human rights mechanisms on a series of human rights violations in Slovenia, including the lack of a specific plan of action regarding human trafficking, the suffering of minorities, particularly the Roma, from prejudice and discrimination, reported cases of ill-treatment by law enforcement officials, and the trafficking of women for

prostitution. It also mentioned the recommendations that it itself had made. Iran invited Slovenia to elaborate on the measures taken to address the recommendations on developing a national plan of action aimed at addressing the sale of children, child prostitution and child pornography; taking urgent and concrete measures to ensure the practical enjoyment by minorities, particularly the Roma, of their rights; taking appropriate measures to prevent and punish all forms of ill-treatment by law enforcement officials; and addressing gender-based violence in a comprehensive manner, and combating all forms of trafficking in women and girls in Slovenia.

355. The United States of America expressed its deep appreciation for the conscientious manner in which Slovenia had approached the entire universal periodic review process and, in particular, the way it addressed the recommendations. It commended Slovenia for the establishment of the action plan of the interdepartmental working group against trafficking in human beings, and encouraged Slovenia to continue to strengthen its efforts to address that issue. The United States made reference to recommendations regarding the prosecution of sex and labour trafficking offences and the conviction and punishment of traffickers, including those involved in forced labour. The United States looked forward to receiving information on the progress in implementing the recommendations in this regard.

356. Iraq welcomed the efforts made by Slovenia in the drafting of its national report, which reflected Slovenia's willingness to promote human rights. The situation of the protection of migrants and their integration into Slovenian society were positive elements. Iraq paid tribute to the efforts made to raise awareness of issues of human rights in the armed forces, police and law enforcement bodies. It expressed satisfaction at Slovenia's national plan of action, which aimed to protect women and children during armed conflict. It wished Slovenia the best of success in its future work in the area of human rights and recommended the adoption of the report.

### **3. General comments made by other relevant stakeholders**

357. Amnesty International welcomed the adoption of the integrated national programme of measures for Romani people 2010–2015, and called on Slovenia to ensure that the programme was implemented within the established deadlines and in consultation with the Roma communities. Amnesty International supported the recommendation to improve the living conditions of the Roma, and called on the authorities to address the inadequate housing conditions of many Roma, including the lack of access to water, sanitation and electricity. It was also crucial that the authorities refrain from the forcible eviction of Roma communities. The adoption of the law regulating the legal status of the “erased” was a positive development, however it was concerned at attempts to organize a referendum on the new law, which, if successful, could overturn it and could lead to further discrimination against the “erased”. Amnesty International also regretted the fact that the authorities had failed to take legislative and other measures to grant full reparation to the “erased”. It called on Slovenia to develop a reparation programme for the “erased”, which should include restitution, compensation, rehabilitation and guarantees of non-repetition, as defined by international law.

358. In a joint statement, the International Lesbian and Gay Federation and Federatie van Nederlandse Verenigingen tot Integratie van Homoseksualiteit commended Slovenia for accepting recommendations 5, 6, 7, 8 and 22 made during the interactive dialogue, which included various measures to ensure that same-sex partners were treated equally to opposite-sex partners by Slovenian law. They encouraged Slovenia to continue its work on the draft family code. The two organizations shared the concerns of the Council of Europe Human Rights Commissioner, that homophobic and intolerant public statements had been made by some politicians during the discussion of the draft law. They recommended that the Government strengthen its existing efforts to counter negative public campaigns

through education and awareness-raising campaigns. They also urged the Government 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 in policy development.

#### **4. Concluding remarks of the State under review**

359. Before concluding, Slovenia responded to the additional questions raised. On ill-treatment by law enforcement officials, Slovenia had accepted the recommendation made by Iran (Islamic Republic of), and recalled that the issue was dealt with seriously, although it was of the view that it was not a serious and widespread problem. It viewed this recommendation as a general and permanent one in the field of human rights protection, and observed that such cases occurred very rarely in Slovenia.

360. Regarding the Roma, Slovenia acknowledged the importance of the 1995 programme of measures for assisting the Roma and the positive actions for the better integration of the community into society. Slovenia recalled the recent adoption of a national programme of action containing numerous measures to address this issue.

361. On trafficking, Slovenia clarified that anti-trafficking policies were part of the plan of action of the Interdepartmental Working Group against Trafficking in Human Beings, which focused on a wide range of communication activities aimed at raising awareness. Bearing in mind that women and children were the most vulnerable groups, the plan aimed to identify victims of trafficking and enhance prevention activities targeting these groups. Slovenia noted that women and children were the most vulnerable groups and therefore deserved special attention. It added that the plan also defined assistance and protection programmes for trafficked victims. One of the priorities set out in the plan was to involve non-governmental organizations to provide accommodation in safe houses and, in critical periods, to provide care and psychological assistance.

362. Regarding women's rights, Slovenia affirmed that the situation was being constantly monitored with a view to the elimination of discrimination. Slovenia had adopted a national programme for equal opportunities for women and men. The Government also implemented various activities in this regard, and all acts of violence were criminalized. Moreover, Slovenia had been actively taking a number of measures to reduce violence against women.

363. On the question of the so-called "erased", Slovenia recalled what was stated in the addendum to the Working Group report, that it accepted these recommendations in the light of the decision of the Constitutional Court in 2003 to the act amending the act regulating the legal status of citizens of the former Yugoslavia living in Slovenia, developed by the Government of Slovenia and presented to the National Assembly for adoption under a simplified procedure. It gave details regarding the act, adding that compensation claims by persons whose permanent residence has been terminated were dealt with by the relevant Slovenian courts under the general principles of compensation legislation, and that the Government was not drafting any special measures on this matter. Regarding a possible referendum, Slovenia could not provide details at this time, and it was uncertain whether it would take place.

364. In conclusion, Slovenia recalled that it was about to conclude its mandate within the Council, and that it has been a staunch supporter of the universal periodic review since the beginning. The mechanism had become indispensable in addressing the human rights situation in States Members of the United Nations, although the quality of recommendations and their implementation needed to be improved. Slovenia stated that it would continue to work hard to strengthen international norms, standards and mechanisms for their implementation, including the universal periodic review.

**Bolivia (Plurinational State of)**

365. The review of Bolivia (Plurinational State of) was held on 10 February 2010 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 Bolivia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/BOL/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/BOL/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/BOL/3).

366. At its 22nd meeting, on 9 June 2010, the Human Rights Council considered and adopted the outcome of the review on Bolivia (Plurinational State of) (see section C below).

367. The outcome of the review on Bolivia (Plurinational State of) comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/7), the views of Bolivia 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/14/BOL/Add.1).

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

368. The delegation of Bolivia (Plurinational State of) valued the universal periodic review as a mechanism that allowed for the evaluation of the human rights situation among peers, in equal circumstances and with due respect for the universality of human rights. Bolivia had already indicated its position with regard to the 79 recommendations when the report was adopted by the Working Group. Bolivia reaffirmed its support for 78 recommendations, and provided information on progress made to date, in particular since the experience in the preparation, review and follow-up to the universal periodic review had been, and continued to be, of great value.

369. The 78 recommendations were thoroughly reviewed by the national human rights council, which was composed of Government representatives and representatives from native indigenous peoples, social movements and non-governmental organizations. Many of the recommendations related to issues already reflected in the national human rights plan of action for the period 2009–2013 currently being implemented.

370. The delegation had distributed in the room a document with information on progress made to date with regard to all recommendations, as well as all its voluntary pledges and commitments. In this regard, the delegation highlighted the election of the Head of the Office of the Defensoría del Pueblo in May 2010 and the renewal of the memorandum of understanding for the extension of the mandate of OHCHR.

371. The Ministry of Justice was preparing reports due to be submitted to the Human Rights Committee, the Committee against Torture and the Committee on Migrant Workers.

372. With regard to recommendations on the judicial system, Bolivia (Plurinational State of) was committed to the full respect of the political constitution, which included all provisions with regard to the separation, independence, coordination and cooperation of powers. Measures to initiate judicial reforms were not isolated, and responded to the requests of the people, as reflected in the previous Constituent Assembly. In compliance with the relevant transitional law, the President had proceeded with the nomination of the judicial authorities, taking into account (a) that these nominations were to be made as an



urgent measure to address delays in the justice system, in accordance with the constitutional provisions and until the election of the magistrates scheduled for 5 December; (b) that the designated persons be recognized jurists without a political background, and be representative of the diversity of the population; (c) that the approval of the new judicial body be supported by all political actors of the Plurinational Legislative Assembly.

373. The delegation referred to the adoption on 31 March 2010 of the law to combat corruption, which also established a national council to combat corruption.

374. On 24 May 2010, on the occasion of the National Day to Combat Racial Discrimination, a draft law to fight racism and all forms of discrimination and racism was presented to the Plurinational Legislative Assembly.

375. Bolivia (Plurinational State of) announced that the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance would visit the country before the end of 2010.

376. In response to recommendations on the rights of children, Bolivia (Plurinational State of) was working on a plurinational plan for the communitarian development of children and adolescence with social inclusion and rights protection.

377. Lastly, the delegation made reference to the State's term as a Member of the Council coming to an end, and highlighted its satisfaction for its involvement in the promotion and protection of human rights, in particular those of victims of discrimination and the rights of indigenous peoples, and stressed its continued commitment in this regard.

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

378. Cuba made reference to the far-reaching changes made in recent years, which were aimed at making social justice and dignity a reality for all Bolivians. Bolivia (Plurinational State of) was advancing towards a society based on social equality, fairness and harmony, where discrimination and exclusion had no place among its peoples and nations. Cuba noted that the remarkable progress made in the effective enjoyment by all of human rights was an indisputable achievement. Cuba congratulated the State on its positive results and reassured it of its willingness to continue working together for the well-being of its people and all those aiming at achieving justice.

379. Algeria noted the positive response of Bolivia (Plurinational State of) to almost all recommendations, reflecting the importance that the State attached to the universal periodic review. Algeria expressed its appreciation for the State's acceptance of the recommendations made by Algeria, and its satisfaction that they either had already been implemented or were being implemented. Algeria welcomed the additional voluntary commitments made by the State, particularly those related to the further implementation of the national human rights plan of action. Algeria wished Bolivia (Plurinational State of) success in the implementation of the recommendations.

380. Venezuela (Bolivarian Republic of) referred to the historic roots that united both countries. Venezuela noted Bolivia's presentation of the profound social changes with absolute respect for human rights. Venezuela reiterated its satisfaction with Bolivia's openness and availability to dialogue. It also highlighted the acceptance by Bolivia of almost all recommendations, most of which have been already implemented. In conclusion, it encouraged Bolivia (Plurinational State of) to continue to consolidate the process of change in favour of its noble people, and reassured it of Venezuela's committed and fraternal support for this endeavour.

381. Malaysia noted with appreciation that 78 of 79 recommendations had been accepted by Bolivia (Plurinational State of), which had started implementing a number of them. It

noted the openness and flexibility of Bolivia's approach to the universal periodic review as testimony to its commitment to ensure the full enjoyment of all human rights by its people. Malaysia referred to the significant challenges faced by the State as it strove to ensure that its people continued to reap the benefits from globalization and development.

382. Pakistan expressed its deep appreciation for the constructive role played by Bolivia (Plurinational State of) during its term as a member of the Council. It highlighted the State's strong commitment by accepting almost all recommendations, and noted with appreciation that 67 of 78 recommendations either had already been implemented or were in the process of implementation. Pakistan also referred to the voluntary pledges and commitments made by the State, testimony to its genuine efforts to promote and protect the human rights of its citizens. It hoped that Bolivia (Plurinational State of) would continue its efforts and share its good practices to ensure economic, social and cultural rights with the international community.

383. Nicaragua thanked Bolivia (Plurinational State of) for its presentation on the work being carried out for the implementation of the universal periodic review recommendations. It referred to the State's frank acknowledgement of all the work that needed to be done, as well as to its cooperation with the Council during its membership. Nicaragua referred to the common victories and challenges that it shared with Bolivia (Plurinational State of), which was an example of good practices for Nicaragua. It expressed its wish to continue to work hand in hand with the State to continue to promote and protect the rights of all.

384. The United States of America welcomed the State's acceptance of recommendations on the independence of judiciary, the support for the rule of law and the more effective enforcement of the criminal prohibition of official corruption. The United States inquired about the specific measures that Bolivia (Plurinational State of) would take to ensure the full implementation of all these recommendations. It welcomed the State's decision to invite OHCHR to establish an office with a broad mandate in the country. It was pleased to see that the State was implementing its national plan for the progressive elimination of child labour, and that the Ministry of Labour had been conducting verification inspections which were critical steps to address the problem of child labour. The United States requested more specific information on implementation measures.

### **3. General comments made by other relevant stakeholders**

385. The representative of the International Coordinating Committee of National Institutions in Geneva, speaking on behalf of the Defensoria del Pueblo of Bolivia (Plurinational State of), a full Committee member, noted that the assessment of the human rights situation in the country had enabled a broad process of dialogue between the Government and civil society, in compliance with Council guidelines for the preparation of the national report, which took into account the period 2006–2009 and the broad catalogue of rights as enshrined in the Constitution. Significant changes had been seen in social, political and economical policies, and the measures to recognize and guarantee the rights of indigenous peoples was a major achievement. Bolivia (Plurinational State of) was the first State to implement the United Nations Declaration on the Rights of Indigenous Peoples as a law and to incorporate it in its Constitution. It also had a national human rights plan of action elaborated in a participatory manner, involving civil society, and the work done with women, children and other vulnerable groups had also seen progress.

386. Amnesty International welcomed the focus of many States on Bolivia's justice system, and that the reforms were currently being discussed at the national level. In order to ensure that these reforms addressed the pervasive culture of impunity and the widespread lack of trust in the justice system, Amnesty International encouraged Bolivia (Plurinational State of) to ensure that all new measures were underpinned by the principles of independence of the judiciary and the separation of powers, and in line with international

standards for fair trial. Amnesty International reiterated its call for increased transparency in the reform process, noting that this should include, for example, measures to ensure the participation of civil society, including indigenous peoples in consultations on proposals for a parallel indigenous jurisdiction. While acknowledging the measures highlighted in the national report regarding the exhumation of victims of enforced disappearances, Amnesty International encouraged the Government to make archives dating back to the period of military and authoritarian rule available. Lastly, it urged the Government to ensure that free, prior and informed consent of indigenous peoples was sought in relation to reforms that affected them.

387. Mouvement contre le racisme et l'amitié entre les peuples, in a joint statement with France Libertés and International Educational Development, noted that the first universal periodic review of Bolivia (Plurinational State of) had allowed them to become acquainted with the internal and external difficulties that the Government faced. With the adoption of the new Constitution, the national plan of action for human rights and the national development plan, Bolivia had entered a small group of countries which had put human rights at the heart of policy and Government action. Mouvement contre le racisme et l'amitié entre les peuples highlighted the organization of the Cochabamba conference following the failure of the United Nations Conference on Climate Change in Copenhagen, and noted that successes already achieved in several areas, such as the integration of indigenous peoples, minorities, women, education, health, nutrition, justice and the distribution of income from the national resources exploitation must encourage Bolivia to pursue these efforts. These successes should also encourage neighbouring countries to accompany these efforts rather than to undermine them.

388. The Indian Movement Tupaj Amaru noted that, following the taking of office by a party headed by a president of indigenous origin, the working class and the indigenous peoples had placed too many hopes in national liberation. In the period 2006–2008, GNP exceeded the 5 per cent per annual average, but the result of this economic growth had not been seen in everyday life. According to some non-governmental organizations, the extremely poor still account for 61 per cent of the rural population. In urban centres, poverty and begging were constantly on the rise. According to the Inter-American Commission on Human Rights, more than 600 indigenous families from the Guarani people still lived and worked in slavery conditions, and were subjected to servitude relationships, which showed that the first indigenous president did not have enough power to end the slave enclaves in place in territories controlled by the political opposition elite, which governs in the regions.

389. Conectas Derechos Humanos and Coalición de Mujeres de Bolivia welcomed the acceptance of recommendations relating to the rights of women and expressed appreciation for the progress made. With regard to the Bono Juana Azurduy concerning the reduction of maternal mortality, these measures should be accompanied by education and information policies in decision-making on reproduction. Concerning political participation, knowing that the National Assembly was dealing with the electoral regime, it was important to guarantee the effective participation of women. With regard to access to justice, there was concern that the rights of women in the regular legal system and in rural justice were not respected. Compliance with all rights of women and recommendations made during the universal periodic review would not be possible without drawing up budgets that are gender-based to assign more resources at the local, departmental and national levels to respond to demands from women's organizations and urgent and effective attention to cases of violence against women.

390. Action Canada for Population and Development conveyed the comments of a coalition of 67 national human rights organizations. It stated that the accepted recommendations, as well as the voluntary pledges and commitments made by the State,

were very important. It noted as positive the recent extension of the mandate of OHCHR in the country. The recommendations should be implemented within the framework of the national human rights plan of action, and sufficient resources should be made available. In the area of economic and social rights, as recommendations were expressed in general terms, the State would have to set targets and goals. The organizations shared the view of the recommendations calling for the harmonization of national legislation with international human rights standards. It agreed with the importance of promptly restructuring the judiciary within the framework of the Constitution and guaranteeing its independence, and also that of other institutions dealing with the protection of human rights. The organization highlighted the disagreement about the means to ensure the eradication of child labour, an inadmissible exploitation, which would require providing employment to parents. There was also a need to comprehensively address the situation of street children. It regretted that the needs of specific groups, such as older persons and Afro-Bolivians, had not been specifically addressed. It also noted that human rights organizations would monitor the compliance with the recommendations.

#### **4. Concluding remarks of the State under review**

391. In concluding, Bolivia (Plurinational State of) thanked all delegations civil society representatives who had taken the floor on this occasion.

392. The national human rights council, with the participation of civil society, was the coordinating body responsible for the follow-up to all commitments made in the context of the universal periodic review.

393. Bolivia (Plurinational State of) was undergoing a process of transition with a view of constructing a plurinational State and building its own national identities. Although it acknowledged that much could still be done, Bolivia (Plurinational State of) was working towards an inclusive society without discrimination of any form and was implementing all necessary measures to improve the enjoyment of all human rights.

394. Bolivia (Plurinational State of) was a colonized country which was now working for the decolonization and the elimination of patriarchal structures, to include indigenous and women in political decision-making processes. The Government was pursuing efforts to ensure that women were represented in 50 per cent of all decision-making positions of Government.

395. Lastly, the delegation referred to the interconnection between human rights and those of mother earth, affirming that it was not possible to defend human rights without considering the environmental crimes of which all are victims. Changing the development model from unbridled capitalism to one in harmony with mother earth was a human rights obligation, as international law required States to take all necessary measures to protect the right to life.

396. Bolivia (Plurinational State of) reaffirmed its commitment to the defence of the rights of mother earth in the same way it was committed to the defence of human rights, and asked for the support of the international community in this regard.

#### **Fiji**

397. The review of Fiji was held on 11 February 2010 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 Fiji in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/FIJ/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/FIJ/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/FIJ/3).

398. At its 23rd meeting, on 10 June 2010, the Council considered and adopted the outcome of the review on Fiji (see section C below).

399. The outcome of the review on Fiji comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/8), the views of Fiji 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/14/8/Add.1).

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

400. The delegation of Fiji reported that, given the gravity of the recommendations received, a national consultation had been convened to ascertain the views of non-governmental organizations and civil societies, to obtain an alternative view of how they perceive the recommendations, and to state how they would or could assist the Government in implementing some of the suggested recommendations. A further consultation was convened with all the relevant Government ministries and agencies that would be responsible for implementing the recommendations.

401. Special mention was made of the cooperative participation of two of Fiji's prominent women advocacy groups, the Fiji Women's Rights Movement and the Fiji Women's Crisis Centre. The delegation recalled that Fiji, during the Universal Periodic Review Working Group session, singled out these two organizations, highlighting their refusal to participate in the consultations leading up to and during the drafting of Fiji's national report.

402. Out of a total of 103 recommendations, Fiji had accepted 97 (94 per cent), and had rejected 6.

403. In relation to recommendations 1 to 7 on ratification, and recommendation 9 on the alignment of national laws, certain pertinent factors must be assessed before ratification to ensure that Fiji could meaningfully participate and fulfil all obligations. Hence, Fiji had set for itself a time frame of 10 years within which it would endeavour to implement all core human rights conventions.

404. With regard to recommendation 8 on the abolition of the death penalty in the Military Code, Fiji had removed the death penalty from its Criminal Code. The abolition of the death penalty from the Military Code was a matter currently under consideration. The death penalty under the Military Code had never been exercised in the past.

405. On recommendation 11, on the restoration of constitutional rule, Fiji had set for itself a time frame for the return to parliamentary rule. In accordance with the road map for democracy and sustainable economic development framework, Fiji would hold elections in 2014. There would be no negotiations on the time frame, and the Government was committed to fulfil all its reform agenda leading up to 2014. Fiji requested the cooperation of the international community towards this end.

406. On recommendation 12, Fiji was endeavouring to uphold and respect the rule of law, confirming that Fiji was not considering restoring the 1997 Constitution.

407. The Fiji Parliament was scheduled to be reconvened following the general elections in 2014. A call for elections in 2010 was impractical. Fiji had a legitimate authority in the Government under a new legal order, and the Government had total and effective control

over the country and continued to guarantee and protect the rights of its citizens; it would not reinstate the abrogated authority.

408. The delegation reiterated that the Government, through the enactments of various decrees, had endeavoured to ensure the protection of human rights in domestic laws. However, Fiji would not be restoring the 1997 Constitution, nor would it reinstate the judges and other judicial officers that were removed by the President in April 2009.

409. In February 2010, Fiji had announced that it would lift the public emergency regulation as soon as the Fiji media decree was promulgated. Consultations on the new media decree had been completed, and a new text, which had taken into account the suggestions received, had been drafted, and the new law was awaiting the cabinet's endorsement.

410. Fiji would not revoke the Fiji human rights decree, as it was the only legislation ensuring the continued existence of the Fiji Human Rights Commission. The Government was committed to implementing the decree and to filling vacancies that continued to exist, mainly owing to travel restrictions currently imposed by a few of Fiji's neighbours.

411. The delegation stated that Fiji would cooperate fully with any special procedures mandate holder wishing to visit the country, but stressed that Fiji preferred to receive requests prior to such visits.

412. The delegation added that any investigation could not proceed unless an official complaint had been received by the relevant authority.

413. Fiji had an independent and well-functioning judiciary; the reinstatement of judges, magistrates and other judicial officers removed in April 2009 would not be necessary.

414. The delegation stated that Fiji considered recommendation 90 not acceptable for political, administrative and security reasons.

415. Fiji saw the usefulness of the Human Rights Council processes, which included providing an opportunity for all States to declare what actions they had taken to improve the human rights situation, in their countries, identifying and addressing the challenges to the enjoyment of human rights and sharing information and good practices on how to overcome violations wherever they occur. The delegation also stressed that, from such an approach and perspective, the sovereignty of a State under review should be respected, that the culture and idiosyncrasies of the people of the State should be respected, that the stage of socioeconomic and political development, and constraints of the State under review should be recognized and understood.

416. Fiji was a very young nation undergoing a period of political transition. A better appreciation of Fiji and its history could certainly be an effective vehicle for marshalling wider support to address more urgent and pressing social human rights issues, which in many instances tended to be placed on the backburner, or completely ignored when discussing human rights issues of a Member State. In this connection, the delegation referred to such rights as the right of a child to have access to quality education, proper medical-care services and proper infrastructure. The delegation added that effectively addressing these social human rights issues would go a long way to creating a lasting, stable and healthy democratic environment.

417. The delegation reiterated that the political landscape in Fiji had significantly changed since April 2009, after the abrogation of the Constitution, and Fiji was now being governed under a new legal order. The Government had total and effective control over the country. The reality of the situation in Fiji needed to be understood to assist the Government in its efforts to put in place necessary legal instruments and vital processes to hold fair and truly democratic elections by 2014.

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

418. The United States of America invited Fiji to provide further clarification as to why the recommendations, particularly recommendation 17, that Fiji considered impractical had been rejected. It urged Fiji to reconsider its rejection of the recommendation of the United States, to ensure that human rights are explicitly protected in domestic law, including the restoration of the 1997 Constitution and the immediate reinstatement of a transparent and independent judiciary. It looked forward to information on the progress made to ensure that human rights are protected in domestic law, with specific regard to the recommendation that Fiji take immediate steps towards holding democratic elections. It welcomed the acceptance of ending media censorship and the repeal of the 2009 public emergency regulation. It asked for feedback on the progress of the repeal. It reiterated support for the creation of an environment conducive to allowing civil society to develop.

419. The United Kingdom of Great Britain and Northern Ireland encouraged Fiji to implement the recommendations promptly. It welcomed the fact that some stakeholders had been consulted for the preparation of the review and hoped to see continued engagement with civil society in the follow-up to the review. It was pleased that its recommendations had been accepted, particularly those requesting that the interim Government instigate an open national dialogue leading to credible elections; that the public emergency regulation and any policy restricting freedom of media or the rights of freedom of association or movement be lifted; and that the administration should allow visits by special procedures mandate holders. It reiterated the need to revoke the Fiji human rights decree in order that the National Human Rights Commission could be allowed to conduct investigations properly.

420. Algeria stated that the cooperation and friendship between Fiji and Algeria would be enhanced by their recent agreement to establish diplomatic relations at the ambassadorial level. Algeria appreciated Fiji's acceptance of most of the recommendations, including four of the five recommendations formulated by the delegation of Algeria. Algeria acknowledged the challenges faced by Fiji and reiterated the importance of the restoration of the rule of law for the promotion and protection of human rights in the country. It also highlighted that enhanced efforts aimed at tackling poverty would be needed for ensuring better living conditions for the Fijian population.

421. Morocco recalled that the objectives of the universal period review included cooperation in the promotion and protection of human rights and strengthening the capacities of States, and called upon the international community to demonstrate understanding during this period of political transition and to help Fiji carry out the necessary reforms. Morocco reiterated its appeal to States to respond to Fiji's request for support to implement the road map for democracy and sustainable economic development. It stressed that the assistance of the international community, together with the efforts of the authorities and the people of Fiji, would make it possible to tackle the underlying causes of political instability.

422. Canada was concerned by the overthrowing of the democratically-elected Government in 2006. It deplored the abrogation of the Constitution and the subsequent decisions by the interim Government to dismiss the judiciary, as well as the lack of legitimacy of the presidential decree. It welcomed the intention to commence a national dialogue process to return to democracy and constitutional rule, recommending that it be broad-based with political parties and civil society. Canada welcomed the acceptance of Fiji to repeal the public emergency regulations, and encouraged the establishment of the conditions to allow for freedom of expression, assembly and democratic dialogue. It was concerned by the plan to introduce a media decree.

### 3. General comments made by other relevant stakeholders

423. Amnesty International considered that the human rights situation in Fiji had not improved since the review in the Working Group session. It was concerned by the draft measures establishing a media tribunal empowered to impose hefty fines on journalists and editors and to imprison them for up to 5 years. It welcomed the announcement of the revoking of the public emergency regulations and the acceptance of the recommendations concerning discrimination and violence against women. It was concerned about the arrest, detention and charging of ministers and officials of the Methodist Church under the public emergency regulations. Amnesty International was concerned about the ongoing prosecution of human rights defenders, particularly Imrana Jalal, whose case it believed to be linked to politically motivated charges.

424. The Women's International League for Peace and Freedom reiterated the need to restore democracy and constitutional rule and to put an end to media censorship and the intimidation and persecution of critics of the interim Government. While noting the efforts made to reduce violence against women, it stressed that such reforms must be made within a democratic process. In this context, it called upon Fiji to take immediate steps towards an inclusive national dialogue leading to early and credible elections and the return to democracy. It also called upon Governments to maintain their targeted sanctions against individuals responsible for the human right abuses in Fiji and deter progress in the implementation of the universal period review recommendations, particularly the restoration of the rule of law. Further, it called for the removal of the public emergency regulations and the restoration of the bill of rights.

425. The World Association for the School as an Instrument of Peace echoed many States in encouraging Fiji to ratify the core human rights conventions and to issue a standing invitation to special procedures mandate holders. It also stressed the importance of the Fiji Human Rights Commission's conforming to the Paris Principles. It reiterated the need to end the public emergency regulations, the harassment of human rights defenders and the interference with the judiciary. It also highlighted the need to restore the Constitution and to repeal the media decree, and to hold an early election. It expressed support for integrating human rights education into the curriculum, and for Fiji's participation in a future regional human rights body for the Pacific. It also encouraged Fiji to continue to participate in the Polynesian Talanoa process.

### 4. Concluding remarks of the State under review

426. Upon the request of the President of the Council, the delegation clarified that Fiji noted recommendations 13, 14 and 24. The delegation also stated that Fiji had accepted the first part of recommendation 17, but found it difficult to accept the second part. The delegation reiterated that a new media decree would be promulgated as law in the near future, and the Government was firm in its proposal for general elections by 2014. The delegation also stated that it could not comment on the case of Ms. Jalal, as the case was currently before the court.

#### San Marino

427. The review of San Marino was held on 15 February 2010 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 San Marino in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/SMR/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/SMR/2);



(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/SMR/3).

428. At its 23rd meeting, on 10 June 2010, the Council considered and adopted the outcome of the review on San Marino (see section C below).

429. The outcome of the review on San Marino comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/9), the views of San Marino 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/14/9/Add.1).

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

430. The delegation of San Marino indicated that, in February 2010, San Marino had accepted 11 recommendations and rejected 13 others, while 32 pending recommendations had been examined over the past three months. The relevant responses were contained in the addendum to the report (A/HRC/14/9/Add.1).

431. The Government of San Marino had examined all pending recommendations in the light of their applicability to the San Marinese context. In this regard, recommendations relating to accession to international instruments involved the acceptance of shared values but also the monitoring of their implementation and reporting to monitoring bodies. The last aspect presented difficulties owing to the extremely limited human resources in San Marino.

432. As a consequence, San Marino did not accept the recommendations relating to the accession to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance and to some ILO conventions. San Marino did not accept to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as it seemed to be incompatible with the features and legal order of San Marino.

433. San Marino accepted, however, to undertake to accede to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and to the Convention on the Prevention and Punishment of the Crime of Genocide, and would notably include the crime of genocide in its criminal code.

434. San Marino also accepted to address the issue of timely reporting to human rights monitoring bodies, and would do its utmost to submit one report a year. The delegation added that San Marino was updating its legislation with particular attention to vocational training of all persons who dealt with health, social and educational services for ill and disabled persons, the elderly and children.

435. San Marino accepted all recommendations relating to children and was committed to introduce a new legislation to eliminate the concepts of “natural” and “legitimate” children, although no substantial discrimination was made in legislation between these two categories of children. San Marino agreed to amend its criminal code to abolish corporal punishment in all settings and to raise the minimum age of criminal responsibility from 12 to 14 years.

436. There were some recommendations that San Marino was not in a position to accept, as further discussion was needed in the years to come. This was notably the case of the establishment of a national independent institution for the promotion and protection of

human rights, and of legislation on citizenship and naturalization. Regarding the latter issue, a draft law would be submitted to the Parliament in 2010.

437. The delegation of San Marino thanked all those who had taken the floor for their recommendations and comments, including those that would be made thereafter and would be reported to the authorities.

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

438. The United States of America commended San Marino for the conscientious manner with which it had addressed the 56 recommendations made during the Working Group session and for the detailed explanation provided on them, all of which were the reflection of the Government's commitment to human rights. It especially appreciated the response of San Marino to the recommendations that the country should strengthen its protection for persons with disabilities, and increase efforts to combat violence against women.

439. Algeria commended San Marino for its commitment to the universal periodic review. It appreciated the fact that San Marino, in spite of the lack of human resources, had endorsed the recommendations by Algeria relating to the issue of overdue reports, which reflected its willingness to collaborate with human rights monitoring bodies. While noting the rejection of the recommendation to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Algeria encouraged San Marino to ensure full protection to migrant workers by complying with recommendation 1737 of 2007 adopted by the Parliamentary Assembly of the Council of Europe. Algeria stated that it would have appreciated it if San Marino had accepted its recommendation on a national human rights institution.

440. Italy noted that San Marino's commitment to the universal periodic review was further proof that the review was a fundamental instrument of the Council, since it provided a framework in which all States, large and small, could establish a dialogue with their peers. Italy noted with appreciation that San Marino had accepted many of the recommendations made during the review in the Working Group and that detailed explanation had been provided regarding all recommendations. Italy looked forward to the implementation of the accepted recommendations.

## **3. General comments made by other relevant stakeholders**

441. Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit noted that San Marino was not able to accept recommendations 20 and 21, and called on San Marino to ensure equal rights and access to the same level of protection to people belonging to sexual minorities. It referred to the contradicting statements made by San Marino with regard to whether sexual orientation and gender identity were grounds of discrimination in domestic law. It asked San Marino to clarify whether and how discrimination against LGBT people was explicitly reflected in existing awareness-raising activities, education and training programmes. It recommended that the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity be applied as a guide to assist in policymaking.

## **4. Concluding remarks of the State under review**

442. The delegation of San Marino recalled that it would report to the Government on the debate. The universal periodic review was an occasion for a comprehensive assessment of the human rights protection and promotion, as (a) the State under review was called to critically consider the progress made, (b) Members and observer States of the Council mutually examined what had been done and what still needed to be done to improve the

national system; and (c) civil society had the privilege to observe the behaviour of the State under review, make its own assessment and suggest the interventions it deemed necessary.

### **El Salvador**

443. The review of El Salvador was held on 9 February 2010 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 El Salvador in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/SLV/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/SLV/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/SLV/3).

444. At its 23rd meeting, on 10 June 2010, the Human Rights Council considered and adopted the outcome of the review of El Salvador (see section C below).

445. The outcome of the review of El Salvador comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/5), the views of El Salvador 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/14/5/Add.1).

### **1. Views expressed by the State under review on the recommendations and/or conclusions, its voluntary commitments and the outcome**

446. The delegation of El Salvador recalled that of the 118 recommendations made during the Working Group session, 78 were immediately accepted, while 40 had been left for further consideration and internal consultation. The Government of El Salvador submitted a written response with its position regarding these recommendations (see A/HRC/14/5/Add.1).

447. The delegation indicated that El Salvador had accepted recommendations 1 to 19, 23 to 26 and 39.

448. Regarding the ratification of several human rights instruments, El Salvador would abide by the constitutional provisions and competencies and proceed with a process of internal consultations, also involving civil society. Regarding the Optional Protocol to the Convention on the Elimination of Discrimination against Women, the Protocol was signed on 2001 and had been under consideration of the Legislative Assembly since. Nevertheless, it noted that there had been an intense debate and opposition from some sectors to the Optional Protocol.

449. The Government was taking steps to allocate the necessary funds to address the recommendations relating to children and adolescents (recommendations 20, 32 and 33).

450. The delegation also expressed its support for recommendation 22, on discrimination based on several grounds, since the Government had the intention of incorporating populations that had been historically marginalized. It also accepted recommendation 21 on the universal provision of identity documents.

451. Recommendations 28, 30 and 31, on the duration of preventive detention and prison conditions, were also supported by El Salvador.

452. El Salvador also provided comments in relation to the recommendations on the right to health (34, 35 and 36), and described the steps taken for their implementation. .

453. Support was expressed for recommendation 29, on criminal investigations and corruption, and recommendation 40, on migration legislation and recommendation 38, requesting the adoption of a national plan for land management.

454. The delegation explained that the Government would promote a wide national dialogue with all stakeholders regarding women's reproductive health and the implications of the restrictive legislation on abortion (recommendation 37).

455. The Government had publicly acknowledged that there had been enforced disappearances during the armed conflict, with the direct or indirect participation of State officials. Furthermore, a national commission for reparations to victims of human rights violations in the context of the armed conflict had been set up. In this context, the Government would take into account the recommendations of the working group on enforced disappearances (recommendation 27).

456. Lastly, the delegation reported that the Government was studying and consulting with relevant stakeholders the recommendations of the Committee against Torture regarding the prevention and punishment of torture and ill-treatment (recommendation 28).

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

457. The United States of America appreciated the conscientious manner with which El Salvador had approached the universal periodic review recommendations and the detailed explanations it provided. It welcomed El Salvador's support for several of its recommendations, including the enactment and enforcement of laws; the implementation of programmes directed at combating discrimination and promoting the rights of indigenous people; the development of concrete plans to control abuses perpetrated by gang inmates against other prisoners and to address the corrupt practices of prison officials; and reforms facilitating credible and responsible criminal investigations that respect human rights and for eliminating judicial corruption. It commended El Salvador for supporting the recommendations to ensure the establishment and full operation of a national commission to search for children who had disappeared during the internal armed conflict.

458. Algeria commended the Government of El Salvador for the quality of its national report, which had involved the participation of a number of stakeholders. It appreciated El Salvador's commitment to the promotion and protection of human rights and encouraged it to continue its efforts to consolidate peace, promote human rights and ensure that the events of the past would not be repeated. Algeria noted that two of its recommendations had been accepted and wished to hear again the position of El Salvador to a third recommendation relating to areas exposed to natural disasters (recommendation 38).

## **3. General comments made by other relevant stakeholders**

459. The representative of the International Coordinating Committee of National Institutions in Geneva, speaking on behalf of the Procuraduría para la Defensa de los Derechos Humanos of El Salvador, a full member of the Committee, indicated that El Salvador had made important commitments to the promotion and protection of human rights. He urged it to follow up on all recommendations exhaustively. One major problem in El Salvador was public insecurity. The representative urged the State to adopt adequate criminal policies and plans of action in this regard, and encouraged it to intensify its efforts to promote a culture of human rights, incorporating human rights in the educational curricula at all levels. The representative also noted that, during the presentation of its report, El Salvador had reported on the establishment of a national commission for

reparation to the victims of armed conflict. He congratulated the Government on this measure and recalled the recent recommendation made by the Committee against Torture on the urgent need to bring to justice those responsible for grave violations during the armed conflict, as well as to establish a special fund to compensate the victims. The Procuraduría encouraged El Salvador to conduct broad internal consultation processes, including civil society and the Procuraduría, with a view to the possible ratification of the international human rights instruments. The Procuraduría noted with satisfaction the voluntary pledges and commitments made by El Salvador with regard to the rights of women, and urged the State to comply with those commitments.

#### **4. Concluding remarks of the State under review**

460. In response to Algeria, the delegation of El Salvador stated that recommendation 38 had been accepted.

461. In conclusion, the Government of El Salvador wanted to avoid any ambiguity regarding recommendations that, without being rejected, were subject to a process of consultation in accordance with its legal and constitutional framework. The delegation would have been pleased to say that those recommendations that are in the process of being considered or implemented had been accepted. In fact, this was the political will of El Salvador and the delegation hoped that the Council would consider this position as a valid explanation.

#### **Angola**

462. The review of Angola was held on 12 February 2010 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 Angola in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/AGO/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/AGO/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/AGO/3).

463. At its 24th meeting, on 10 June 2010, the Human Rights Council considered and adopted the outcome of the review of Angola (see section C below).

464. The outcome of the review of Angola comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/11), the views of Angola 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**

465. The delegation stated that 166 recommendations were made during the review of Angola, which could be divided into three categories. The first category of recommendations related to international conventions. In this regard, Angola was pleased to accede to various international instruments for the promotion and protection of human rights. The second category related to special procedures and the request to issue them a standing invitation. The third category related to the Millennium Development Goals regarding gender, and the implementation of the Convention on the Rights of the Child.

466. Angola had lived through difficult periods in its history. The experience acquired from these periods had enabled Angola to begin a new cycle of which it was particularly proud. This was characterized by the adoption of a new Constitution, which marked the end of the period of transition and established definitively the idea of a democratic State that regards human rights as a factor for structuring growth and development.

467. The delegation stated that many of the concerns raised during the interactive dialogue and expressed through the recommendations were not only covered by the Constitution and the wide range of existing national legal instruments, but were also being implemented in the context of the various Government programmes, including the national strategy for combating poverty.

468. Although Angola had accepted most of the recommendations, it expressed reservations with regard to recommendations 36–39, 43, 44, 98 and 99. In relation to recommendations 36 to 39, all of which related to a standing invitation for special procedures, the delegation indicated that collaboration with the Council's procedures mechanism and also with the working groups and treaty bodies stemmed from the undertakings already made, based on the idea that cooperation was needed if dialogue was to be deepened within the context of the Council itself. Angola had reaffirmed its cooperation at its re-election to the Council; however, this cooperation could not be established outside the limits inherent to the principles established by the Charter of the United Nations. This being the case, invitations to the special procedures mechanism of the Council should only be initiated when the related missions were designed to deepen cooperation and strengthen institutional capacity, when the special procedures mandate holders undertook their activities within the strict limits of their mandates, and when the visits were organized with the consent of Angola and the programme and timetables approved by the Ministry of Foreign Affairs.

469. In relation to recommendations 43 and 44, referring to cooperation with OHCHR, Angola had excellent relations with the Office of the Resident Coordinator in Angola. The delegation stressed that cooperation must be strengthened within the context of the undertaking made by Angola when it was elected to the Council, relating to the accession of international instruments, cooperation with procedural mechanisms and the submission of reports to treaty bodies.

470. In relation to recommendations 98 and 99, the delegation stated that it was important to bear in mind that Angola's legislation only recognized heterosexual and monogamous marriages. Additionally, the Constitution only makes reference to heterosexual and monogamous marriages. Moreover, there was no reference in Angola's national law to the criminalization of homosexuality and therefore recommendations 98 and 99 could not be implemented.

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

471. The United States of America expressed appreciation for the explanations given by Angola for its acceptance or rejection of the recommendations that had been made, and urged Angola to reconsider its rejection of the recommendation to decriminalize consensual same-sex activities between adults. It welcomed Angola's willingness to strengthen the protection of journalists against harassment, attacks and arbitrary detention, and to establish fair and transparent media licensing procedures. It also welcomed Angola's acceptance of the recommendation to consider a partnership in the Extractive Industries Transparency Initiative and appreciated Angola's willingness to consider ratifying the Convention against Transnational Organized Crime and the Protocol thereto.

472. Algeria congratulated Angola on its re-election to the Council, and welcomed the commitment of the Government to the promotion and protection of human rights, as demonstrated by the progress in the realization of economic, social and cultural rights. Algeria called on the international community to continue to support Angola in strengthening its achievements.

473. The Democratic People's Republic of Korea noted that, in spite of the difficulties and challenges following the devastating war which had caused tremendous damage, Angola had successfully carried out plans for reconstruction and stability while attaching greater importance to the promotion and protection of human rights. It noted that a series of strategies and measures taken by Angola in many areas had been recognized by the Working Group, and appreciated the commitment and positive efforts made in the area of the promotion and protection of human rights.

474. Cuba noted that, during the review of Angola, light had been shed on efforts made by Angola to fight discrimination, protect the rights of women, children, disabled persons and the elderly, and ensure the rights to health, education and work while reducing poverty. Cuba referred to the considerable progress achieved by Angola in promoting the full enjoyment of human rights by all persons. The activities undertaken were evidence of the commitment by Angola to implement the recommendations and develop plans and programmes to increase the well-being of its people. Cuba referred to its strong links of friendship and solidarity with Angola, and congratulated it on its achievements.

475. The Sudan noted that Angola's commitment to promote and protect human rights of its people was reflected by the adoption of many human rights instruments. The Sudan underlined the efforts made to combat crime and trafficking in persons, consolidate peace, improve health, improve living standards, eliminate poverty and provide drinking water. The Sudan called upon the international community to cooperate with Angola to help it to achieve the Millennium Development Goals and to reduce poverty.

476. Morocco noted the progress made by Angola in protecting and promoting human rights in the context of its human development strategy. Angola had accepted a significant number of recommendations, including those made by Morocco, on fighting poverty, on the reform of the legal and penitentiary systems and on human rights training. Morocco paid tribute to Angola for its courage and the efforts made to confront the political and economic factors that had a negative impact on human rights. It noted that Angola had accorded priority to economic, social and cultural rights, as demonstrated by its 2003 strategy to fight poverty. Morocco encouraged Angola to continue on this path, and called on the international community to provide support in this regard.

477. Mozambique noted that Angola had in the recent past, endured long years of war and, after the dawning of peace, had taken basic steps to ensure the creation of a political and social environment based on democratic values and principles that advanced and upheld respect for human rights. Angola had abolished the death penalty and eradicated arbitrary detentions. Mozambique also noted the introduction of a national strategy to prevent and reduce violence against children, and commended Angola for the relatively high percentage of women in political positions, one of the highest in Africa. It also praised Angola for its progress in the field of education, social housing and for its policy to commit the revenues from oil exploration to economic and social development.

478. Belgium noted the voluntary pledges that Angola had made in 2007, including one to accelerate the process of ratification of the Convention against Torture, which, unfortunately, had yet to be ratified. Belgium, which had welcomed the abolition by Angola of the death penalty in 1992, also expressed its hope that Angola would soon ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights. Belgium thanked Angola for the information provided on abuses committed by the security

forces in connection with the expulsion of immigrants, noting that this issue was addressed bilaterally with the Democratic Republic of the Congo, with the participation of the United Nations High Commissioner for Refugees. It invited Angola to implement all recommendations as soon as possible and to provide an interim report before the second cycle of the universal periodic review.

479. Nigeria noted that Angola had accepted most of the recommendations made during its review, and emphasized that this reflected Angola's willingness to continue to engage with the United Nations system in the area of the promotion and protection of human rights, regardless of the numerous challenges encountered. Nigeria expressed its confidence that Angola would make every effort to implement its national plans and strategies in all areas of human rights in cooperation with the relevant bodies and mechanisms.

480. South Africa congratulated Angola on its achievements since the restoration of peace, noting in particular the initiatives aimed at reforming the judiciary and improving access to justice. It noted that Angola had adopted a Constitution earlier in 2010 and stated that the approach taken by Angola, which was rooted in the objective of consolidating democracy and the rule of law, would progressively enable the Government to fulfil its international human rights obligations. South Africa also highlighted the adoption of nationality laws, which ensured that no child born in Angola would be deprived of Angolan citizenship.

### **3. General comments made by other relevant stakeholders**

481. Human Rights Watch expressed concern about the continuation of restrictions on the right to freedom of expression and on the rights to freedom of assembly and association. It was particularly concerned about the arbitrary and politically-motivated arrest of prominent human rights defenders, civic activists and Government critics in the enclave province of Cabinda. It urged Angola to urgently ratify the Convention against Torture, and encouraged the Parliament and Constitutional Court of Angola to immediately revise abusive national security laws. It was also concerned about an increasing wave of mass, forced evictions, without adequate compensation or alternative housing, and the Government's practice of obstruction or unlawfully banning of public demonstrations against such evictions.

482. Amnesty International welcomed the acceptance by Angola of recommendations aimed at ending forced evictions, but noted that no investigation had taken place following the eviction of more than 3,000 families from their homes in March 2010, as a result of which 7 people had reportedly died. Amnesty International also called on Angola to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, the Convention against Torture and the Optional Protocol thereto, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. It welcomed the fact that Angola had accepted the recommendations to ensure respect for freedom of expression and freedom of association, as well as respect for the work of human rights defenders, noting that this was particularly pertinent in the light of the Government's refusal to allow two peaceful demonstrations in 2010, against forced evictions and alleged arbitrary detentions, respectively.

483. Rencontre africaine pour la défense des droits de l'homme congratulated Angola on its efforts to consolidate peace and security since the signing of the Lusaka Agreement in 1994 between the Popular Movement for the Liberation of Angola (MPLA) and the National Union for the Total Independence of Angola (UNITA). It remained concerned by the violence, ill-treatment, torture and forced eviction of African migrants in a country which had received the support of all African countries for its independence. It noted that the 1993 law in relation to the press restricted the freedom and independence of the media. It called upon Angola to take appropriate measures to put an end to the stigmatization of



“witch” children, to promote human rights education for law enforcement officers, and to create a code of ethics for the police forces concerning the treatment of detainees.

484. Organisation pour la communication en Afrique et de promotion de la coopération économique internationale (OCAPROCE) and partner organizations referred to recommendations and observations with regard to primary school education, and noted that the access of girls to school education was still constrained by social prejudice. OCAPROCE called on the Government to strengthen the promotion and protection of the rights of women and children, while congratulating Angola on its achievements in this regard. It also encouraged the Government to further pursue its efforts to ratify the Second Optional Protocol to the International Convention on Economic, Social and Cultural Rights, the International Convention on the Elimination of Racial Discrimination and the Convention against Torture.

485. The Canadian HIV/AIDS Legal Network, referring to recommendations 98 and 99, called for an amendment of the Penal Code and all discriminatory laws that may affect LGBT, as well as the decriminalization of consensual same-sex activities. It stated that the Human Rights Committee had noted that laws criminalizing homosexuality obstructed the implementation of effective education programmes in respect of HIV/AIDS prevention. It urged Angola to immediately repeal discriminatory laws, address stereotypes through education and promote media training.

486. Conectas Direitos Humanos, in partnership with 15 Angolan human rights organizations, highlighted the recommendations in the report concerning civil society organizations, and invited Angola to create a free working environment for human rights defenders. It recommended the protection of victims of forced evictions, the protection of the rights of the most vulnerable groups, the ratification of international instruments and the enactment of a law on human rights defenders. It stressed that special attention should be paid to poverty reduction, education and health care.

#### **4. Concluding remarks of the State under review**

487. The delegation emphasized that there was no law in Angola that criminalized homosexuality and there could not be a crime without the law. Since homosexuality was not a crime, Angola could not decriminalize it.

488. On the issue of transnational crimes, the Parliament of Angola had already approved the United Nations Convention against Transnational Organized Crime, and ratification was in progress.

489. The delegation confirmed that Angola did not accept recommendations 36 to 39, 43, 44, 98 and 99.

490. The delegation stated that it had learned a lot from the universal periodic review process. The enhancing of Angola’s cooperation with OHCHR and civil society continued to be a vital factor in the promotion and protection of human rights.

491. The delegation recalled that Angola had been recently re-elected for another term to the Council. Angola was a party to the main international human rights conventions and, in the near future, would be submitting its reports to the Committee on the Rights of the Child, the Human Rights Committee and the African Commission on Human and Peoples’ Rights. Angola strove to live up to its commitments and was always guided by the principle that human rights were an important component of its economic and social development.

492. The delegation expressed its appreciation to Member States, the secretariat and all those who had contributed to a successful session.

**Iran (Islamic Republic of)**

493. The review of the Islamic Republic of Iran was held on 15 February 2010 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 Islamic Republic of Iran in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/IRN/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/IRN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/IRN/3).

494. At its 24th meeting, on 10 June 2010, the Human Rights Council considered and adopted the outcome of the review of the Islamic Republic of Iran (see section C below).

495. The outcome of the review of Iran comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/12), the views of the Islamic Republic of Iran 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/14/12/Add.1 and A/HRC/14/12/Add.1/Corr.1).

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

496. The delegation of the Islamic Republic of Iran acknowledged that the universal periodic review had provided a unique opportunity to review its country's achievements, raise awareness about Iran's practices and experience in the promotion of human rights, and listen to the viewpoints of States and civil society. Iran's genuine intention in this process was to enhance national capacities for the promotion and protection of human rights.

497. During the review, the delegation answered as many questions as time allowed. Some of them remained unanswered. The delegation pledged to carefully assess all contributions, and would respond appropriately where important issues remained unaddressed.

498. The Government of the Islamic Republic of Iran reviewed all the recommendations made during at the seventh session of the Working Group, and had submitted an addendum with reflections and comments on both the rejected recommendations and those that were pending.

499. The delegation recalled that, of the 188 recommendations made during the Working Group session, Iran had accepted 123, did not support 45 and left 20 for further consultation at the national level. The delegation referred to the addendum (A/HRC/14/12/Add.1) for further information.

500. The Islamic Republic of Iran made specific comments with regard to some key issues. The accession to international human rights instruments entailed certain legal processes requiring the participation of Parliament. In fact, Parliament constantly reviewed and evaluated accession to international conventions in the light of domestic laws; hence, the Government was not in a position to make any prejudgement or predictions concerning the outcome of debates by Parliament. This was also true when it came to amendments to or revisions of legislation.

501. Regarding cooperation with the mechanisms of the Council, the delegation stated that six visits had been made, within the framework of a standing invitation, demonstrating

Iran's intention to promote cooperation with international human rights mechanisms. Iran had further consolidated relations by planning and conducting meetings and direct contacts with OHCHR. The Islamic Republic of Iran would accordingly prepare and draw up relevant mechanisms for interaction with special procedures.

502. The Islamic Republic of Iran viewed the universal periodic review as a forum for dialogue, cooperation and positive-minded engagement characterized by impartiality, constructiveness and accountability. A number of recommendations could not enjoy Iranian support owing to their contradiction with these principles.

503. The delegation concluded by emphasizing the significance of an interactive and cooperative approach in the promotion and protection of human rights as provided for by the Charter of the United Nations. In this sense, it looked forward to continuing close cooperation with the Council to realize the shared objectives of attaining greater global justice, equity, security and development through human rights for all.

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

504. The United States of America stressed that the arrest of religious minorities had increased and seven Baha'i leaders were on trial for crimes against the State. It noted that Iran had rejected the recommendations to end discrimination against the Baha'i, and that no visits by special procedures had been made since 2006. It acknowledged Iran's acceptance of many recommendation and called for their implementation. It recalled that 12 June would mark the anniversary of Iran's contested presidential election and regretted the violent response against thousands of Iranians who had exercised their right to peaceful free expression. It urged the Islamic Republic of Iran to uphold its international commitments.

505. The United Kingdom of Great Britain and Northern Ireland expressed surprise that the Islamic Republic of Iran had rejected its recommendation to ensure that allegations of abuse, including those following the June 2009 protests, were fully investigated. It stated that, given Iran's confidence in its judiciary process and its rejection of torture, there could be no reason for rejecting recommendations to facilitate outstanding visit requests of the special rapporteurs on torture and on the independence of judges and lawyers. It noted the ongoing reports of discriminatory practices in Iran, notably against the Baha'i. The United Kingdom urged Iran to end juvenile executions, beginning by an immediate stay of them.

506. Norway noted that, if it had been able to speak during the review of the Islamic Republic of Iran at the Working Group session, it would have expressed concerns over freedom of expression, association and assembly, harassment against human rights defenders, and excessive use of force after the 2009 elections. Norway welcomed Iran's acceptance of a number of recommendations, but disagreed that those rejected were inconsistent with Council resolution 5/1 and/or internationally recognized human rights. Norway could not accept the refusal to invite the Special Rapporteur on torture, since the prohibition against torture was absolute and Iran had issued a standing invitation. It called on Iran to implement its human rights commitments and obligations.

507. Kuwait noted that human rights were an area constantly being strengthened in the Islamic Republic of Iran. Kuwait also noted the progress made as part of the universal periodic review process and the cooperation with human rights mechanisms with a view to meeting all the challenges facing Iran in economic, social and cultural rights, as well as in civil and political rights. Iran's standing invitation to special rapporteurs to visit the country was a good initiative. Kuwait welcomed Iran's acceptance of recommendations, particularly those concerning pursuing its efforts to improve policies and programmes in favour of the rights of women and young girls and protection of the rights of children, including disabled children.

508. China noted the Islamic Republic of Iran's acceptance of many recommendations and the measures being taken to implement them. China welcomed the many measures taken by Iran to promote economic, social and cultural rights, cultural diversity and intercultural dialogue. China noted Iran's campaign against illiteracy, and the work in the areas of health, education and protection of social rights, and the significant progress being made. China fully understood Iran's difficulties as a developing country, particularly the challenges concerning the promotion and protection of human rights. China was convinced that, thanks to the joint efforts of the Government and the people of Iran, and with the support of the international community, Iran would scrupulously implement the recommendations.

509. Pakistan welcomed the Islamic Republic of Iran's resolve to accelerate its efforts to further promote and protect the human rights of its citizens. Iran had accepted 123 recommendations during the Working Group session, which confirmed the importance that Iran attached to the universal periodic review process. Pakistan also noted that Iran had expressed its readiness to establish a national human rights institution in full compliance with the Paris Principles, stating that an early operationalization of such an institution could help Iran to improve its human rights system. Pakistan was confident that Iran would take all the steps necessary to ensure the protection of the rights of its citizens in accordance with its laws.

510. Algeria noted that the Islamic Republic of Iran had received 188 recommendations, of which 123 were immediately accepted, including three made by Algeria. In the spirit of the fraternity, dialogue and mutual respect that prevailed in the Council, Algeria understood Iran's attitude with regard to the recommendations not accepted. It noted that, despite the difficulties faced by Iran in this transitional period, like in other emerging democracies, and despite the racial, religious and cultural diversity, Iranian society had managed to live in peace and social harmony. It highlighted Iran's progress and encouraged it to continue along those lines.

511. The Democratic People's Republic of Korea noted with appreciation the policies and efforts of the Government of the Islamic Republic of Iran aimed at improving living conditions and at developing the sociopolitical and judicial system, which would enhance the promotion and protection of human rights of all people. It also noted that Iran had accepted a large number of recommendations, and had been taking a series of measures to implement them. Iran had been making progress in the promotion and protection of human rights in spite of all forms of difficulties and challenges, including the political pressure and sanctions imposed by foreign forces.

512. Venezuela (Bolivarian Republic of) was pleased by the Islamic Republic of Iran's cooperation with the universal periodic review, highlighting the broad consultation undertaken for its national report. It noted Iran's success in the review process, despite the difficulties it faced. Iran had been subjected to a siege by the most hostile imperial foreign power to repeated and unfair sanctions for political motives, under constant threat of aggression, and demanded respect for sovereignty and self-determination. It welcomed Iran's replies and its support for most recommendations, highlighting its achievements in health, medical attention and social policies.

513. Cuba welcomed the Islamic Republic of Iran's engagement with the universal periodic review and the positive actions taken. It highlighted the strategic plan for development that addressed job creation, education, health, social security and the right to adequate housing and cultural rights. It highlighted the space allocated for culture and sport, as well as the access to primary medical assistance by more than 95 per cent of the population. It noted all achievements, despite the impact of unilateral coercive measures imposed on the country, and that its actions rejected its commitment to human rights for all.

### 3. General comments made by other relevant stakeholders

514. The Baha'i International Community was deeply disturbed by the Islamic Republic of Iran's rejection of the recommendations relating to ending injustice, persecution and discrimination. It noted the rejected recommendations 15 and 39 to 41, which called on Iran to stop discrimination, incitement to hatred and acts of repression against the Baha'i community. It expressed its regret that Iran had attempted to mislead the Council about the treatment of the Baha'i community. It also expressed concerns about the fact that Iran continued to have a partial reading of the right to freedom of religion, and to refuse to commit to measures that would put a stop to discrimination and persecution.

515. Human Rights Watch was of the view that the Islamic Republic of Iran had misled the Council by stating that it was implementing recommendations to investigate the post-electoral violence of 2009. It noted that even if claims that members of the Iranian security forces were being tried in a military court for their abuses were true, the trials were being held behind closed doors. The security forces continued to arrest and convict individuals who allegedly participated in the post-election unrest, hundreds remained in prison and at least six individuals were at risk since their death sentences had been confirmed. It noted that Iran had rejected some recommendations by alleging that they were inconsistent with internationally recognized human rights, existing laws and Council resolution 5/1. Given Iran's rejection of the visit of special procedures, it recommended that the Council remove Iran from the list of countries having issued standing invitations.

516. Amnesty International noted the Islamic Republic of Iran's rejection of no less than seven recommendations calling for it to facilitate visits by specific special procedures. Amnesty International also noted the continued imposition of severe restrictions on the rights to freedom of expression, association and assembly, which targeted students, journalists, political activists, trade unionists, human rights defenders and members of ethnic and religious minorities. It noted the reports of many people being subjected to long prison terms, flogging or death in grossly unfair trials, and executions carried out for politically-motivated reasons, and that these violations appeared to be committed by State officials in virtually total impunity. Amnesty International requested that, acting pursuant to paragraph 37 of Council resolution 5/1, an Iran-specific special procedure be re-established to address the compelling evidence of gross and systematic human rights violations.

517. CIVICUS – World Alliance for Citizen Participation and the Cairo Institute for Human Rights Studies considered the situation of human rights defenders in the Islamic Republic of Iran as one of the worst in the world. They listed five executed political prisoners and human rights defenders in jail. They noted that freedom of expression was severely limited. Since the 2009 elections, more than 170 journalists had been arrested, including two prominent female reporters. There were substantial restrictions on the freedom of association, with civil society organizations often experiencing pressure and restrictions that rendered them illegal. They called upon the Council to take decisive action.

518. Sudwind Entwicklungspolitik acknowledged that 123 recommendations had enjoyed the Islamic Republic of Iran's support. It noted that a national plan for human rights had been promised, and should be binding. The Parliament of Iran had ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights before the Islamic Revolution, yet Iran had never implemented them. It noted Iran's record in juvenile executions, and called on Iran to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Elimination of All Discrimination against Women. It highlighted the fact that Iran had accepted to establish a national human rights institution in compliance with the Paris Principles. Noting that segregated banks and universities were announced, it qualified "separate but equal" treatment of women as "gender apartheid" even worse than the current discrimination upheld in law and practice.

519. The Democracy Coalition Project noted the Islamic Republic of Iran's rejection of the recommendation to grant access to special procedures mandate holders. It also remarked on Iran's refusal to abolish juvenile executions, in compliance with the Convention on the Rights of the Child, and its refusal to ratify the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Hundreds of individuals remained in prison on the basis of their opinions and beliefs, continued to suffer from torture, and were denied a fair trial. It stated that human rights violations, like those that occurred after the 2009 elections, could not be condoned on the pretext of culture. It insisted that the Council establish a specific follow-up mechanism guided by paragraph 37 of resolution 5/1.

520. The International Federation for Human Rights Leagues and the Iranian League for Human Rights highlighted the fact that the universal periodic review had reflected the appalling situation of human rights in Iran. They noted the harsh repression of peaceful protests, and supported recommendations to ensure an independent investigation into the aftermath of the elections, release persons detained for peaceful demonstrations, and ensure that those responsible were held accountable. Seven special procedures mandate holders were awaiting an invitation or facilitation of their visit. They regretted that Iran had denied human rights violations during its review. They expressed concern over Iran's rejection of 28 recommendations as being "inconsistent" with Council resolution 5/1 and/or "not internationally recognized human rights". The recommendation referred to special procedures visits and protection of minorities, which were based on Iran's pledges and international obligations.

521. Interfaith International, in a joint statement with Rencontre africaine pour la défense des droits de l'homme and the Al-Hakim Foundation, noted the considerable achievements made in the Millennium Development Goals and the positive developments in child custody, increased inheritance rights, the promotion of reproductive rights and the proportional increase in the literacy of girls. It also noted the mandatory and free education for children up to secondary school, and increased access for rural and urban dwellers to living necessities. The death penalty continued to be applied in political cases and disproportionately affected religious minorities. Interfaith thus urged the Islamic Republic of Iran to ensure that all minorities could exercise their rights free from discrimination and persecution, and to promote freedom of association, freedom of the media and increased political participation, particularly of minority groups.

522. The Charitable Institute for Protecting Social Victims stated that the promotion of human rights was a gradual process, and that there were areas where the Islamic Republic of Iran must work hard. Nevertheless, progress should not be ignored. In recent years, important developments had been seen in child custody, increased inheritance rights and the equality of women. An increase in literacy and higher education of girls was reflected in the fact that 68 per cent of the university population were girls, the increasing presence of women in politics and a change in society's view of women's capacities. It viewed cultural, ethnic and religious diversity in Iran as an example of tolerance. It also pointed out that talking about prisoners' statistics without context was not logical.

523. The Child Foundation, in a joint statement with the Organization for Defending Victims of Violence, noted that the sanctions against the Islamic Republic of Iran prevented business transactions with the country and had led to a complete ban on the sales of planes to Iranian airliners. It also noted that, in the past seven years, almost 23 per cent of the victims of air disasters were Iranians. It also considered that the Iranian pharmaceutical industry was indirectly subjected to the exposure of international sanctions against the country. It called upon the United Nations to take measures to remove the sanctions and to use negotiation and diplomacy, since sanctions against countries can have a negative impact on basic human rights.

#### 4. Concluding remarks of the State under review

524. The delegation of the Islamic Republic of Iran stated that recommendations that were partially accepted referred to legislation amendments that had to follow an ongoing internal process, the outcome of which could not be known in advance.

525. The delegation objected to some interventions during the interactive dialogue that were considered politically motivated. It recalled that, without being liberal or secular, the Islamic Republic of Iran remained a democracy that should be accepted by the international community. Iranian democracy was only 30 years old, but had achieved many accomplishments, which the Government wanted to further improve.

526. The delegation welcomed the engagement of civil society and mentioned that, since the revolution, more than 7,000 non-governmental organizations had sprouted in the country. It found some harmony between certain non-governmental organization statements and the positions of the Governments hosting them, and that this did not seem a mere accident.

527. On the issue of torture, article 38 of the Constitution of the Islamic Republic of Iran explicitly banned this practice and regarded it as a criminal act. Furthermore, Iran had no objection to joining the Convention against Torture, with only one caveat, which was the fact that the Convention considered torture a legal punishment established by Iran's legislation. The Government was nevertheless studying the issue.

528. The delegation concluded its statement by reiterating the standing invitation to special procedures, and announced that it was organizing new missions, including the visit of the High Commissioner for Human Rights, scheduled for 2011.

#### Madagascar

529. The review of Madagascar was held on 15 February 2010 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 Madagascar in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/MDG/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/MDG/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/MDG/3).

530. At its 24th meeting, on 10 June 2010, the Council considered and adopted the outcome of the review of Madagascar (see section C below).

531. The outcome of the review of Madagascar comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/13), the views of Madagascar 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/14/13/Add.1).

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

532. The head of the delegation thanked the 24 countries that had expressed interest in the protection and the promotion of human rights in Madagascar during the seventh session of the Working Group in February 2010, when 84 recommendations were made.

Madagascar had expressed its support for 65 recommendations, rejected 2 and reserved its position on 17.

533. The above-mentioned 17 recommendations concerned the process of the solution of the crisis; the opening of an independent inquiry into the events linked to the crisis; the release of political prisoners; the abolition of the death penalty; the ratification of the Optional Protocols of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; eradication of the discrimination against slave descents and of the caste system; the introduction of a mechanism for the prevention of arbitrary detention; and the dissolution of special intervention units dealing with criminal investigations and detention.

534. Madagascar was aware of the dangers linked to the ongoing deadlock in the political, economic and social situation, and believed that the best way to proceed was the holding of free and transparent elections. Along these lines, a road map had been drawn up, setting up institutions for the organization of the elections and their schedule.

535. The electoral rounds would be prepared, organized and supervised by the Independent National Electoral Commission, an independent body composed by 19 members chosen from representatives of civil society, the order of journalists, the Bar association, and trade unions of judges, civil administrators and political parties.

536. With regard to the recommendations on the establishment of an independent inquiry into the events linked to the crisis, the creation of mechanisms for the prevention of arbitrary detention and the dissolution of special intervention units, Madagascar provided a number of clarifications.

537. The procedures followed by the national judicial authorities had led to the identification of the alleged culprits of the crimes perpetrated during the events of the crisis. They were put on trial before competent correctional courts, and victims would have the opportunity to claim reparation for the damage caused. Bearing in mind that these procedures were well advanced, the setting-up of another inquiry under the supervision of the United Nations and the African Union, supported by international human rights organizations, seemed inappropriate.

538. Concerning arbitrary detention, Madagascar's judicial system included a preventive detention chamber competent to decide on cases of arbitrary detention. On the dissolution of special intervention units, the delegation explained that arrest, detention and investigation were, according to the Penal Code, measures taken by various authorities, including judicial police officers and investigatory judges competent to decide on detention measures and on information acts in criminal cases. Preliminary investigations and hearings, detention and judgement respected the rules set by the law. The special intervention units had no authority to decide on detention measures or prosecution. They intervened, in a timely manner, when persons suspected of having carried out acts qualified as crimes or offences were arrested.

539. Since the conditions for the abolition of the death penalty and the ratification of the optional protocols to the covenants were not yet present, Madagascar would endeavour to take measures to achieve them.

540. With regard to the eradication of discrimination against descendents of slaves and the caste system, Madagascar noted that, historically, the country had not been a destination for slave trade. Therefore, it was currently impossible to identify those descents. Moreover, article 8 of the Constitution forbade discrimination based on origin and, as a result, all Malagasies were protected against all discrimination.



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

541. The United States of America welcomed Madagascar's acceptance of its recommendation to define torture in its domestic legislation and to make it an offence with specific sanctions, consistent with its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It also welcomed the acceptance of its recommendation to enforce the law on human trafficking. It encouraged Madagascar to accept the recommendations to restart the four-party Maputo process talks, with the goal of establishing an inclusive transitional Government that would prepare the country for free and fair elections and a return to democratic and constitutional rule; to put in place the transitional institutions described in the Maputo agreement and hold credible elections leading to the restoration of democracy and the rule of law; and to open a credible and independent process for investigating the deaths and the events surrounding the March 2009 military coup.

542. Norway repeated its call for the establishment of the transitional institutions described in the Maputo agreement and the holding of credible elections, leading to the restoration of democracy. Norway would continue to follow the status of freedom of speech and freedom of the media, stressing that the media were crucial for ensuring freedom of expression. It regretted the fact that a number of journalists had been jailed the previous month, recalling that Norway's recommendation regarding the freedom of the media had been accepted by Madagascar in February 2010. It considered these arrests to be inconsistent with that acceptance. While acknowledging the action taken to reinstate a ban on rosewood logging, Norway remained concerned about the lack of a practical impact on the ongoing unchecked plunder of the biological treasures of Madagascar. It considered that the universal periodic review recommendations, if implemented, would pave the way for progress, peace and security in Madagascar.

## **3. General comments made by other relevant stakeholders**

543. Amnesty International welcomed Madagascar's support for the recommendation to release political detainees, to cease arbitrary detention and to ensure a fair trial for those who were detained, and urged the Government to ensure its prompt implementation. It was essential that Madagascar give effect to the important recommendation to open an independent inquiry into the deaths and the excessive use of force during the peaceful demonstrations held in 2009. Journalists and media outlets had been targeted both under President Ravalomanana and since the High Transitional Authority came to power in March 2009. It therefore called on Madagascar to swiftly implement the recommendations to guarantee freedom of expression and assembly and to ensure that no one was arrested for exercising those rights. Since Madagascar had not yet abolished the death penalty in law or ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, despite their de facto moratorium on executions, it also called on Madagascar to introduce a de jure moratorium on executions and to abolish the death penalty.

544. The Indian Movement "Tupaj Amaru" stated that Madagascar was experiencing a political crisis, which was having unprecedented and dramatic consequences for its people. Approximately 500,000 people had become unemployed since the beginning of the crisis. Unfortunately, the de facto authority was defying the international community and focusing on a unilateral agenda. Since 26 January 2009, several hundred people had been killed, disappeared or been victims of arbitrary arrest. Recently, FIS, the political police of the de facto authority, which has no legal status, had stepped up arbitrary arrests, persecution of political personalities, religious figures, soldiers and journalists. It called on the States Members of the United Nations to support solutions and to align themselves with the resolutions of the African Union. It called for the unconditional release of political

prisoners and independent inquiries into all of the crimes committed since the beginning of the crisis, particularly those of 26 January and 7 February 2009.

545. The Women's International League for Peace and Freedom expressed concern at the absence of a response from Madagascar to the recommendation to release all political prisoners, as well as its refusal to open a credible and independent process to investigate the deaths and events of the 2009 military coup. It also expressed concern at the lack of attention given to the events of January and February 2009, when reportedly up to 130 people had died. Additionally, it expressed deep concern at the testimony of torture by a number of victims, whose accounts had been widely documented. The situation in Madagascar had not changed since the Working Group session in February 2010, and numerous serious abuses continued to be reported. Lastly, it expressed deep concern at the failure of Madagascar to comply with international human rights conventions, to recognize the Rome Statute and to implement the Maputo agreement.

546. The International Federation of Action by Christians for the Abolition of Torture noted with satisfaction the commitments made by Madagascar during the Working Group session. It congratulated Madagascar on having accepted the recommendation to take effective measures and to allocate adequate resources to ensure the respect of international standards in prisons, in particular regarding food, health and hygiene. It recalled that the conditions of detention in the country continued to raise concerns and could be considered to be equivalent to ill-treatment. Although the situation had improved in 2005 and 2007, it had seriously deteriorated since, in particular after the political crisis of 2009. Malnourishment was still the main cause of death in prisons. It encouraged Madagascar to take effective measures to prevent torture and ill-treatment and to limit the length of police custody. Lastly, it regretted the fact that Madagascar had rejected recommendations to abolish the death penalty.

#### **4. Concluding remarks of the State under review**

547. The delegation of Madagascar stated that all recommendations and remarks made by States and non-governmental organizations had been taken into account. They allowed the identification of the country's strengths and weaknesses regarding the promotion and protection of human rights. Madagascar reiterated its readiness to meet the challenge to continually improve its policies and programmes related to human rights, especially through the implementation of the observations of treaty bodies and the recommendations made by the Council at the universal periodic review. Madagascar acknowledged that shortcomings had been ascertained and, in order to find a remedy, it emphasized the importance of technical cooperation with international bodies, working in the field of human rights, understood as universal and interdependent.

#### **Iraq**

548. The review of Iraq was held on 16 February 2010 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 Iraq in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/IRQ/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/IRQ/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/IRQ/3).

549. At its 25th meeting, on 11 June 2010, the Human Rights Council considered and adopted the outcome of the review of Iraq (see section C below).

550. The outcome of the review of Iraq comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/14), the views of Iraq 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/14/14/Add.1).

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

551. The Government of Iraq expressed its highest appreciation to all the delegations that contributed to enriching the interactive dialogue when discussing Iraq's national report. The recommendations and questions that arose during the interactive dialogue had permitted it to develop awareness for the universality and indivisibility of human rights in the country.

552. Iraq had taken measures to establish a national committee to follow up and implement the universal periodic review recommendations. The committee was composed of representatives of legislative, judicial and executive authorities, non-governmental organizations and the media. Iraq highlighted that it had agreed, in cooperation with the United Nations Assistance Mission for Iraq (UNAMI), to hold a national conference in September 2010 to discuss a draft road map for the implementation of the accepted recommendations. Iraq wanted the national plan to coincide with the national development plan adopted by the Ministry of Planning and Developmental Cooperation for the next five years. The projects included a wide scope for human rights in all Government institutions according to their activities and various tasks relating to human rights.

553. The delegation noted that the period covered by the universal periodic review report coincided with important legislative elections. On 7 March 2010, more than 12 million Iraqis had voted, that is, 62.40 per cent of eligible voters. They had elected 325 representatives of 6,281 nominees, including 1,813 women across 12 large coalitions and 167 politically affiliated groups. Of these seats, 310 were distributed among the 18 provinces, in addition to the 8 seats for minorities: 5 for Christians, 1 for the Sabaii, the Eizidi and the Shabak, and 7 compensatory seats for the list that obtained most votes. The delegation also highlighted the representation of women in parliament as having reached 25 per cent.

554. The delegation called on the President of the Council to delay the review of Iraq's next report, to ensure that it would not coincide with the Iraqi election cycle, which took place at the same time as the review, since this could affect efforts to make a clear decision on its position to the recommendations that may arise from the next interactive dialogue.

555. Iraq emphasized that, despite the complexity of the situation and the challenges it was facing, especially while encountering terrorism, the Government was progressing towards enforcing the principles of rule of law and the respect and protection of human rights, which had been agreed upon and incorporated into the Constitution.

556. The delegation stated that the focus of the governmental system on monitoring the human rights situation had become stronger, and was part of a national active system to protect people from torture and involuntary disappearances. The system was supported by political will and an effective judicial system ready to bring wrongdoers and violators to justice. The delegation stressed that individual acts did not reflect Government policy.

557. Iraq referred to the adoption of procedural reforms concerning an electronic database of prisoners and detainees that would be published online on the websites of prisons and

detention centres. This was a procedure that the Government of Iraq intended to promote through transparent means.

558. After the universal periodic review discussion in February 2010, the Ministry of Human Rights and the Commission on Public Integrity, one of the independent bodies in Iraq, had signed a document of cooperation and partnership to enforce the United Nations Convention against corruption and the direct implementation of the national strategy to combat corruption in Iraq through a national plan, which would continue through 2014.

559. Iraq emphasized that its approval of most recommendations confirmed its positive approach to dealing with the various aspects of human rights. Some of the rejected or adjourned recommendations conflicted with the present political and legal circumstances in Iraq, thus the delegation suggested putting those recommendations on hold, even though it would continue to make considerable efforts to provide suitable grounds for their acceptance and implementation at the earliest time.

560. The delegation reported that the committee involved in writing the report for the universal periodic review had lost two of its members while performing their duties. The first one was lost in a terrorist bombing at the Ministry of Foreign Affairs, and the second after the Working Group session, on the return of the delegation. Dr. Thamer Kamel was assassinated on the second day of his return.

561. The delegation emphasized that, despite the delay in installing the new parliament, the relevant institutions continued to review legislations and regulations to make them compatible with human rights. Many existing draft laws are also to be proposed to the new parliament, as they are ready to be passed.

562. The delegation noted that the Iraqi reporting committees on treaty obligations continued to compile information to finalize their reports on time. The finalization of the reports would follow the same procedure as the one for the universal periodic review report. Drafts would be posted on the website of the Ministry of Human Rights for relevant stakeholders to make their comments. Reports would be finalized in the light of the comments received.

563. The delegation concluded by thanking national, regional and international non-governmental organizations for their contributions, as they had had a significant and positive impact on the final report. The delegation thanked UNAMI and the United Nations working in Iraq and Jordan for their strong support for the Government, and the non-governmental organizations for building greater capacity for the preparation of human rights reports.

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

564. Algeria welcomed the importance given by Iraq to the universal periodic review recommendations and the consideration of the report, and highlighted Iraq's achievements, despite the difficulties it faced. It noted that the majority of recommendations had been accepted by Iraq, which demonstrated its commitment to protect human rights. Algeria appreciated the acceptance of its five recommendations as part of its contribution to the interactive dialogue. It emphasized again the importance of national reconciliation and the support for national unity, and highlighted the importance of stability of the security situation, to allow its people to end the difficulties faced in recent history.

565. Saudi Arabia noted with interest that Iraq had accepted most of the recommendations and engaged in a positive manner with the Council mechanisms. Iraq's cooperation with all human rights mechanisms and its readiness to pursue its international cooperation and positive dialogue on human rights issues clearly demonstrated its

commitment, despite its difficulties and challenges. The universal periodic review provided an opportunity to all to be acquainted with the efforts to develop human rights legislation and institutions.

566. Bahrain commended the positive measures taken by Iraq to implement all recommendations and its efforts to promote and protect human rights and fundamental freedoms and to spread a culture of human rights, despite the challenges, difficulties and security problems it faced. Bahrain valued Iraq's commitment to take the necessary measures to empower women, enhance their role and participation in public life and allow them to occupy leading positions. The numerous measures taken by Iraq to promote and protect human rights reflected the political will of the Government to implement its human rights commitments.

567. The United States of America commended Iraq's efforts to strengthen national human rights institutions, to promote a human rights culture and to incorporate its international human rights obligations within national legislation. It encouraged Iraq to establish and implement national human rights strategies and to complete the establishment of the higher human rights commission. It appreciated Iraq's commitment to end intimidation and abuse of journalists, ensure accountability and respect and protect the freedom of expression. It was concerned about continued violence against women and minorities and welcomed Iraq's commitment to protect them. The efforts made to empower judicial and other authorities to monitor prison conditions and investigate allegations of torture and abuse were welcomed.

568. Belgium was shocked to learn about the assassination of two members of the delegation of Iraq who had participated in the review, and the attempted murder of a third, and encouraged Iraq to investigate these events. Belgium was satisfied with the acceptance of 135 of 176 recommendations made at the Working Group session, including 2 recommendations made by Belgium on the prosecution of abuses against minorities and the respect for minimum standards in the imposition of the death penalty. It regretted that its recommendation to introduce a moratorium to the death penalty had not been accepted, but congratulated Iraq for making voluntary commitments, and particularly for agreeing to re-examine reservations to human rights treaties and to cooperate with special procedures. It invited Iraq to implement recommendations and to submit an interim report thereon.

569. Kuwait noted Iraq's continued efforts to protect human rights despite the recent challenges. Iraq had suffered from a period marked by violations by the former dictatorial regime, which had also affected Kuwait. These included violence, imprisonment, torture and summary executions. Iraq had made efforts to promote and protect human rights by disseminating a culture of human rights and combating the scourge of terrorism. Kuwait was confident of Iraq's capacity to establish democracy, good governance and equality, and welcomed its acceptance of many recommendations.

570. Morocco commended Iraq's efforts to protect human rights and cooperate in the universal periodic review. This reflected Iraq's commitment to ensure social cohesion, political stability and economic development and would allow the people of Iraq, within the framework of the country's territorial integrity and political stability, to enjoy fundamental rights and overcome any challenges to the democratic process. Iraq had accepted most of the recommendations, including those made by Morocco in the areas of health, education and the return of refugees. Morocco encouraged Iraq to implement the accepted recommendations and, to that end, to seek the necessary assistance from the international community.

571. The United Arab Emirates stated that the acceptance of a great number of recommendations demonstrated Iraq's commitment to dialogue with international human rights institutions. It mentioned Iraq's important reforms, such as its willingness to apply

human rights principles and good governance. It noted the challenges faced by Iraq and praised it for the efforts made to consolidate development and enforce human rights.

572. Egypt noted with interest Iraq's cooperation, openness and constructive dialogue with the Council. It commended the responses and comments made during the universal periodic review, which reflected Iraq's political will to promote and protect human rights further, despite the challenges and difficulties it faced. Egypt commended the acceptance of most of the recommendations and the constructive dialogue between the Government and civil society concerning them. It also welcomed the voluntary commitments made by Iraq. Egypt called on the international community, and in particular the Council, to support Iraq's efforts to achieve security and stability in accordance with the Iraqi people's national priorities.

### **3. General comments made by other relevant stakeholders**

573. The Cairo Institute for Human Rights Studies welcomed the acceptance of 135 of 176 recommendations, but noted the lack of improvement in the situation of Iraqi refugees, especially in neighbouring countries. Freedom of expression was increasingly repressed, and Iraq was one of the most dangerous countries in the world for journalists. Moreover, 60 per cent of Iraqis still lacked sufficient access to drinking water, and this situation, as well as other human rights concerns such as corruption, secret detention and torture, required urgent attention.

574. Mouvement contre le racisme et pour l'amitié entre les peuples stated that the first universal periodic review of Iraq had certainly not been fully objective, to the extent that established rules did not allow the taking into consideration of the human rights violations committed by the occupying Power, which was a violation of international law. It noted that Iraq had gained sovereignty at a high price; it was now a torn country in the grip of ethnic and religious conflicts. It referred to the broad margin that the Government of Iraq had to cover to improve human rights: ratification of conventions, cooperation with the Council, technical cooperation from OHCHR, and the establishment of a national human rights institution in accordance with the Paris Principles. It also expressed a positive projection with regard to the next four years. In this connection, it called on the United States of America, in the light of the inability of the Government to protect the residents of Camp Ashraf, to do so, in accordance with the Fourth Geneva Convention.

575. Human Rights Watch commended Iraq for supporting most recommendations, but noted that the real test would be their implementation. It asked the Government to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on Enforced Disappearance promptly, particularly in promptly in the light of evidence and reports of widespread torture and abuse of detainees. Human Rights Watch called on the Government to fully implement the Convention on the Elimination of Discrimination against Women. Violence against women remained a serious problem and prosecutions were rare. Honour killings remained a serious threat to women. It regretted that the recommendations to investigate allegations of persecution based on sexual orientation and prosecute the perpetrators had not been supported.

576. The Canadian HIV/AIDS Legal Network commended Iraq for accepting the recommendation to end extrajudicial killings of persons based on their sexual orientation. It referred to reports of assassinations, extrajudicial killings, torture, threats and forced exile suffered by persons on account of their sexual orientation. It recommended that Iraq should adopt legislation to protect people from crimes on grounds including sexual orientation, to prosecute those responsible, assist victims, and conduct public education and awareness-raising campaigns. It regretted Iraq's rejection of recommendations to prosecute allegations of persecution based on sexual orientation.

577. The Charitable Institute for Social Victims noted that the human rights situation had clearly improved in recent years. The Iraqi people, however, still suffered from insecurity, chaos and poor economic and social conditions as a result of terrorist attacks, internal conflicts, international sanctions and occupation. It asked the Government to pay greater attention to the most vulnerable and to improve the economic situation in order to reduce poverty and inequality.

578. Organisation pour la communication en Afrique et la promotion de la coopération économique internationale welcomed Iraq's commitments to the universal periodic review and encouraged it to implement the recommendations. It noted those related to the fight against school dropout rates and illiteracy. It welcomed Iraq's achievements in the promotion of human rights, particularly the rights of women and children. It encouraged Iraq to ratify the Optional Protocols to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of Discrimination against Women. It welcomed the progress achieved in the promotion of gender equality, and encouraged Iraq to implement women's economic, social and cultural rights effectively.

579. The Al-Hakim Foundation indicated that the human rights situation in Iraq had clearly improved in recent years, especially when compared with the situation before 2003, which was marked by systematic human rights violations. It noted that Iraq had accepted most of the recommendations, and hoped that it would reconsider those that had not been accepted. It invited the Government of Iraq to pay greater attention to women and children, especially widows and orphans, and to implement economic development plans to combat poverty.

580. France Libertés : Fondation Danielle Mitterrand stated that Iraq continued to suffer violations of human rights. It referred to the humanitarian urgency of Camp Ashraf, and recalled the recommendation accepted by Iraq to ensure that abuses against minorities were duly investigated and prosecuted. It noted the deadly attack of July 2009 on Camp Ashraf. It regretted that the Iraqi authorities had not only failed to curtail threats, but also appeared to encourage them. It urged Iraq to lift restrictions on the camp and respect the human rights of its residents. It also reminded the United States of its obligations under the Fourth Geneva Convention.

581. The Institute for Women's Studies and Research referred to the situation of Iraqi refugees and asylum seekers who, since 2003, had fled to neighbouring countries, where many of them had become homeless, had no legal residency rights and or proper jobs. It recommended that the United States of America should implement a comprehensive plan and a coordinated strategy to solve the crisis of Iraqi refugees, which should include the option of return.

582. Verein Sudwin Entwicklungspolitik encouraged Iraq to strengthen the protection of minorities, journalists and human rights defenders, ensure free participation in a fair and transparent election, and improve the situation of Iranian refugees. It called on Iraq to adopt an effective and inclusive process to follow up on the universal periodic review, which in itself would enhance the protection of the population. It regretted that Iraq did not favour the abolition or reintroduction of a de facto moratorium on the death penalty. It encouraged Iraq to establish a national human rights institution and to ratify the Optional Protocols to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

583. In a joint statement, the Arab Lawyers Union, the Union of Arab Jurists, the General Federation of Iraqi Women, the Indian Movement Tupaj Amaru and the Educational Development and International Association of Democratic Lawyers indicated that major substantive recommendations had been ignored by Iraq, while the situation on the ground

continued to deteriorate. They were concerned about the number of death sentences following trials that did not meet international standards, the admission of confessions extracted under torture and the lack of independence of the judiciary. They urged Iraq to declare a moratorium on the death penalty, recalling that, in May 2010, 62 people were collectively sentenced to death. They raised other issues, such as the long delays in charging detainees, the denial of the right of effective defence, the widespread and systematic use of torture in secrete and known centres, and the lack of response to requests for visits by special procedures mandate holders.

#### **4. Concluding remarks of the State under review**

584. Given that the delegation was not in a position to provide a clear answer to a number of pending recommendations, the President of the Council, in accordance with Council resolution 5/1, invited the delegation to either support or note the recommendations. The delegation confirmed its inability to take a clear position on a number of recommendations and thus took note of them.

585. The delegation of Iraq expressed its gratitude to all delegations and non-governmental organizations that had made statements. It confirmed that there was determination supported by an objective vision to make substantive progress in the next four years, especially once the independent commission for human rights had been formed. It pledged that its work would be independent and professional, and have an integrated approach. It promised that the recommendations would be taken seriously, and that effective policies would be drawn up to implement all accepted recommendations. It thanked the President of the Council and all Member States for the great efforts made to hold this dialogue.

#### **Gambia**

586. The review of the Gambia was held on 10 February 2010 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 Gambia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/GMB/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/GMB/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/GMB/3).

587. At its 25th meeting, on 11 June 2010, the Human Rights Council considered and adopted the outcome of the review of the Gambia (see section C below).

588. The outcome of the review of the Gambia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/6), the views of the Gambia 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**

589. The head of the delegation stated that the Gambia had been given the opportunity to provide an update on the follow-up measures taken after a successful interactive session with the Working Group in February 2010. The Gambia was presented with 141 recommendations, 61 of which were accepted, 30 rejected and 50 deferred for a response



during the current session of the Council. The 50 recommendations that were deferred had been considered at the national level, and the delegation wished to report to the Council thereon.

590. Recommendations 1 to 8 under paragraph 99 of the report (A/HRC/14/6) called on the Gambia to ratify or accede to the main human rights instruments, namely the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Second Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the two Optional Protocols to the Convention on the Rights of the Child, the International Convention on the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities.

591. The delegation stated that the ratification process of the Convention on the Rights of Persons with Disabilities was far advanced, as this treaty was in line with the constitutional protection provided to persons with disabilities in the Gambia. The Gambia was also considering the list of human rights instruments and would endeavour to ratify or accede to them. It therefore hoped to engage the international community and the treaty bodies for technical assistance in this area. With regard to the two Optional Protocols to the Convention on the Rights of the Child, as reported in February 2010, the protocols had been ratified in April 2008 by the National Assembly and the instruments of ratification had been sent to the United Nations Headquarters to be deposited.

592. Recommendations 9 to 14, 40 and 43 dealt with the need to enact legislation and to set up mechanisms and structures to promote and protect women's rights in line with the Convention on the Elimination of Discrimination against Women and other international legal instruments, especially the protection against all forms of violence. To demonstrate the Gambia's commitment to women's rights, the Women's Bill 2009 was enacted in April 2010, incorporating the provisions of the Convention on the Elimination of Discrimination against Women and the Protocol to the African Charter on Human and Peoples Rights on the rights of women in Africa. In addition, several other measures were being taken to promote women's rights and children. They included the validation of the national gender and women empowerment policy in May 2010, which had an entire section dealing with measures and strategies to eradicate violence against women and gender-based violence. The strategies of the policy included a national study on the gender-based violence, to be conducted in 2010 and supported by the United Nations Development Programme (UNDP). After the study, a national programme would be developed and supported by UNDP. Key institutions would be strengthened to keep proper records on gender-based violence, and supported by UNDP. The laws of the Gambia would also be reviewed, with a view to formulate a separate and comprehensive bill on gender-based violence. Women leaders would be trained on their roles and responsibilities, leadership and conflict resolution. The strategy further involved a review of laws, with a view to fully harmonize all international, regional and national commitments on the promotion, protection and empowerment of women.

593. The recommendations on female genital mutilation (28–30, 40–42 and 44) were discussed with key stakeholders, such as National Assembly members, religious leaders and women's leaders. The outcome of the consultations revealed that legislation was not the answer now, although there was an urgent need for continued public education on the dangers of this practice and for a national study. Subsequently, a national steering committee had been set-up to review the WSU Kafo study to determine if it could be used

as evidence or whether there is a need for a new clinical and empirical study. A social study on female genital mutilation was also being conducted and supported by UNICEF; an education programme on gender and religion would also be launched soon.

594. With respect to recommendation 15, the Gambia reported that there were laws already in place to protect children against violence and abuse of all forms. Efforts were also being made through the Department of Social Welfare to sensitize communities and institutions on child protection and the use of alternative disciplinary measures for children, with a view to involve them in promoting these alternative measures. Similarly, a training manual on alternative disciplinary measures had been developed and introduced in teacher training college curriculum. The Child Protection Alliance, a locally-based civil society organization, was also working in partnership with the Government and communities to sensitize them on the promotion of alternative disciplinary measures for children.

595. On the issue of juvenile justice, the Government of the Gambia was concerned, as the Children's Act 2005 clearly provided for the adequate protection of children in conflict with the law. The Government, through the Ministry of the Interior, had identified sites where new corrective centres for child offenders would be built. Currently, there was a separate juvenile wing in one of the prisons, completely isolated from the main prison camp, and some basic structures had been put in place to make it child-friendly. Social workers at the Department of Social Welfare conducted regular visits to the wing to provide counselling and other services, to bring parents into contact with their children, and ensured a sustained and well-defined reintegration programme. Children had access to basic education and skills training. Training manuals on juvenile justice had been developed by the police and prison training schools. The after-arrest procedures, developed for the police, were being reviewed, and the special rules of procedure for the Children's Court had been validated in April 2010.

596. There were recommendations for the establishment of a national human rights commission (16–19). The possibility of having a separate body, or of expanding the mandate of the Office of the Ombudsman, was being looked into. The Gambia looked forward to working with international and regional bodies for technical assistance in this area.

597. The National Council for Civic Education was an institution established under the Constitution. It enjoyed its independence, but owing to its limited financial resources, the Gambia had approached UNDP and other international donors to assist in this regard.

598. Regarding the timelines for submitting overdue reports, as highlighted in recommendations 21 and 22, the delegation reported that in view of the serious capacity and financial constraints, the Gambia would endeavour, in the next years (subject to the technical and financial assistance of United Nations human rights bodies and the international community) to submit all pending reports.

599. The Gambia was also committed to cooperating with the special procedures mandate holders and would therefore treat with utmost urgency any request for invitations by them. Such cooperation had been established with the African Union and with many international and civil society organizations (recommendations 22–27).

600. Recommendations 33 to 35 called for the establishment of a moratorium on the death penalty, ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, a review of the Constitution and the abolition of death penalty. There was already a moratorium on the death penalty since 1995, when it was reintroduced; all prisoners sentenced to death were serving life imprisonment terms and none had been executed. However, it does not intend to abolish the death penalty, now or any time soon. It was a punishment meant for very serious crimes only, with adequate guarantees for the application of due process.

601. With respect to recommendations 36 to 38, the delegation stated that the 1997 Constitution clearly guaranteed the right not to be tortured and protection against unlawful arrests and detention. The challenge was how to implement these laws effectively. The Gambia was therefore committed to the protection of these rights, and efforts were being made to overcome this challenge. A human rights unit had been established to register complaints of such violations by security agents. Any complaints were investigated and the culprits dealt with accordingly. A human rights training component had also been introduced into the police training curriculum. The Ministry of the Interior and the Office of the Inspector-General of Police also worked in collaboration with other stakeholders to strengthen the capacity of the police with a view to improve the level of professionalism in the execution of their duties.

602. Concerning recommendation 47, an investigation was ongoing. However, the challenge faced by the investigators was that the two key witnesses were outside jurisdiction and all efforts to reach them had proved futile. The Gambia welcomed the assistance of the international community to enable it to close the investigation as soon as possible. The findings of the investigation would be made public once it had been concluded.

603. The independence of the judiciary was guaranteed by the Constitution, as indicated in paragraph 61 of the report of the Working Group, and paragraphs 36 to 38 of the national report. To ensure that those guarantees were strengthened, a code of conduct had been enacted for judicial officers for the first time, in 2009. The conditions of service and remuneration had also been improved tremendously during the 2008/2009 budget year. Thus, recommendations 44 and 45 were already being implemented.

604. Similarly, the rights and activities of human rights defenders were recognized and protected by law. This was manifested by the uninterrupted operations of the African Commission on Human and Peoples' Rights, for more than two decades, the African Centre for Democracy and Human Rights Studies, and the Institute for Human Rights and Democracy in Africa, to name a few. Thus recommendations 48 and 49 were already being implemented; the allegation of lack of protection of human rights defenders was unfounded.

605. Recommendation 50 was also being implemented. Under the Education for All and the Fast Track initiatives, the Gambia was one of the leading African countries to lead in the Millennium Development Goals with respect to free primary school enrolment and gender parity. However, providing access to free education to all at all levels of education was a long-term process that could only be achieved progressively, on the basis of the availability of resources, and would need the intervention and assistance of the international community.

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

606. Senegal recalled that, in February 2010, it had expressed its appreciation for the will of the Gambia to continue efforts to protect and promote human rights. In the light of the numbers of recommendations accepted by the Gambia, Senegal renewed its appreciation and encouraged the State to spare no effort to implement these recommendations. Senegal expressed its will to support the Gambia in this regard.

607. Algeria very much appreciated the acceptance by the Gambia in February 2010 of three of its recommendations, as well as the acceptance of the fourth recommendation it had made relating to the strengthening of the institutional human rights framework. Algeria welcomed the remarkable progress achieved by the Gambia in considering the 50 recommendations pending. Algeria commended the Gambia for its participation in the universal periodic review despite the lack of financial and material resources; this was a

clear signal of its commitment to human rights. Assistance from the international community was crucial for the Gambia.

608. The United States of America thanked the Gambia for having accepted 61 recommendations, including that made by the United States regarding trafficking in persons. The United States however urged the Gambia to reconsider its decision not to support other recommendations, including the one relating to the fight against violence based on sexual orientation and gender identity, and to decriminalize sexual activity between consenting adults.

609. Nigeria congratulated the Government of the Gambia for its active participation in the universal periodic review process, an indication of its readiness to continue to engage with the United Nations human rights system. Nigeria commended the fact that the Gambia was completing arrangements for the establishment of a national human rights institution. It recognized the challenges faced by the country and encouraged the Government not to relent in its efforts, but see to the implementation of the recommendations accepted as a means of improving the enjoyment of human rights by its people.

### **3. General comments made by other relevant stakeholders**

610. The Canadian HIV/AIDS Legal Network referred to the criminalization of consensual same-sex conduct in domestic law, punishable to up to 14 years of prison. The organization was concerned by the Gambia's rejection of recommendations regarding this issue. It mentioned reports of arbitrary arrest on these grounds, and that stakeholders had been distressed by the public statements of high-level officials threatening homosexuals with expulsion from the country or beheading. The Human Rights Committee had also confirmed that the provisions criminalizing consensual same-sex conducts violated the rights to privacy and non-discrimination established in the International Covenant on Civil and Political Rights. Thus, it urged the Gambia to reconsider its position and accept the recommendations that it had previously rejected. Lastly, it recommended that violence directed against any person, including because of sexual orientation or gender identity, be vigorously prosecuted, and that incitement to violence on these grounds be condemned.

611. Amnesty International welcomed the Government's stated commitment to ensure inclusive follow-up to the universal periodic review. It acknowledged the Gambia's support for the recommendations relating to women's rights and further cooperation with special procedures. It emphasized the importance of urgently implementing recommendation 24, on the need to investigate and punish human rights violations committed by security forces. The Gambia should support a number of pending recommendations concerning the enforcement of ratified human rights instruments, the establishment of a national human rights institution, cooperation with special procedures, the death penalty, unlawful arrest and detention, torture and enforced disappearances, the independence of the judiciary and the protection of human rights defenders. Lastly, Amnesty International mentioned that the rejected recommendations on freedom of expression mirrored the Gambia's obligations under the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights. It therefore urged the Government to honour them.

612. Verein Sudwind Entwicklungspolitik recalled that the right to freedom of expression was recognized by the constitution of the Gambia. Gambian law banned any harassment and intimidation of media institutions, and hence all such acts should cease, irrespective of the Gambia's position with regard to recommendations 15 to 30. It acknowledged the ongoing, positive institution-building process, in particular the setting-up of an independent national human rights institution. It also referred to the recommendations relating to additional visits by special procedures and to the accession to the Convention against Torture and the Optional Protocol thereto. It raised concerns over female mutilation, which it considered a form of torture.

613. Rencontre africaine pour la défense des droits de l'homme stated that the rejection of half of the recommendations by the Gambia showed how reluctant it was in cooperating with the Council. It was inconceivable that the African Commission on Human and Peoples' Rights was hosted by the Gambia, whose President continued to issue death threats against human rights defenders and journalists. It was high time that the Commission sought another country to host its institutions and to ensure its integrity. It invited the Gambia to review its legislation on the freeing of drug traffickers on bail because of corrupt officials in the police and the judiciary, to combat early marriage and trafficking in women. The Gambia should also ensure the safety of human rights defenders and journalists and the independence of political parties.

#### **4. Concluding remarks of the State under review**

614. The delegation renewed the Gambia's commitment to the universal periodic review process and thanked the Working Group, the Council and the troika.

##### **Egypt**

615. The review of Egypt was held on 17 February 2010 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 Egypt in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/EGY/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/EGY/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/EGY/3).

616. At its 25th meeting, on 11 June 2010, the Human Rights Council considered and adopted the outcome of the review of Egypt (see section C below).

617. The outcome of the review of Egypt comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/17), the views of Egypt 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/14/17/Add.1).

#### **1. Views expressed by the State under review on the recommendations and/or conclusions, its voluntary commitments and the outcome**

618. The delegation stated that the review session in February 2010 had been constructive and fruitful, and that Egypt had reflected on the recommendations made, started to implement some of them and expected to conclude the implementation of the accepted recommendations in the course of the next four years. Egypt highly valued the universal periodic review mechanism and benefitted from it. The universal periodic review also opened up better communication with partners, namely civil society. Egypt had witnessed unprecedented political movement in recent months, with societal dialogue on numerous human rights issues also thanks to the mechanism. Egyptian mass media dealt extensively with the review.

619. The governmental committee on the universal periodic review had notified the relevant ministries and authorities of the content of recommendations accepted in February 2010. Egypt had accepted 119 recommendations in order to raise perception at the national level. The committee had studied the 25 pending recommendations, including during two

consultative meetings with the participation of the National Council for Human Rights and civil society organizations.

620. The delegation referred to several developments at the internal level. In May 2010, the Government had submitted to parliament a decision to extend the state of emergency because the antiterrorism law had not been completed. This time, the application of the law was exclusively limited to cases relating to terrorism, its funding and drug trafficking. The powers of the police were limited accordingly to fight these threats. This was a very important step before issuing the new antiterrorism bill.

621. To set the stage for the legislative elections, the Supreme Committee, an independent electoral committee, had taken all necessary measures to ensure the integrity of the elections. Measures had been taken to facilitate the monitoring of the elections by civil society. The elections of the Shura Council had also taken place in accordance with the regulations set out.

622. Numerous legislative initiatives relating to human rights had been undertaken, such as the law to combat trafficking in persons, enacted in April 2010. A law on the rights of persons with disabilities was also submitted to parliament. These initiatives were the implementation of voluntary pledges made by Egypt.

623. Regarding cooperation with human rights mechanisms, the delegation recalled the visit of the Special Rapporteur on trafficking in persons, especially women and children, in April 2010. In addition, Egypt had submitted its periodic report to the Committee on Economic, Social and Cultural Rights.

624. The National Council for Human Rights submitted its sixth annual report, and the cabinet of Ministers had held a session to study all the recommendations made, asking each ministry to respond to the report.

625. Regarding the 25 pending recommendations, Egypt had accepted 21 of them, either partially or entirely. In reply to some queries it received from some delegations and from civil society organizations relating to recommendations 10, 11, 18, 19 and 22, Egypt partly accepted these recommendations, that is to say that it accepted part of them and rejected other parts, or it may have accepted the objective of the recommendation but could not abide by a specific form of implementation, as explained in the addendum to the report.

626. The recommendations that Egypt did not accept were not rejected in principle, but the way they were drafted had led to their rejection or non-acceptance in their entirety. This was the case of the recommendation calling on Egypt to accede to several human rights conventions at once, while Egypt was considering each convention on its own merits. Although Egypt agreed in principle, it was not in a position to accept that recommendation. Egypt could not accept a few recommendations that were not compatible with domestic law and the rejection of which did not contradict Egyptian international human rights obligations, such as the abolition of the death sentence, in accordance with the Second Optional Protocol to the International Covenant on Civil and Political Rights.

627. Egypt included detailed information in its addendum for all accepted or rejected recommendations. It accepted recommendations on numerous crucial issues, such as freedom of religion, freedom of expression, the withdrawal of reservations or enhancing cooperation with special procedures.

628. Egypt reiterated that the process of examining pending recommendations was a useful exercise. It valued the interactive dialogue and was keen to continue it with Member States, civil society organizations and national human rights institutions.

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

629. The United Kingdom of Great Britain and Northern Ireland welcomed Egypt's acceptance of 119 recommendations in February 2010. It noted that Egypt had accepted three recommendations on ending the state of emergency, which was extended in May 2010, and called for their implementation. It also called for an amendment of the penal code to ensure freedom of expression for journalists, publishers and bloggers. It welcomed the efforts to promote cultural and religious tolerance and encouraged the implementation of Austria's recommendation to increase these efforts. The delegation thanked Egypt for providing advance information on the 25 outstanding recommendations, and asked which parts of the recommendations that had been partially accepted did enjoy Egypt's support.

630. Qatar noted that Egypt had accepted a large number of recommendations, which was a sign of its sincere and positive interaction with the universal periodic review and the United Nations human rights mechanisms, with a view to further promoting human rights in the country. While appreciating the achievements made in the area of human rights, Qatar hoped that Egypt would continue to make further progress.

631. The United Arab Emirates welcomed the acceptance by Egypt of most recommendations, which showed its readiness to cooperate with the Council with a view to promoting human rights. It highlighted Egypt's achievements in promoting human rights principles, including with regard to eradicating illiteracy and the empowerment of women, the strengthening of systems to combat crimes against children and human trafficking and the protection of persons with disabilities. Lastly, it commended the measures taken by Egypt to promote human rights principles in conjunction with its efforts to achieve the Millennium Development Goals.

632. Bahrain expressed its appreciation for the positive measures that Egypt had taken to implement a number of recommendations, its efforts to promote and protect human rights and its role in the work of the Council. Bahrain also appreciated the openness demonstrated by Egypt in describing the challenges that it faced in complying with its international obligations. Bahrain highlighted the importance of strengthening the right to health and the provision of health care throughout the country, and of increased efforts to ensure education for all and to spread a culture of human rights.

633. Saudi Arabia noted that the acceptance by Egypt of most recommendations demonstrated its commitment to human rights promotion and protection. The holistic approach taken towards the situation of women had resulted in a number of social support initiatives, such as the design of a strategy aimed at fighting violence against women and the withdrawal of a reservation to article 9 (2) of the Convention on the Elimination of All Forms Discrimination against Women. Noting that the provision of social services, such as education and health care, were considered human rights priorities, Saudi Arabia expressed its appreciation for the measures taken in that regard.

634. Algeria commended the efforts promote and protecting human rights and expressed its particular support for Egypt's efforts to focus on certain specific issues urgently. Algeria noted that Egypt had adopted 119 recommendations in February 2010, and underscored its active role in the Council. Algeria expressed its full agreement with Egypt's position regarding certain recommendations that had not yet been accepted, and encouraged Egypt to redouble its efforts to fulfil human rights.

635. Indonesia acknowledged Egypt's immediate acceptance of 119 recommendations in February 2010 as proof of its commitment to the work of the Council and human rights promotion and protection. It welcomed the progress made in the empowerment of women and the protection of children's rights, and commended Egypt's efforts to initiate new legislation to combat and sanction human trafficking. Indonesia welcomed Egypt's

withdrawal of its reservation to article 9 (2) of the Convention on the Elimination of All Forms of Discrimination against Women, and expressed its confidence that Egypt would adopt a similar approach to other human rights instruments and pursue human rights promotion and the protection of all people.

636. Oman noted that the interactive, frank and open dialogue held at the Working Group session in February 2010 clearly showed the cooperative approach taken by Egypt. Oman appreciated the acceptance by Egypt of most recommendations, as well as its commitment to their implementation, which demonstrated the importance accorded by Egypt to strengthening its human rights mechanisms and concepts. Oman expressed the hope that the adoption of the final report would contribute to the strengthening of Egypt's continuous efforts to promote and protect human rights.

637. Venezuela (Bolivarian Republic of) highlighted Egypt's social policies, in particular the progress made in the promotion and protection of cultural rights through concrete measures aimed at empowering traditionally excluded sectors of the population. It noted that Egypt's widespread consultations for the preparation of the national report, due to continue after the current review, and its acceptance of most recommendations demonstrated its commitment to the universal periodic review mechanism and its strong will to promote and protect human rights.

638. The United States of America congratulated Egypt on having passed anti-trafficking legislation and commended its support for the recommendation that it revise relevant laws and practices to ensure compliance with the International Covenant on Civil and Political Rights, including for bloggers and access to the Internet. The delegation expressed concern about the continued killings of migrants on the border with Israel, the reasons provided by Egypt for the imprisonment of bloggers, and the renewal of the state of emergency in May 2010. It welcomed the subsequent release of prisoners held under the emergency law, and called for additional releases. The delegation regarded the recommendations partially accepted by Egypt as noted, and regretted its decision not to support a significant number of recommendations regarding religion and political freedom. It also expressed concern about reports of fraud during the Shura election on 1 June.

### **3. General comments made by other relevant stakeholders**

639. The Egyptian National Council for Human Rights commended Egypt for accepting 119 recommendations and its total or partial acceptance of 21 of the 25 pending recommendations. It called upon Egypt to end the state of emergency and to release all persons detained under the emergency law beyond the scope of the new limitations; to expedite the implementation of the principle of citizenship by promulgating the unified law for places of worship and the law on equal opportunities and the eradication of discrimination; and to ensure the participation of the Council and other non-governmental organizations in preparing amendments to guarantee freedom of association. It underscored the importance of proper and prompt implementation of the recommendations accepted by the Government and stated its intention to monitor the process with the participation of civil society.

640. The Cairo Institute for Human Rights Studies questioned the sincerity of Egypt in complying with the recommendations it had accepted, in particular concerning freedom of opinion and expression, and cited the example of two bloggers and an Internet activist still held in detention under the emergency law without having been charged and without a trial. Although the President of Egypt had promised more than five years previously to eliminate imprisonment in press cases, there were still 23 different provisions in the penal code leading to the imprisonment of journalists and writers, which cast doubt on the seriousness of the Government.



641. In their joint statement, Human Rights Watch and the International Federation for Human Rights highlighted the deterioration of the human rights situation in Egypt since February 2010. They deplored the recent renewal of the state of emergency and stressed that administrative detainees, numbering between 5,000 and 10,000, should be either immediately charged or released. The organizations expressed concern about impunity for human rights violations, the continued crackdown on independent political activists and the violation of freedom of assembly, noting the quashing of a demonstration and the arrest of 102 peaceful protestors on 6 April in Cairo. They highlighted that the Shura elections of 1 June had been marred by reports of fraud and incidents of violence, and that since February, Egyptian border guards had shot dead at least 12 migrants attempting to cross into Israel.

642. The Canadian HIV/AIDS Legal Network welcomed the acceptance by Egypt of many recommendations in the area of economic, social and cultural rights, although it regretted that some of those recommendations were of a very general nature, without indication of measures of implementation or indicators of achievement. It also regretted the rejection by Egypt of the recommendation to allow the free establishment of trade unions without the obligation for such unions to join the Egyptian Trade Union Federation.

643. Organisation pour la communication en Afrique et de promotion de la coopération économique internationale noted that Egypt had accepted more than 80 per cent of the recommendations made by other States. It highlighted Egypt's progress with regard to women's rights, as well as its constructive approach to the universal periodic review. It welcomed Egypt's withdrawal of its reservations to articles 9, 16 and 29 of the Convention on the Elimination of All Forms of Discrimination against Women, and asked the Government to consider the possibility of ratifying the Optional Protocol thereto. It also requested that Egypt expedite the adoption of the law criminalizing all forms of violence against women, and to formulate a global policy to address this issue.

644. The Al-Hakim Foundation thanked Egypt for its comprehensive report on its human rights situation and praised the constructive participation of Egypt in the universal periodic review. It commended Egypt's decision to open the Rafah border to allow humanitarian assistance to enter Gaza, while allowing the passage of Palestinians for health treatment abroad. It also commended the decision by parliament to limit the application of the emergency law to combating terrorism and drug trafficking. While noting the efforts made to fight female genital mutilation, it stated that additional measures needed to be taken in this regard. Finally, it referred to the necessity to find a solution to legal problems faced by Egyptian nationals married to Palestinians of Israeli nationality and their children.

645. The Democracy Coalition Project highlighted the fact that Egypt had not taken any serious measures to implement the vast majority of the universal periodic review recommendations. Although the Government had accepted that non-governmental organizations could monitor elections, civil society groups were denied permission to monitor electoral proceedings, and 300 supporters of various candidates had been arrested during the recent Shura Council elections. In addition, notwithstanding the acceptance of several recommendations regarding freedom of religion and belief, Egypt had not made significant efforts to stop discriminatory incidents targeting Coptic Christians. The organization stressed the need for an official plan with concrete and time-bound benchmarks to evaluate the implementation of the recommendations.

646. Amnesty International stressed that civil and political rights were restricted under the state of emergency, which was renewed on 11 May 2010, despite recommendations that it be lifted. It referred to the violent dispersal by security forces of several recent demonstrations, such as the one on 6 April 2010 in Cairo. Concerning Egypt's description of a recommendation to "cease arrests and detentions of political activists" as inaccurate, Amnesty International attested to the use of emergency powers to arrest and detain political activists, including members of the Muslim Brotherhood. It highlighted the fact that the

peaceful exercise of freedom of expression remained severely constrained, and referred to the case of four bloggers, two of whom had been held in administrative detention since 2008.

647. The Human Rights Information and Training Centre expressed the hope that the definition of torture in Egyptian law would be brought into line with the Convention against Torture, that Egypt would sign the Optional Protocol to the Convention and allow a visit by the Special Rapporteur on torture. It also hoped that the state of emergency would be lifted without delay and that no counter-terrorist law would be enacted, in spite of some recommendations to that effect, since the Penal Code was sufficient to fight terrorism. It further hoped that the application of the death sentence would be limited to the most serious crimes, with additional guarantees for a fair trial. With regard to freedom of religion, it urged the Government to issue a unified law as soon as possible and, with regard to freedom of opinion and expression, to repeal provisions concerning the imprisonment of journalists.

648. Verein Südwind Entwicklungspolitik, referring to the forthcoming election in Egypt, urged the Government to invite national and international independent observers. It also urged the adoption of a moratorium on the death penalty and consideration of its eventual abolition. It further urged that all reservations to the Convention on the Elimination of All Forms of Discrimination against Women be withdrawn, that efforts to provide education and employment for women be intensified, and that the prevention of female genital mutilation be included in health planning. Finally, it recommended that Egypt release persons detained or imprisoned solely for exercising their freedom of expression on the Internet.

#### **4. Concluding remarks of the State under review**

649. The delegation welcomed the criticisms made and recognized that, although mistakes may have been committed, Egypt was working on reforms, whenever needed. The delegation noted inaccuracies in some statements made.

650. To reply to the query from the United Kingdom of Great Britain and Northern Ireland, the delegation stated that partly accepted recommendations were accepted by Egypt, as explained in the clarification included in the addendum to the report.

651. In February 2010, Egypt had promised to put an end to the state of emergency as soon as the antiterrorism law was enacted, since it was impossible to prevent terrorism through normal laws. Exceptional rules that would be included in a state of emergency or in a special counter-terrorism law were needed, as was the case in the vast majority of countries. Egypt was committed to ending the state of emergency, but recognized that it had faced delays in enacting the antiterrorism law.

652. Egypt recalled the limitation of the scope of the new law of emergency, and reasserted that the state of emergency was temporary.

653. Regarding allegations of detention of persons based on the practice of their legitimate freedom of opinion on the Internet, Egypt stated that the names, which had been mentioned by delegations, referred to persons detained as a result of having committed crimes under the penal code. More than 30,000 blogs dealt with human rights in Egypt on a daily basis, without restrictions or consequences.

654. While being grateful to those who appreciated the achievements of Egypt, the delegation replied to those who alleged that Egypt had not done anything since February 2010 by providing examples. It recalled that Egypt had recently held a number of consultative meetings with civil society organizations. An ad hoc legal committee had been set up to review the definition of torture in line with that of the Convention against Torture.

A new draft law on sexual harassment was due to be enacted at the next parliamentary session. A committee had been set up to review the penal code in order to look into repealing a number of press offences that may warrant imprisonment. Concerning civil society law, there was a committee in the general federation of civil society organizations that was reconsidering a number of texts governing the establishment of associations in order to grant them greater independence and autonomy.

655. Egypt had started to work on the establishment of an institutional mechanism to implement the 140 recommendations it had accepted, in consultation with the ministerial committee, the National Council for Human Rights and civil society organizations. More efforts would be made to better evaluate the human rights situation in Egypt. Egypt would continue its consultations with all relevant regional and international human rights organizations, more campaigns would be conducted by the mass media in order to keep the momentum of human rights culture in Egypt. The delegation thanked the Council and its President, and saluted the universal periodic review mechanism, which offered a chance to review achievements and to listen to advice in an atmosphere of serious dialogue.

### **Bosnia and Herzegovina**

656. The review of Bosnia and Herzegovina was held on 17 February 2010 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 Bosnia and Herzegovina in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/7/BIH/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/7/BIH/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/BIH/3).

657. At its 26th meeting, on 11 June 2010, the Human Rights Council considered and adopted the outcome of the review of Bosnia and Herzegovina (see section C below).

658. The outcome of the review of Bosnia and Herzegovina comprises the report of the Working Group on the Universal Periodic Review (A/HRC/14/16), the views of Bosnia and Herzegovina 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/14/16/Add.1).

#### **1. Views expressed by the State under review on the recommendations and/or conclusions, its voluntary commitments and the outcome**

659. Bosnia and Herzegovina stated that, of the recommendations made, 26 had been fully accepted, 58 partially accepted and 46 rejected.

660. The 26 fully accepted recommendations concern capacity-building for cooperation with associations of peoples with disabilities, the establishment of a council of persons with disabilities, enhancement of the protection of children, capacity-building of the Children's Council and improvement of children's education, and continuation of the mine-disposal campaign in the areas contaminated by mines.

661. The recommendations made with a view to more efficiently fight discrimination, including racial discrimination, to build the capacity of human rights institutions and to harmonize laws had also been accepted. Bosnia and Herzegovina had the intention to set up

a suitable national preventive mechanism against torture and to expedite the implementation of the anti-discrimination law.

662. Other accepted recommendations concerned the removal of the death penalty from the legislation of one entity of Bosnia and Herzegovina (Republika Srpska), targeted courses in human rights law, building capacities for prison services, the need to establish and improve capacities for the prevention of hate speech, support for women victims of war and wartime rape, and support for victims and witnesses in cases of war crimes. Recommendations regarding freedom of speech with a view to furthering activities for the prevention of hate speech and the dissemination of religious and ethnic intolerance in all media, and major recommendations relating to the harmonization of the Constitution and the election law had also been accepted.

663. The 58 partially accepted recommendations concerned more efficient implementation of the ratified Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, initial activities for the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, the fight against the exploitation of children, begging, poverty reduction, concluding activities to design a strategy for social inclusion and the eradication of any form of discrimination in the education of children.

664. The delegation noted that over recent years, Bosnia and Herzegovina had been intensely fighting discrimination and building its human rights institutional capacity, and that it would continue fulfilling its obligations. The recommendations concerning gender equality, domestic violence and sexual orientation had been partially accepted, as the country had already developed relevant strategies and plans and established appropriate legal mechanisms.

665. Bosnia and Herzegovina had been continuously working for the implementation and monitoring of the war crimes prosecution strategy. A supervisory body and a system of regular reporting had been established. The number of cases and persons who had committed war crimes and the structure of these cases had been identified. The development of a transitional justice strategy was under way.

666. The delegation reported that Bosnia and Herzegovina was aware of the problem of inadequate support for and protection of witnesses, in particular in cases relating to war crimes. The country had designed a network of support for witnesses, and the Ministry of Justice was involved in implementing its activities. The justice reform strategy for the period 2008–2012 and plan of action for the implementation of the strategy included a plan to adopt medium-term plans for the training of judges and prosecutors, although it was necessary to upgrade and improve them.

667. In order to ensure high standards in law enforcement, Bosnia and Herzegovina was in the process of developing a curriculum for the ongoing training of judges and prosecutors. It had passed a law on the agency for the prevention of corruption and adopted the anti-corruption strategy for the period 2009–2014. The agency, which would report to the Parliamentary Assembly, was being established. Since April 2007, one entity of Bosnia and Herzegovina (Republika Srpska) had been implementing its own anti-corruption project.

668. Activities on the freedom of expression and associations of journalists and other civil society organizations would continue. Authorities and the competent agency advocated for the right to freedom of expression, which implied that the media and journalists could carry out research, publish information and inform the public. The agency had a regular practice of publicly condemning any attempt to exert pressure and threats against journalists performing their professional activities.

669. A recommendation regarding attacks against human rights defenders had been partially accepted, as national institutions denounced attacks against human rights defenders and generally supported freedom of speech and expression. A recommendation concerning the rights of national minorities had been partially accepted because, through an institutional and legal framework, Bosnia and Herzegovina allowed national minorities, especially Roma, to initiate and implement their own initiatives within the legal framework and in accordance with the capabilities of individual communities. In practice, there had not been any major problems in the implementation of laws relating to the protection of minority rights. Moreover, after the inclusion in the Decade of Roma and adoption of the plan of action to address the issue of housing, employment, health care and education for Roma, and the appropriation of funds within the State budget, the country had initiated the necessary actions to prevent discrimination against Roma by involving local communities.

670. The delegation stated that, in recent years, in cooperation with UNHCR, UNICEF and social work centres, Bosnia and Herzegovina had continued to fight against the absence of birth registration of Roma children. The country had prepared a plan of action on the educational needs of Roma and other ethnic minorities with a view to voluntarily including Roma children into the regular education system in both entities, while there had been a significant increase in the number of Roma children in primary schools. Concerning the recommendation on the creation of conditions for the return of displaced persons and refugees, the adoption of the revised strategy for the implementation of annex VII to the Dayton Peace Agreement was under way.

671. The delegation also stated that, during the reporting period, Bosnia and Herzegovina had implemented activities that related to recommendations it had not accepted; for example, it had ratified the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, and completed the procedure for the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The country continued activities to curb trafficking in children, child prostitution and child pornography. Legal regulations were continually being harmonized and efforts had been made to gradually implement the recommendations of the Convention on the Rights of the Child. Activities on the harmonization of laws and fundraising for better implementing the rights of the child and projects for the improvement of the position of children had also continued.

672. In order to ensure equality for women, appropriate legislation had been adopted. The country was implementing strategies related to the protection of children: the strategy to combat violence against children; the plan of action for children; and the strategy against juvenile delinquency. In recent years, efforts had been focused on strengthening the capacity of governments, communities and activists to address issues of social exclusion and its impact on children, the youth and women. Authorities at all levels had implemented institutional capacity-building programmes to establish minimum national standards for the rights and welfare of children, as well as mechanisms for quality assurance, monitoring and reporting. There was a system of reporting violence against children, which operated on the basis of laws and was being continuously improved.

673. The delegation emphasized that human rights education was present in the curricula and educational standards in all primary and secondary schools and higher education institutions, and noted that Bosnia and Herzegovina had extended a standing invitation to special procedures mandate holders.

674. Gynaecological services at the primary, secondary and tertiary levels of health care during pregnancy, childbirth and after childbirth and other health services were available to meet the needs of women. Bosnia and Herzegovina was implementing the third national plan of action to combat trafficking and illegal migration.

675. With regard to the judiciary, the entity-level judicial and prosecutorial training centres and the judicial commission of Brcko District had the capacity to regularly organize training sessions and seminars on the implementation of international standards.

676. The Constitution and laws ensured the principle of the use of language and alphabet, a guarantee for parties and participants in proceedings who did not know the language of proceedings to follow them through an interpreter (translator); this principle was rarely violated in practice. Judges and prosecutors were appointed by and subject to disciplinary proceedings before an independent authority (High Judicial and Prosecutorial Council). However, the funding system of justice was still problematic.

677. The Communications Regulatory Agency complied with the competencies defined by the law on communications as well as by rules and regulations of the Agency. Equal access to all media was ensured for all religious communities.

678. The recommendation concerning violence against human rights defenders in the Republika Srpska had not been accepted, because the Republika Srpska police had not recorded any cases of violence against human rights defenders during the reporting period.

679. Bosnia and Herzegovina stated that it considered the universal periodic review process extremely useful, and indicated that recommendation 80, which was not included in the addendum, had been accepted since it was partially implemented.

680. Lastly, Bosnia and Herzegovina explained that partially accepted recommendations were considered accepted, since they had already been partially implemented.

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

681. Qatar thanked Bosnia and Herzegovina for its statements, replies and comments to the recommendations. It was satisfied by Bosnia and Herzegovina's political will to promote and protect human rights in the legislative area and in reality. It welcomed the enforcement of the rule of law and its support for human rights, and encouraged Bosnia and Herzegovina to make further efforts to come to grips with the difficulties encountered by refugees and persons displaced by the war, to favour their return and their economic and social reintegration.

682. Algeria made three recommendations during the review of Bosnia and Herzegovina and was pleased to learn that they had been accepted. Algeria took note of the statement that the question of six Algerian nationals was on the verge of being resolved or partially resolved, and asked how Bosnia and Herzegovina was considering resolving the remaining pending aspects. Algeria was encouraged by the State's intention to continue to promote and protect human rights.

683. The United States of America welcomed Bosnia and Herzegovina's acceptance of a number of recommendations made during its review. It appreciated the acceptance of the recommendation regarding freedom of the press in the country. In 2009, 40 cases of alleged violations of journalists' rights and freedom were registered, and this trend seemed to continue in 2010. The United States also underlined its support for the recommendations made to strengthen the Communications Regulatory Agency. It noted that efforts to undermine the independence of the Agency continued, and that its authority was regularly challenged on political grounds.

684. The former Yugoslav Republic of Macedonia stressed its appreciation for the dialogue during Bosnia and Herzegovina's review process and for the appropriate and sincere responses to the recommendations and questions addressed during this dialogue. Children's health and education, as well as children victims of anti-personnel mines, were and should remain one of the most delicate and important concerns of the authorities. It

urged the authorities at all levels to continue to follow these issues with the necessary attention.

685. The United Kingdom of Great Britain and Northern Ireland was pleased that Bosnia and Herzegovina had accepted a number of recommendations, including its recommendations to expedite the establishment of a national preventive mechanism for torture, to repeal the death penalty from the Constitution of Republika Srpska, and to amend the country's Constitution to prevent discrimination against minorities. It repeated its call for the full implementation of another of its recommendations, which had been partially accepted, to improve the effectiveness of the State-level Ombudsman to ensure adherence to the Paris Principles. It also emphasized the ongoing needs of assistance for 117,000 displaced persons in Bosnia and Herzegovina.

### **3. General comments made by other relevant stakeholders**

686. Amnesty International welcomed Bosnia and Herzegovina's commitment to women victims of sexual violence war crimes during the 1992–1995 war. It called on the Government to ensure that both the draft State law and the national programme for the reparation for all civilian victims of war crimes, were adopted without further delay and in consultation with survivors. Survivors should be guaranteed access to justice and reparation, and provided with affordable health services, including psychosocial support centres, as well as housing and employment. It welcomed the commencement of several trials relating to sexual violence war crimes before the State Court, while other cases had reached the trial chamber stage or final judgement. It emphasized the importance of the recommendation to establish a comprehensive witness protection scheme. It urged the Government to amend the criminal code to include the definition of sexual violence.

687. Verein Sudwind Entwicklungspolitik stressed the urgent need to improve the safety of refugees returning to Bosnia and Herzegovina, and stated that international aid and know-how should be sought, as referred to in recommendations 117 to 122. Human rights defenders must be properly protected and impunity must end. A new State should rest on the trust of the people in the justice of the basic institutions of State and society, as accepted in recommendations 88 to 97. With regard to human trafficking, it advised Bosnia and Herzegovina to implement recommendations of the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination to eliminate discrimination against women, as accepted in recommendations 34 to 37.

688. In a joint statement, the European Region of the International Lesbian and Gay Federation, and Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit – COC Nederland welcomed the positive response of Bosnia and Herzegovina to recommendations to guarantee effective protection against all discrimination based on sexual orientation or gender identity, and asked what specific plans the Government had to give effect to those commitments. Noting concerns at ongoing discrimination faced by marginalized groups, they urged Bosnia and Herzegovina to implement increased measures to combat hate crimes. They also requested that the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity be applied as a guide to assist in policy development.

689. The International Save the Children Alliance, on behalf of the Bosnia and Herzegovina Working Group on Child Protection, urged the Government to sign and ratify the Council of Europe Convention on the Protection of Children against Sexual Abuse and Sexual Exploitation, to introduce the prohibition of corporal punishment of children into national laws and to promote alternatives to traditional disciplining of children. It called on the Government to implement the recommendations of the Committee on the Rights of the

Child relating to the administration of juvenile justice. It also urged the adoption of the programme of juvenile criminal prevention, the bill on juvenile criminal offenders and the criminal law protection of children and juveniles, and undertaking legal reform at all levels to comply with international standards. It reiterated the recommendations of the Committee on the Rights of the Child to develop quality standards for foster care, decrease the time children spend in institutions and ensure sufficient resources for care institutions and foster care.

690. The Association for Democratic Initiatives stated that the fragmented legal system caused by the different levels of the Government implied that criminal justice policies were not harmonized. Consequently, citizens were not treated equally, and their standing before judicial bodies was determined by their place of residence. It invited the Government to harmonize criminal legislation at all levels and to establish a single national financial source for the entire judiciary in order to ensure its independence. It also requested the Government to ensure equal access of citizens to justice, regardless of their ethnic or religious origin or language.

691. Interfaith International noted that, after the Second World War, international consciousness had been marked by the memory of religious and inter-ethnic conflicts in Bosnia and Herzegovina. The signature of the Dayton Peace Agreement had brought peace among different ethnic and religious entities living in that region. Interfaith International noted that there had been a delay in the implementation of annex VII of the Agreement linked to the return of refugees and displaced persons. It encouraged Bosnia and Herzegovina to maintain cooperation with the International Criminal Tribunal for the Former Yugoslavia, adopt appropriate legislative measures to eliminate all forms of racial discrimination and promote a culture of tolerance, indispensable for social cohesion.

#### **4. Concluding remarks of the State under review**

692. The delegation stated that the country was working for the implementation of all recommendations that had been fully and partially accepted during the review, and noted that the universal periodic review process allowed countries to focus on the effective implementation of human rights. The process had helped Bosnia and Herzegovina to gain access to the progress achieved in various segments of the implementation of human rights. The process had been a huge challenge for the country, which had undertaken it as an opportunity to review its achievements and the challenges ahead.

693. Bosnia and Herzegovina thanked all participants, especially the members of the troika, Belgium, Nigeria and Slovenia. It renewed its commitment to improve human rights and praised the role played by non-governmental organizations.

### **B. General debate on agenda item 6**

694. At its 26th meeting, on 11 June 2010, 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 Council: Bahrain, Brazil, Cuba, France, Japan, Netherlands, Norway, Republic of Korea, Russian Federation, Spain<sup>6</sup> (on behalf of the European Union), United States of America;

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<sup>6</sup> Observer of the Human Rights Council speaking on behalf of Members and observer States.



(b) Representatives of the following observer States: Algeria, Australia, Austria, Canada, Colombia, Cyprus, Finland, Iran (Islamic Republic of), Israel, Morocco, Singapore, Switzerland, Turkey;

(c) Observer for a national human rights institution: Asia Pacific Forum of National Human Rights Institutions;

(d) Observers for the following non-governmental organizations: Amnesty International, Cairo Institute for Human Rights Studies, Canadian HIV/AIDS Legal Network, Colombian Commission of Jurists, Human Rights Watch, Institute for Women's Studies and Research, United Nations Watch.

## **C. Consideration of and action on draft proposals**

### **Qatar**

695. At its 20th meeting, on 9 June 2010, the Human Rights Council adopted draft decision 14/101 without a vote (for the text as adopted, see part one, chapter II).

### **Nicaragua**

696. At its 20th meeting, on 19 June 2010, the Human Rights Council adopted draft decision 14/102 without a vote (for the text as adopted, see part one, chapter II).

### **Italy**

697. At its 20th meeting, on 9 June 2010, the Human Rights Council adopted draft decision 14/103 without a vote (for the text as adopted, see part one, chapter II).

### **Kazakhstan**

698. At its 22nd meeting, on 9 June 2010, the Human Rights Council adopted draft decision 14/104 without a vote (for the text as adopted, see part one, chapter II).

### **Slovenia**

699. At its 22nd meeting, on 9 June 2010, the Human Rights Council adopted draft decision 14/105 without a vote (for the text as adopted, see part one, chapter II).

### **Bolivia (Plurinational State of)**

700. At its 22nd meeting, on 9 June 2010, the Human Rights Council adopted draft decision 14/106 without a vote (for the text as adopted, see part one, chapter II).

### **Fiji**

701. At its 23rd meeting, on 10 June 2010, the Human Rights Council adopted draft decision 14/107 without a vote (for the text as adopted, see part one, chapter II).

### **San Marino**

702. At its 23rd meeting, on 10 June 2010, the Human Rights Council adopted draft decision 14/108 without a vote (for the text as adopted, see part one, chapter II).

### **El Salvador**

703. At its 23rd meeting, on 10 June 2010, the Human Rights Council adopted draft decision 14/109 without a vote (for the text as adopted, see part one, chapter II).

**Angola**

704. At its 24th meeting, on 10 June 2010, the Human Rights Council adopted draft decision 14/110 without a vote (for the text as adopted, see part one, chapter II).

**Iran (Islamic Republic of)**

705. At its 24th meeting, on 10 June 2010, the Human Rights Council adopted draft decision 14/111 without a vote (for the text as adopted, see part one, chapter II).

**Madagascar**

706. At its 24th meeting, on 10 June 2010, the Human Rights Council adopted draft decision 14/112 without a vote (for the text as adopted, see part one, chapter II).

**Iraq**

707. At its 25th meeting, on 11 June 2010, the Human Rights Council adopted draft decision 14/113 without a vote (for the text as adopted, see part one, chapter II).

**Gambia**

708. At its 25th meeting, on 11 June 2010, the Human Rights Council adopted draft decision 14/114 without a vote (for the text as adopted, see part one, chapter II).

**Egypt**

709. At its 25th meeting, on 11 June 2010, the Human Rights Council adopted draft decision 14/115 without a vote (for the text as adopted, see part one, chapter II).

**Bosnia and Herzegovina**

710. At its 26th meeting, on 11 June 2010, the Human Rights Council adopted draft decision 14/116 without a vote (for the text as adopted, see part one, chapter II).

## **VII. Human rights situation in Palestine and other occupied Arab territories**

### **A. Interactive dialogue with special procedures**

711. At the 27th meeting, on 14 June 2010, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk, presented his report (A/HRC/13/53/Rev.1), the consideration of which had been postponed from the thirteenth session to the present one.

712. At the same meeting, the representative of Palestine made a statement as the concerned party.

713. During the ensuing interactive dialogue, at the same meeting, the following made statements and asked the Chairperson-Rapporteur questions:

(a) Representatives of States Members of the Council: Bangladesh, Brazil (also on behalf of India and South Africa), Cuba, Egypt, Indonesia, Japan, Jordan, Pakistan (on behalf of the Organization of the Islamic Conference), Saudi Arabia, Sudan<sup>6</sup> (also on behalf of the Group of Arab States), United States of America;

(b) Representatives of observer States: Algeria, Iran (Islamic Republic of), Iraq, Lebanon, Libyan Arab Jamahiriya, Malaysia, Syrian Arab Republic, Tunisia, Yemen;

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

(d) Observers for the following non-governmental organizations: Badil Resource Center for Palestinian Residency and Refugee Rights (also on behalf of the Al-Haq, Law in the Service of Man), Coordinating Board of Jewish Organizations (also on behalf of the B'nai B'rith International), Defence for Children International, Nord-Sud XXI (also on behalf of the Arab Lawyers Union, the General Arab Women Federation and the Union of Arab Jurists), United Nations Watch.

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

### **B. Follow-up to Human Rights Council resolutions S-9/1 and S-12/1**

715. At the 27th meeting, on 14 June 2010, the United Nations High Commissioner for Human Rights introduced her progress report on the follow-up to the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict (A/HRC/14/37), in accordance with Council resolution 13/9.

### **C. General debate on agenda item 7**

716. At its 27th and 28th meetings, on 14 June 2010, the Human Rights Council held a general debate on agenda item 7, during which the following made statements:

(a) The representatives of Israel and the Syrian Arab Republic, as concerned countries, and the representative of Palestine, as a concerned party;

(b) Representatives of States Members of the Council: Bahrain, Brazil, China, Cuba, Egypt (also on behalf of the Non-Aligned Movement), Indonesia, Italy, Japan, Jordan, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the

Organization of the Islamic Conference), Qatar, Russian Federation, Saudi Arabia, South Africa, Spain<sup>6</sup> (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Montenegro, the Republic of Moldova, Serbia and the former Yugoslav Republic of Macedonia), Sudan<sup>6</sup> (also on behalf of the Group of Arab States), United States of America;

(c) Representatives of the following observer States: Algeria, Democratic People's Republic of Korea, Iceland, Iran (Islamic Republic of), Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Morocco, Oman, Sri Lanka, Sudan, Switzerland, Tunisia, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen;

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

(e) Observers for the following non-governmental organizations: Al-Haq, Law in the Service of Man, Association for World Education, Association of World Citizens, Badil Resource Center for Palestinian Residency and Refugee Rights, Cairo Institute for Human Rights Studies, Charitable Institute for Protecting Social Victims, Commission of the Churches on International Affairs of the World Council of Churches, Coordinating Board of Jewish Organizations (also on behalf of the B'nai B'rith International), European Union of Jewish Students, General Arab Women Federation, Indian Movement Tupaj Amaru, Institute for Women's Studies and Research, International NGO Forum on Indonesian Development, Nord-Sud XXI, Organization for Defending Victims of Violence, Union of Arab Jurists (also on behalf of the Arab Lawyers Union), United Nations Watch, World Union of Progressive Judaism.

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

## VIII. Follow-up to and implementation of the Vienna Declaration and Programme of Action

### A. General debate on agenda item 8

718. At its 30th and 31st meetings, on 15 June 2010, 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 Council: Argentina (also on behalf of Bolivia (Plurinational State of), Brazil, Colombia, Chile, Ecuador, Paraguay, Peru, Uruguay and Venezuela (Bolivarian Republic of)), Brazil, China, Colombia<sup>6</sup> (also on behalf of the Czech Republic, Ireland, the Netherlands and the United States of America), Cuba, Indonesia, Italy, Nigeria (on behalf of the Group of African States), Norway (also on behalf of Albania, Andorra, Argentina, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, the Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Panama, Peru, Poland, Portugal, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Vanuatu), Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation (also on behalf of Algeria, Angola, Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Cuba, Cyprus, Egypt, Ethiopia, France, the Holy See, India, Jordan, Kazakhstan, Kyrgyzstan, Montenegro, Nicaragua, Norway, Pakistan, Palestine, the Philippines, Poland, the Republic of Moldova, Serbia, Singapore, Sri Lanka, Tajikistan, Turkey, Ukraine, Uzbekistan and Venezuela (Bolivarian Republic of)), Spain<sup>6</sup> (on behalf of the European Union), Sweden<sup>6</sup> (also on behalf of Chile, the Czech Republic, France, Jordan, Mauritius, the Republic of Moldova, the United Arab Emirates and the United States of America), United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia (also on behalf of Canada and New Zealand), Azerbaijan, Lebanon, Morocco, Switzerland, Syrian Arab Republic;

(c) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Amnesty International, Association of World Citizens, Canadian HIV/AIDS Legal Network (also on behalf of the International Commission of Jurists), Centrist Democratic International, France Libertés : Fondation Danielle Mitterrand (also on behalf of the American Association of Jurists and Mouvement contre le racisme et pour l'amitié entre les peuples), Indian Council of South America, International Club for Peace Research, International Committee for the Respect and Application of the African Charter on Human and People's Rights, International Educational Development, Inc., International Humanist and Ethical Union, Marangopoulos Foundation for Human Rights (also on behalf of the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, Interfaith International, International Alliance of Women, International Council of Women and International Educational Development, Inc.), Union de l'action féminine, United Nations Watch, World Federation of Trade Unions, World Union of Progressive Judaism.

719. At the 31st meeting, on 15 June 2010, the President, referring to the divergences of opinion about the scope of discussions under item 8, stated that these differences should be

recognized and that a common understanding about item 8 should be found in the future, particularly in the context of the Council's review. The discussion proceeded on the understanding that that would not serve as a precedent.

720. Also at the same meeting, the representative of the Islamic Republic of Iran made a statement in exercise of the right of reply.

## **B. Consideration of and action on draft proposals**

### **Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims**

721. At the 34th meeting, on 17 June 2010, the representatives of Colombia (on behalf of the Group of Latin American and Caribbean States) and El Salvador introduced draft resolution A/HRC/14/L.11, sponsored by Colombia, on behalf of the Group of Latin American and Caribbean States. Subsequently, Armenia, Austria, Belgium, Bosnia and Herzegovina, Côte d'Ivoire, Cyprus, Denmark, France, Hungary, Morocco, Serbia and Spain joined the sponsors.

722. At the same meeting, the representative of El Salvador orally revised the draft resolution.

723. Also at the same meeting, the representatives of Argentina, Pakistan and the United Kingdom of Great Britain and Northern Ireland made general comments in relation to the draft resolution.

724. At the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

725. 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 14/7).

## **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**

726. At the 32nd meeting, on 16 June 2010, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai, presented his report (A/HRC/14/43 and Add.1-3).

727. At the same meeting, the representatives of Germany and the United Arab Emirates made statements, as concerned countries.

728. During the ensuing interactive dialogue, at the same meeting, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Council: Brazil, China, Cuba, Egypt, France, Indonesia, Nigeria (on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Senegal, South Africa, Sudan<sup>7</sup> (also on behalf of the Group of Arab States), United States of America;

(b) Representatives of the following observer States: Algeria, Armenia, Azerbaijan, Côte d'Ivoire, Libyan Arab Jamahiriya, Sweden;

(c) Observers for intergovernmental organizations: African Union, European Union;

(d) Representative of a national human rights institution: German Institute for Human Rights;

(e) Observers for the following non-governmental organizations: Indian Movement Tupaj Amaru, Interfaith International (also on behalf of the Al-Hakim Foundation and Rencontre africaine pour la défense des droits de l'homme), Mouvement contre le racisme et pour l'amitié entre les peuples, United Nations Watch.

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

730. Also at the same meeting, the representative of Israel made a statement in exercise of the right of reply.

#### **Working Group of Experts on People of African Descent**

731. At the 32nd meeting, on 16 June 2010, a member of the Working Group of Experts on People of African Descent, Verene Shepherd, presented the report of the Working Group (A/HRC/14/18).

732. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the member of the Working Group questions:

<sup>7</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

(a) Representative of a Member States of the Council: Brazil, China, Cuba, Nigeria (on behalf of the Group of African States), Senegal, South Africa, Sudan<sup>7</sup> (also on behalf of the Group of Arab States), United States of America;

(b) Representatives of observer States: Algeria, Jamaica;

(c) Observer for an intergovernmental organization: African Union;

(d) Observer for a non-governmental organization: Interfaith International (also on behalf of the Al-Hakim Foundation and Rencontre africaine pour la défense des droits de l'homme), International Youth and Student Movement for the United Nations.

733. At the same meeting, the member of the Working Group answered questions and made her concluding remarks.

## **B. General debate on agenda item 9**

734. At its 31st meeting, on 15 June 2010, 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 Council: Chile, Egypt, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Russian Federation, Saudi Arabia, Spain<sup>7</sup> (on behalf of the European Union), United States of America;

(b) Representatives of the following observer States: Ethiopia, Venezuela (Bolivarian Republic of);

(c) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Association for World Education, Cercle de recherche sur les droits et les devoirs de la personne humaine, France Libertés : Fondation Danielle Mitterrand (also on behalf of the American Association of Jurists, International Educational Development, Inc. and Mouvement contre le racisme et pour l'amitié entre les peuples), Indian Council of South America, International Committee for the Respect and Application of the African Charter on Human and Peoples' Rights, International Educational Development, Inc., International Humanist and Ethical Union, International Movement against All Forms of Discrimination and Racism, International Youth and Student Movement for the United Nations, Liberation, Mouvement contre le racisme et pour l'amitié entre les peuples, Nord-Sud XXI, United Nations Watch, World Union for Progressive Judaism.

## **C. Consideration of and action on draft proposals**

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

735. At the 36th meeting, on 18 June 2010, the representative of Nigeria, on behalf of the Group of African States, introduced draft resolution A/HRC/14/L.3, sponsored by Nigeria, on behalf of the Group of African States. Subsequently, Bolivia (Plurinational State of), Brazil, Colombia, Cuba, Ecuador, Indonesia, the former Yugoslav Republic of Macedonia and Venezuela (Bolivarian Republic of) joined the sponsors.

736. At the same meeting, the representative of Nigeria (on behalf of the Group of African States) orally revised the draft resolution.

737. Also at the same meeting, the representatives of Brazil and the United States of America made general comments in relation to the draft resolution.



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

739. 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 14/16).

740. Also at the same meeting, the representative of Algeria made comments in relation to the resolution.

## **X. Technical assistance and capacity-building**

### **A. Follow-up to Human Rights Council resolution S-13/1**

741. At the 33rd meeting, on 16 June 2010, the United Nations Deputy High Commissioner for Human Rights introduced the statement of the High Commission on the support of OHCHR for the recovery and reconstruction process in Haiti (A/HRC/14/CRP.3), in accordance with Council resolution S-13/1.

742. At the same meeting, the Special Rapporteur on the contemporary forms of slavery, including its cause and consequences, Gulnara Shahinian, delivered a statement on the situation of human rights in Haiti on behalf of special procedures mandate holders.

### **B. Interactive dialogue with special procedures**

#### **Independent expert on the situation of human rights in Haiti**

743. At the 33rd meeting, on 16 June 2010, the independent expert on the situation of human rights in Haiti, Michel Forst, presented his report (A/HRC/14/44 and Add.1).

744. At the same meeting, the representative of Haiti made a statement as the concerned country.

745. During the ensuing interactive dialogue at the same meeting the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Council: Argentina, Brazil, Chile, China, Cuba, France, Japan, Mexico, Norway, Russian Federation, Senegal, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Australia, Canada, Costa Rica, Peru, Sweden, Switzerland, Venezuela (Bolivarian Republic of);

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

(d) Observer for a national human rights institution: International Coordinating Committee of national human rights institutions;

(e) Observers for the following non-governmental organizations: European Disability Forum, Human Rights Watch, Interfaith International (also on behalf of the Al-Hakim Foundation and Rencontre africaine pour la défense des droits de l'homme), International Federation for Human Rights Leagues, International Save the Children Alliance, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco.

746. At the same meeting, the independent expert answered questions and made his concluding remarks.

#### **Independent expert on the situation of human rights in Burundi**

747. At the 31st meeting, on 15 June 2010, the President informed the States Members of the Council, observer States and other observers that the independent expert on the situation of human rights in Burundi, Akich Okola, was not in a position to make his presentation to the Council at the present session. The President also stated that the independent expert had suggested handing over to his successor a report covering the period of his activities and findings since the renewal of his mandate in 2008, and that the delegation of Burundi had

no objection to deferring the interactive dialogue to the fifteenth session with the new mandate holder, to be nominated at the current session.

### C. General debate on agenda item 10

748. At its 33rd meeting, on 16 June 2010, the Human Rights Council held a general debate on agenda item 10, during which the following made statements:

(a) Representatives of States Members of the Council: Spain<sup>7</sup> (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), United States of America;

(b) Representatives of observer States: Algeria, Denmark;

(c) Observers for non-governmental organizations: Asian Forum for Human Rights and Development (Forum – Asia), Association for World Education (also on behalf of the World Union of Progressive Judaism), Cairo Institute for Human Rights Studies, Human Rights Watch, International Educational Development, Inc., United Nations Watch.

### D. Consideration of and action on draft proposals

#### **Regional cooperation for the promotion and protection of human rights in the Asia-Pacific Region**

749. At the 34th meeting, on 17 June 2010, Thailand introduced draft resolution A/HRC/14/L.8, sponsored by Thailand and co-sponsored by Australia, Belgium, Cambodia, the Czech Republic, the Democratic People's Republic of Korea, Hungary, Indonesia, Japan, Kuwait, Maldives, Nepal, the Netherlands, New Zealand, the Philippines, Portugal, Qatar, Singapore, Spain and Viet Nam. Subsequently, Chile, France, Germany, the Islamic Republic of Iran (on behalf of the Group of Asian States), Kazakhstan, Lithuania, Slovakia, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined the sponsors.

750. At the same meeting, the representative of Thailand orally revised the draft resolution.

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

752. 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 14/8).

#### **Technical assistance and cooperation on human rights for Kyrgyzstan**

753. At the 36th meeting, on 18 June 2010, the representatives of Kyrgyzstan and the United States of America introduced draft resolution A/HRC/14/L.2, sponsored by Kyrgyzstan and the United States. Subsequently, Australia, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Japan, Kazakhstan, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine and the United Kingdom of Great Britain and Northern Ireland joined the sponsors.

754. At the same meeting, the representative of the United States of America orally revised the draft resolution.

755. Also at the same meeting, the representatives of Brazil and Uruguay made general comments in relation to the draft resolution.

756. At the same meeting, the representatives of China and the Russian Federation made statements in explanation of vote before the vote.

757. 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 14/14).

758. At the same meeting, the representative of Japan made a statement in explanation of vote after the vote.

#### **Addressing attacks on Afghan schoolchildren**

759. At the 36th meeting, on 18 June 2010, the representative of Afghanistan and the United States of America introduced draft resolution A/HRC/14/L.7, sponsored by Afghanistan and the United States and co-sponsored by Australia, Canada, Costa Rica, the Czech Republic, Estonia, Finland, Hungary, Latvia, Lithuania, Nepal, the Netherlands, New Zealand, Poland, Portugal, Slovakia, Slovenia, Somalia, Spain, Turkey and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Austria, Belgium, Bulgaria, Chile, Denmark, France, Germany, Greece, Iceland, India, Italy, Japan, Luxembourg, Romania, Serbia, Singapore, Sweden and Switzerland joined the sponsors.

760. At the same meeting, the representative of the United States of America orally revised the draft resolution.

761. Also at the same meeting, the representative of Uruguay made general comments in relation to the draft resolution.

762. 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 14/15).

#### **Assistance to Somalia in the field of human rights**

763. At the 36th meeting, on 18 June 2010, the representative of Nigeria on behalf of the Group of African States introduced draft decision A/HRC/14/L.16, sponsored by Nigeria (on behalf of the Group of African States). Subsequently, Albania, Australia, Austria, Bahrain, Bangladesh, Belgium, Bulgaria, Canada, Chile, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Guatemala, Guinea, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, Nicaragua, Norway, Oman, Palestine, Poland, Portugal, Qatar, Romania, Saudi Arabia, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America and Yemen joined the sponsors.

764. At the same meeting, the representative of Nigeria (on behalf of the Group of African States) orally revised the draft decision.

765. Also at the same meeting, the representative of Somalia made a statement as the concerned country.

766. At the same meeting, the draft decision was adopted without a vote (for the text as adopted, see part one, chapter II, decision 14/119).

## Annex I

[English only]

### Attendance

#### States Members of the Human Rights Council

Angola	Ghana	Philippines
Argentina	Hungary	Qatar
Bahrain	India	Republic of Korea
Bangladesh	Indonesia	Russian Federation
Belgium	Italy	Saudi Arabia
Bolivia (Plurinational State of)	Japan	Senegal
Bosnia and Herzegovina	Jordan	Slovakia
Brazil	Kyrgyzstan	Slovenia
Burkina Faso	Madagascar	South Africa
Cameroon	Mauritius	Ukraine
Chile	Mexico	United Kingdom of Great Britain and Northern Ireland
China	Netherlands	United States of America
Cuba	Nicaragua	Uruguay
Djibouti	Nigeria	Zambia
Egypt	Norway	
France	Pakistan	

#### States Members of the United Nations represented by observers

Afghanistan	Ecuador	Luxembourg
Algeria	El Salvador	Malaysia
Andorra	Ethiopia	Maldives
Armenia	Fiji	Malta
Australia	Finland	Monaco
Austria	Gambia	Morocco
Azerbaijan	Germany	Nepal
Belarus	Greece	New Zealand
Benin	Guatemala	Oman
Botswana	Iceland	Panama
Bulgaria	Iran (Islamic Republic of)	Paraguay
Canada	Iraq	Peru
Chad	Ireland	Poland
Colombia	Israel	Portugal
Congo	Jamaica	Republic of Moldova
Costa Rica	Kazakhstan	Romania
Côte d'Ivoire	Kenya	Rwanda
Croatia	Kuwait	San Marino
Cyprus	Latvia	Serbia
Czech Republic	Lebanon	Singapore
Democratic People's Republic of Korea	Libyan Arab Jamahiriya	Somalia
Denmark	Liechtenstein	Spain
	Lithuania	Sri Lanka

Sudan	The former Yugoslav	United Republic of Tanzania
Sweden	Republic of Macedonia	Uzbekistan
Switzerland	Tunisia	Venezuela (Bolivarian Republic of)
Syrian Arab Republic	Turkey	Viet Nam
Thailand	Uganda	Yemen
	United Arab Emirates	Zimbabwe

### **Non-member States represented by observers**

Holy See

### **Other observers**

Palestine

### **Specialized agencies and related organizations**

Joint United Nations Programme on HIV/AIDS  
World Health Organization

### **Intergovernmental organizations**

African Union  
Commonwealth Secretariat  
Council of Europe  
European Union

International Organization of the Francophonie  
League of Arab States  
Organization of the Islamic Conference

### **Other entities**

Sovereign Military Order of Malta

### **National human rights institutions, international coordinating committees and regional groups of national institutions**

Conseil consultative des droits de l'homme  
du royaume du Maroc  
Danish Institute for Human Rights  
Egyptian National Council for Human Rights  
Jordanian National Centre for Human Rights  
Kenya National Commission on Human Rights

National Human Rights Commission of Nigeria  
National Human Rights Committee of Qatar  
Philippine Commission on Human Rights  
Scottish Human Rights Commission  
New Zealand National Human Rights Commission

### **Non-governmental organizations**

Action Canada for Population and Development  
Action internationale pour la paix et le  
développement dans la région des Grands Lacs  
African-American Society for Humanitarian  
Aid and Development  
Agence internationale pour le développement

Agir ensemble pour les droits de l'homme  
Aim for Human Rights  
Al-Hakim Foundation  
Al-Zubair Charity Foundation  
American Association of Jurists

Amman Center for Human Rights Studies  
 Amnesty International  
 Anti-Slavery International  
 Arab Center for the Independence of the  
 Judiciary and the Legal Profession  
 Arab Lawyers Union  
 Article 19 – The International Centre against  
 Censorship  
 Asian Forum for Human Rights and  
 Development  
 Association for Democratic Initiatives  
 Association for the Prevention of Torture  
 Association of World Citizens  
 Association for World Education  
 Association Points-Coeur  
 Badil Resource Center for Palestinian  
 Residency and Resource Rights  
 Baha'i International Community  
 Bahrain Women Association  
 Cairo Institute for Human Rights Studies  
 Canadian HIV/AIDS Legal Network  
 Center for Egyptian Women's Legal Assistance  
 Center for Human Rights and Environment  
 Center for Reproductive Rights  
 Center for Women's Global Leadership  
 Centre Europe - Tiers Monde  
 Centrist Democratic International  
 Cercle de recherche sur les droits de la  
 personne humaine  
 Charitable Institute for Protecting Social Victims  
 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  
 Coordinating Board of Jewish Organizations  
 David M. Kennedy Center for International  
 Studies  
 Defense for Children International  
 Democracy Coalition Project  
 Dominicans for Justice and Peace (Order of  
 Preachers)  
 European Disability Forum  
 European Union of Jewish Students  
 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 of Cuban Women  
 Federation of Western Thracian Turks in Europe  
 Federation for Women and Family Planning  
 Foundation of Japanese Honorary Debts  
 France Libertés : Fondation Danielle Mitterrand  
 Franciscans International  
 Fraternité Notre Dame  
 Freedom House  
 Friedrich Ebert Foundation  
 Friends World Committee for Consultation  
 (Quakers)  
 General Arab Women Federation  
 General Italian Confederation of Labour  
 Geneva for Human Rights  
 Global Alliance against Traffic in Women  
 Hawa Society for Women  
 HelpAge International  
 Helsinki Foundation for Human Rights  
 Human Rights Advocates, Inc.  
 Human Rights Information and Training Centre  
 Human Rights Watch  
 Indian Council of Education  
 Indian Council of South America  
 Indian Movement Tupaj Amaru  
 Indigenous Peoples' Center for Documentation,  
 Research and Information  
 Ingénieurs du Monde  
 Institute for Policy Studies/Transnational Institute  
 Interfaith International  
 International Alliance of Women  
 International Association of Democratic Lawyers  
 International Catholic Child Bureau  
 International Club for Peace Research  
 International Commission of Jurists  
 International Committee for the Respect and  
 Application of the African Charter on  
 Human and Peoples' Rights  
 International Cooperation for Development  
 and Solidarity  
 International Educational Development, Inc.  
 International Federation of ACAT (Action by  
 Christians for the Abolition of Torture)  
 International Federation of Business and  
 Professional Women  
 International Federation for Human  
 Rights Leagues  
 International Federation for the Protection of the  
 Rights of Ethnic, Religious, Linguistic  
 and other Minorities  
 International Federation of Social Workers  
 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 Lesbian and Gay Association  
 International Movement ATD Fourth World  
 International Movement against all Forms of Discrimination and Racism  
 International NGO Forum on Indonesian Development  
 International Movement for Fraternal Union among Races and Peoples  
 International Organization for the Elimination of All Forms of Racial Discrimination  
 International Organization for the Right to Education and Freedom of Education  
 International Pen  
 International Save the Children Alliance  
 International Trade Union Confederation  
 International Volunteerism Organization for Women, Education and Development  
 International Youth and Student Movement for the United Nations  
 Iranian Elite Research Center  
 Istituto Internazionale Marie Ausiliatrice  
 Ius Primi Viri International Association  
 Lawyers' Rights Watch Canada  
 Liberation  
 Lutheran World Federation  
 Madre, Inc.  
 Mandat International  
 Marangopoulos Foundation for Human Rights  
 Migrants Rights International  
 MISEREOR  
 Mouvement contre le racisme et pour l'amitié entre les peuples  
 Movimiento Cubano por la Paz y la Soberanía de Los Pueblos  
 Network of Women's Non-Governmental Organizations in the Islamic Republic of Iran  
 Nord-Sud XXI  
 Norwegian Refugee Council  
 Open Society Institute  
 Organisation pour la communication en Afrique et de promotion de la coopération économique internationale  
 Organization for Defending Victims of Violence  
 Organization for the Solidarity of the Peoples of Asia, Africa and Latin America  
 Pax Romana  
 Peace Worldwide  
 Permanent Assembly for Human Rights  
 Planetary Association for Clean Energy, Inc.  
 Reporters sans Frontières - International  
 Society for the Protection of Unborn Children  
 Society Studies Center  
 Society for Threatened Peoples  
 Sudan Council of Voluntary Agencies  
 Unesco Centre Basque Country (Unesco Etxea)  
 Union de l'action féminine  
 United Nations Watch  
 Universal Esperanto Association  
 Verein Sudwind Entwicklungspolitik  
 Women's Federation for World Peace International  
 Women's Human Rights International Association  
 Women's International League for Peace and Freedom  
 Women's World Summit Foundation  
 World Association for the School as an Instrument of Peace  
 World Alliance of Young Men's Christian Associations  
 World Federation of Democratic Youth  
 World Federation of Trade Unions  
 World Federation of United Nations Associations  
 World Jewish Congress  
 World Muslim Congress  
 World Organization against Torture  
 World Union of Progressive Judaism  
 World Vision International  
 Worldwide Organization for Women



## Annex II

### **Administrative and programme budget implications of resolutions adopted by the Human Rights Council at its fourteenth session**

#### **14/16**

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

1. In paragraph 2 of draft resolution A/HRC/14/L.3, the Human Rights Council decided to convene a high-level meeting at its sixteenth session through a panel discussion that would focus on the realization of the rights of peoples of African descent, and primarily to use the occasion as a preparatory process for the celebration of 2011 as the International Year for Peoples of African Descent.
2. Should the draft resolution be adopted by the Council, a total of \$29,800 would be required under section 23 (Human Rights) to cover the travel costs of five panel members.
3. The estimated requirements to implement the activities called for under the draft resolution have not been included under section 23 of the programme budget for the biennium 2010–2011. The Secretariat will, to the extent possible, seek to identify areas from where the anticipated additional requirements of \$29,800 may be redeployed within the provisions approved for section 23 for the biennium 2010–2011. The additional requirements of \$29,800 to implement the activities called for in the draft resolution will be presented to the General Assembly at its sixty-fifth session in a revised estimates report resulting from resolutions and decisions adopted by the Council, in the context of its consideration on the absorption capacity within the approved appropriations for the biennium 2010–2011.
4. Accordingly, no additional appropriations would be required as a result of the adoption of the draft resolution at the present time.

#### **14/11**

#### **Freedom of religion or belief: mandate of the Special Rapporteur on freedom of religion or belief**

5. In paragraphs 3, 4 and 6 of draft resolution A/HRC/14/L.5, the Council:
  - (a) Decided to extend the mandate of the Special Rapporteur on freedom of religion or belief for a further period of three years;
  - (b) Requested the Secretary-General to ensure that the Special Rapporteur received the necessary resources to enable her/him to discharge her/his mandate fully;
  - (c) Requested the Special Rapporteur to submit her/his reports to the Council in accordance with its annual programme of work and the next annual report in 2011.
6. Should the draft resolution be adopted by the Council, it is estimated that \$70,300 per annum or \$140,600 per biennium would be required in response to its terms.

7. The estimated requirements of \$70,300 per annum or \$140,600 per biennium have been included under section 23 (Human Rights) of the programme budget for the biennium 2010–2011. Since the period of the terms of the draft resolution extends into the biennium 2012–2013, the requirements for that period will be considered in the context of the proposed programme budget for the biennium 2012–2013. No additional appropriations would be required as a result of the adoption of the draft resolution.

8. With regard to paragraph 4, attention is drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, and subsequent resolutions, the most recent of which is resolution 64/243 of 24 December 2009, in which the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

## **14/8**

### **Regional cooperation for the promotion and protection of human rights in the Asia-Pacific Region**

9. In paragraph 2 of draft resolution A/HRC/14/L.8, the Council decided to convene the next session of the Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region in Maldives in 2012.

10. Should the draft resolution be adopted by the Council, a total amount of \$283,100 would be required under section 23 (Human Rights) to cover the travel costs of participants and experts and staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR) to attend and service the Workshop, respectively.

11. Since the period of the terms of the draft resolution relates to the biennium 2012–2013, the requirements will be considered in the context of the proposed programme budget for the biennium 2012–2013.

12. Conference servicing costs, including translation and documentation, are expected to arise during the Workshop, which will be held for a duration of three days in Maldives in 2012. Although a summary report will be prepared by the Secretariat after the meeting, the associated costs will be met within the entitlements for document processing for the Council that would be considered within the context of the proposed programme budget for the biennium 2012–2013.

## **14/5**

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

13. In paragraphs 5 and 6 of draft resolution A/HRC/14/L.15, the Council requested OHCHR:

(a) To consult States, treaty bodies, special procedures, national human rights institutions, civil society organizations and other relevant stakeholders on the role of prevention in the promotion and protection of human rights, and to compile and publish the result of these consultations on the OHCHR website;

(b) To convene a workshop, within existing resources, based on the above-mentioned consultations, on the role of prevention in the promotion and protection of human rights, with a view to contribute to further discussion on the issue, and to submit the outcome of the workshop to the Council at its sixteenth session.

14. Should the draft resolution be adopted by the Council, a total of \$163,500 would be required to hold a one-day workshop (a) to cover travel costs of 10 experts (two from each regional group) (\$64,500); (b) consultant services for two months (\$14,900); and (c) conference servicing costs (\$84,100), as follows:

	<i>United States dollars</i>
Section 2, General Assembly and Economic and Social Council Affairs and Conference Management	83 400
Section 23, Human Rights	79 400
Section 28 E, Administration, Geneva	700
<b>Total</b>	<b>\$163 500</b>

15. Although provision has not been made in the programme budget for the biennium 2010–2011 to provide for the total associated costs of \$163,500 for the event outlined in paragraph 14 above, the Secretariat will, to the extent possible, seek to identify areas from where the anticipated additional requirements of \$163,500 may be redeployed within the provisions approved for sections 2, 23 and 28 E for the biennium 2010–2011. The additional requirements of \$163,500 to implement the activities called for in the draft resolution will be presented to the General Assembly at its sixty-fifth session in a revised estimates report resulting from resolutions and decisions adopted by the Council, in the context of its consideration on the absorption capacity within the approved appropriations for the biennium 2010–2011.

16. Additional appropriations would therefore not be required as a result of the adoption of the draft resolution at this point.

## **14/6**

### **Mandate of the Special Rapporteur on the human rights of internally displaced persons**

17. In paragraphs 11, 12 (h), 16 and 17 of draft resolution A/HRC/14/L.18, the Human Rights Council:

(a) Decided to extend the mandate of the special procedure on the human rights of internally displaced persons as a Special Rapporteur for a period of three years;

(b) Requested the Special Rapporteur on the human rights of internally displaced persons to further strengthen the cooperation established between the Representative of the Secretary-General and the United Nations, including in the framework of the Peacebuilding Commission, as well as other international and regional organizations, in particular his/her participation in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

(c) Requested the Secretary-General and OHCHR to provide the Special Rapporteur with all the assistance and adequate staffing necessary to carry out his/her mandate effectively and to ensure that the mechanism worked in close cooperation with the Emergency Relief Coordinator, with the continued support of the Office for the Coordination of Humanitarian Affairs and the United Nations High Commissioner for Refugees;

(d) Invited the Special Rapporteur to continue to submit annual reports on the implementation of his/her mandate to the Council and the General Assembly.

18. Should the draft resolution be adopted by the Council, it is estimated that \$70,300 per annum or \$140,600 per biennium would be required in response to its terms.

19. The estimated requirements of \$70,300 per annum or \$140,600 per biennium have been included under section 23 (Human Rights) of the programme budget for the biennium 2010–2011 with regard to the special procedure on the human rights of internally displaced persons. Since the period of the terms of the draft resolution extends into the biennium 2012–2013, the requirements for that period will be considered in the context of the proposed programme budget for the biennium 2012–2013. No additional appropriations would be required as a result of the adoption of the draft resolution.

20. With regard to paragraph 16, attention is drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, and subsequent resolutions, the most recent of which is resolution 64/243 of 24 December 2009, in which the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

## **14/10**

### **Enforced or involuntary disappearances**

21. In paragraphs 6 and 9 of draft resolution A/HRC/14/L.19, the Council requested:

(a) The Secretary-General to ensure that the Working Group on Enforced or Voluntary Disappearances received all the assistance and resources it required to perform its mandate;

(b) OHCHR to organize, within existing resources, a one-day event to commemorate the thirtieth anniversary of the Working Group.

22. Should the draft resolution be adopted by the Council, it is estimated that \$31,300 would be required to hold the one-day event, for the travel of five participants to Geneva and conference servicing costs.

23. Requirements in support of the activities of the Working Group have been included under section 23 (Human Rights) of the programme budget for the biennium 2010–2011. With regard to the additional requirements of \$31,300 for the event, the estimated extrabudgetary resources to be made available under section 23 during the biennium 2010–2011 included provision for the event. No additional appropriations would be therefore required as a result of the adoption of the draft resolution.

24. With regard to the terms of paragraphs 6 and 9, attention is drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, and subsequent resolutions, the most recent of which is resolution 64/243 of 24 December 2009, in which the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

**A/HRC/14/L.20****Advisory services and technical assistance to Burundi in the field of human rights**

25. In paragraph 4 of draft resolution A/HRC/14/L.20, the Council decided to extend the mandate of the independent expert on the situation of human rights in Burundi, in accordance with Council resolution 9/19.

26. Should the draft resolution be adopted by the Council, it is estimated that \$55,800 per annum would be required to implement the resolution.

27. The requirements in support of the independent expert have been provided for under the programme budget for the biennium 2010–2011. No additional appropriation would therefore be required as a result of the adoption of the draft resolution.

## Annex III

### Agenda

- Item 1. Organizational and procedural matters
- Item 2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General
- Item 3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development
- Item 4. Human rights situations that require the Council's attention
- Item 5. Human rights bodies and mechanisms
- Item 6. Universal periodic review
- Item 7. Human rights situation in Palestine and other occupied Arab territories
- Item 8. Follow-up to and implementation of the Vienna Declaration and Programme of Action
- Item 9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action
- Item 10. Technical assistance and capacity-building

## Annex IV

[English only]

## List of documents issued for the fourteenth session of the Human Rights Council

### *Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/1	1	Annotations to the agenda
A/HRC/14/2	6	Report of the Working Group on the Universal Periodic Review: Qatar
A/HRC/14/2/Add.1	6	Addendum
A/HRC/14/3	6	Report of the Working Group on the Universal Periodic Review: Nicaragua
A/HRC/14/4	6	Report of the Working Group on the Universal Periodic Review: Italy
A/HRC/14/4/Add.1	6	Addendum
A/HRC/14/5	6	Report of the Working Group on the Universal Periodic Review: El Salvador
A/HRC/14/5/Add.1	6	Addendum
A/HRC/14/6	6	Report of the Working Group on the Universal Periodic Review: Gambia
A/HRC/14/7	6	Report of the Working Group on the Universal Periodic Review: Bolivia (Plurinational State of)
A/HRC/14/8	6	Report of the Working Group on the Universal Periodic Review: Fiji
A/HRC/14/8/Add.1	6	Addendum
A/HRC/14/9	6	Report of the Working Group on the Universal Periodic Review: San Marino
A/HRC/14/9/Add.1	6	Addendum
A/HRC/14/10	6	Report of the Working Group on the Universal Periodic Review: Kazakhstan
A/HRC/14/10/Add.1	6	Addendum
A/HRC/14/11	6	Report of the Working Group on the Universal Periodic Review: Angola

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/12	6	Report of the Working Group on the Universal Periodic Review: Islamic Republic of Iran
A/HRC/14/12/Add.1	6	Addendum
A/HRC/14/12/Add.1/Corr.1	6	Corrigendum
A/HRC/14/13	6	Report of the Working Group on the Universal Periodic Review: Madagascar
A/HRC/14/13/Add.1	6	Addendum
A/HRC/14/14	6	Report of the Working Group on the Universal Periodic Review: Iraq
A/HRC/14/14/Add.1	6	Addendum
A/HRC/14/15	6	Report of the Working Group on the Universal Periodic Review: Slovenia
A/HRC/14/15/Add.1	6	Addendum
A/HRC/14/16	6	Report of the Working Group on the Universal Periodic Review: Bosnia and Herzegovina
A/HRC/14/17	6	Report of the Working Group on the Universal Periodic Review: Egypt
A/HRC/14/17/Add.1	6	Addendum
A/HRC/14/18	9	Report of the Working Group of Experts on People of African Descent on its ninth session
A/HRC/14/19	2	Report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights
A/HRC/14/20	3	Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health
A/HRC/14/20/Add.1	3	Communications to and from Governments
A/HRC/14/20/Add.2	3	Mission to India
A/HRC/14/20/Add.3	3	Mission to Poland
A/HRC/14/20/Add.4	3	Mission to Australia



*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/21	3	Report of the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights
A/HRC/14/21/Add.1	3	Mission to Norway and Ecuador
A/HRC/14/22	3	Report of the Special Rapporteur on violence against women, its causes and consequences
A/HRC/14/22/Add.1	3	Communications to and from Governments
A/HRC/14/22/Add.2	3	Mission to Kyrgyzstan
A/HRC/14/23	3	Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
A/HRC/14/23/Add.1	3	Communications to and from Governments
A/HRC/14/23/Add.2	3	Tenth anniversary joint declaration: ten key challenges to freedom of expression in the next decade
A/HRC/14/24	3	Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions
A/HRC/14/24/Add.1	3	Communications to and from Governments
A/HRC/14/24/Add.2	3	Mission to Colombia
A/HRC/14/24/Add.3	3	Mission to the Democratic Republic of the Congo
A/HRC/14/24/Add.4	3	Mission to Brazil: follow-up
A/HRC/14/24/Add.5	3	Follow-up to the report on the mission to the Central African Republic
A/HRC/14/24/Add.6	3	Study on targeted killings
A/HRC/14/24/Add.7	3	Election-related violence and killings
A/HRC/14/24/Add.8	3	Study on police oversight mechanisms
A/HRC/14/24/Add.9	3	Mission to Albania: preliminary note
A/HRC/14/25	3	Report of the Special Rapporteur on the right to education
A/HRC/14/25/Corr.1	3	Corrigendum
A/HRC/14/25/Add.1	3	Communications to and from Governments
A/HRC/14/25/Add.2	3	Mission to Paraguay

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/25/Add.3	3	Mission to Mongolia
A/HRC/14/25/Add.4	3	Mission to Mexico
A/HRC/14/26	3	Report of the Special Rapporteur on the independence of judges and lawyers
A/HRC/14/26/Add.1	3	Communications to and from Governments
A/HRC/14/26/Add.2	3	Mission to Colombia
A/HRC/14/27	3	Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises
A/HRC/14/28	1	Election of members of the Human Rights Council Advisory Committee: note by the Secretary-General
A/HRC/14/29	2 and 3	Report of the United Nations High Commissioner for Human Rights on her Office's consultation on operationalizing the framework for business and human rights
A/HRC/14/29/Add.1	2 and 3	Summary of proceedings of side events to the consultation of the Office of the United Nations High Commissioner for Human Rights on operationalizing the framework for business and human rights
A/HRC/14/30	3	Report of the Special Rapporteur on the human rights of migrants
A/HRC/14/30/Add.1	3	Communications to and from Governments
A/HRC/14/30/Add.2	3	Mission to Romania
A/HRC/14/30/Add.3	3	Mission to the United Kingdom of Great Britain and Northern Ireland
A/HRC/14/31	3	Report of the independent expert on the question of human rights and extreme poverty
A/HRC/14/31/Add.1	3	Mission to Zambia
A/HRC/14/32	3	Report of the Special Rapporteur on trafficking in persons, especially women and children
A/HRC/14/32/Add.1	3	Communications to and from Governments
A/HRC/14/32/Add.2	3	Mission to Belarus
A/HRC/14/32/Add.3	3	Mission to Poland

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/32/Add.4	3	Mission to Japan
A/HRC/14/32/Add.5	3	Mission to Egypt: preliminary note
A/HRC/14/33	2 and 3	Report of the United Nations High Commissioner for Human Rights on the question of the realization in all countries of economic, social and cultural rights
A/HRC/14/34	2 and 3	Report of the Secretary-General on human rights in the administration of justice, including juvenile justice
A/HRC/14/35	2 and 3	Report of the United Nations High Commissioner for Human Rights on human rights in the administration of justice, in particular juvenile justice
A/HRC/14/35/Add.1	2 and 3	Additional State replies
A/HRC/14/36	3	Report of the independent expert in the field of cultural rights
A/HRC/14/38	2 and 3	Report of the United Nations High Commissioner for Human Rights on the outcome of the workshop on the right of peoples to peace
A/HRC/14/39	2 and 3	Report of the United Nations High Commissioner for Human Rights on preventable maternal mortality and morbidity and human rights
A/HRC/14/40	2 and 3	Report of the United Nations High Commissioner for Human Rights on the outcome of the consultation on the issue of protecting the human rights of civilians in armed conflict
A/HRC/14/41	4	Report of the independent expert on the situation of human rights in the Sudan
A/HRC/14/41/Add.1	4	Report on the status of implementation of recommendations compiled by the Group of Experts mandated by the Human Rights Council
A/HRC/14/42	5	Progress report of the Human Rights Council Advisory Committee on best practices on the issue of missing persons

*Documents issued in the general series*

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/14/43	9	Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance
A/HRC/14/43/Add.1	9	Communications to and from Governments
A/HRC/14/43/Add.2	9	Mission to Germany
A/HRC/14/43/Add.3	9	Mission to the United Arab Emirates
A/HRC/14/44	10	Report of the independent expert on the situation of human rights in Haiti
A/HRC/14/44/Add.1	10	Mission to Haiti
A/HRC/14/46	3	Compilation of good practices on legal and institutional frameworks and measures that ensure respect for human rights by intelligence agencies while countering terrorism
A/HRC/14/46/Add.1	3	Written submissions by Governments to the questionnaire of the Office of the United Nations High Commissioner for Human Rights related to the study on good practices on legal and institutional frameworks and measures that ensure respect for human rights by intelligence agencies while countering terrorism, including on their oversight
A/HRC/13/42	3	Joint study on secret detention of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances
A/HRC/13/53	7	Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967
A/HRC/13/53/Rev.1	7	Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/L.1	1	The grave attacks by Israeli forces against the humanitarian boat convoy
A/HRC/14/L.2	10	Technical assistance and cooperation on human rights in Kyrgyzstan
A/HRC/14/L.3	9	From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance
A/HRC/14/L.4	3	Trafficking in persons, especially women and children: regional and subregional cooperation in promoting a human rights-based approach to combating trafficking in persons
A/HRC/14/L.5	3	Freedom of religion or belief: mandate of the Special Rapporteur on freedom of religion or belief
A/HRC/14/L.6	5	Missing persons
A/HRC/14/L.7	10	Addressing attacks on schoolchildren in Afghanistan
A/HRC/14/L.8	10	Regional cooperation for the promotion and protection of human rights in the Asia-Pacific Region
A/HRC/14/L.9/Rev.1	3	Accelerating efforts to eliminate all forms of violence against women: ensuring due diligence in prevention
A/HRC/14/L.11	8	Proclamation of 24 March as the International Day for the Right to the Truth of Victims of Gross Human Rights Violations
A/HRC/14/L.12	3	Promotion of the right of peoples to peace
A/HRC/14/L.13	3	The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights
A/HRC/14/L.14	3	Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity
A/HRC/14/L.15/Rev.1	3	The role of prevention in the promotion and protection of human rights

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/L.16	10	Assistance to Somalia in the field of human rights
A/HRC/14/L.17	3	Question of the realization in all countries of economic, social and cultural rights: follow-up to Human Rights Council resolution 4/1
A/HRC/14/L.18	3	Mandate of the Special Rapporteur on the human rights of internally displaced persons
A/HRC/14/L.19	3	Enforced or involuntary disappearances
A/HRC/14/L.20	10	Advisory services and technical assistance to Burundi in the field of human rights

*Documents issued in the Government series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/G/1	6	Note verbale dated 14 April 2010 from the Permanent Mission of Ecuador to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/14/G/2	1	Letter dated 3 June 2010 from the Permanent Mission of Belgium addressed to the United Nations High Commissioner for Human Rights

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/NGO/1	3	Written statement submitted by Friends World Committee for Consultation (Quakers), a non-governmental organization in general consultative status
A/HRC/14/NGO/2	3	Written statement submitted by International Alliance of Women, a non-governmental organization in general consultative status

*Documents issued in the non-governmental organization series*

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/14/NGO/3	3 Written statement submitted by Friends World Committee for Consultation (Quakers), a non-governmental organization in general consultative status
A/HRC/14/NGO/4	9 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/14/NGO/5	3 Written statement submitted by the Society Studies Centre (MADA ssc), a non-governmental organization in special consultative status
A/HRC/14/NGO/6	3 Written statement submitted by International Educational Development, Inc., a non-governmental organization on the roster
A/HRC/14/NGO/7	4 Written statement submitted by International Educational Development, Inc., a non-governmental organization on the roster
A/HRC/14/NGO/8	4 Written statement submitted by International Educational Development, Inc., a non-governmental organization on the roster
A/HRC/14/NGO/9	7 Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status
A/HRC/14/NGO/10	9 Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status
A/HRC/14/NGO/11	4 Written statement submitted by International Educational Development, Inc., a non-governmental organization on the roster
A/HRC/14/NGO/12	4 Joint written statement submitted by the World Federation of Trade Unions, a non-governmental organization in general consultative status, the American Association of Jurists, France Libertés : Fondation Danielle Mitterrand, the Women's International League for Peace and Freedom (WILPF), non-governmental organizations in special consultative status, International Educational Development (IED), Mouvement contre le

*Documents issued in the non-governmental organization series*

<i>Symbol</i>	<i>Agenda item</i>
	racisme et pour l'amitié entre les peuples (MRAP), non-governmental organizations on the roster
A/HRC/14/NGO/13	3 Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/14/NGO/14	4 Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/14/NGO/15	3 Joint written statement submitted by Franciscans International (FI), a non-governmental organization in general consultative status, Amnesty International and Global Alliance against Traffic in Women (GAATW), non-governmental organizations in special consultative status
A/HRC/14/NGO/16	3 Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in special consultative status
A/HRC/14/NGO/17	3 Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in special consultative status
A/HRC/14/NGO/18	3 Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in special consultative status
A/HRC/14/NGO/19	3 Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status
A/HRC/14/NGO/20	6 Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status
A/HRC/14/NGO/21	6 Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status
A/HRC/14/NGO/22	3 Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status
A/HRC/14/NGO/23	6 Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status



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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/NGO/24	2	Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status
A/HRC/14/NGO/25	3	Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status
A/HRC/14/NGO/26	3	Written statement submitted by the Hawa Society for Women, a non-governmental organization in special consultative status
A/HRC/14/NGO/27	6	Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status
A/HRC/14/NGO/28	3	Written statement submitted by Al Zubair Charitable Foundations, a non-governmental organization in special consultative status
A/HRC/14/NGO/29	3	Written statement submitted by the International NGO Forum on Indonesian Development, a non-governmental organization in special consultative status
A/HRC/14/NGO/30	4	Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status
A/HRC/14/NGO/31	7	Written statement submitted by Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status
A/HRC/14/NGO/32	3	Written statement submitted by the Norwegian Refugee Council, a non-governmental organization in special consultative status
A/HRC/14/NGO/33	3	Written statement submitted by the International NGO Forum on Indonesian Development, a non-governmental organization in special consultative status
A/HRC/14/NGO/34	6	Written statement submitted by the Arab NGO Network for Development, a non-governmental organization on the roster
A/HRC/14/NGO/35	3	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/NGO/36	4	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/14/NGO/37	3	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/14/NGO/38	3	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/14/NGO/39	4	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/14/NGO/40	4	Joint written statement submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status, and Lawyers' Rights Watch Canada (LRWC), a non-governmental organization in special consultative status
A/HRC/14/NGO/41	4	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/14/NGO/42	4	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/14/NGO/44	3	Joint written statement submitted by the World Federation of Trade Unions, a non-governmental organization in general consultative status; the American Association of Jurists (AAJ), France Libertés : Fondation Danielle Mitterrand, the Women's International League for Peace and Freedom (WILPF), non-governmental organizations in special consultative status; International Educational Development, Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), non-governmental organizations on the roster
A/HRC/14/NGO/45	7	Written statement submitted by Al-Haq, Law in the Service of Man, 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/14/NGO/46	3	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/14/NGO/47	2 and 3	Joint written statement submitted by the International Alliance of Women (IAW), the Commission of the Churches on International Affairs of the World Council of Churches (CCIA/WCC), Brahma Kumaris World Spiritual University (BKWSU), 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 Youth and Student Movement for the United Nations (ISMUN), the Women's Federation for World Peace International (WFWPI), Soroptimist International (SI), the Asian Legal Resource Centre (ALRC), non-governmental organizations in general consultative status; World Young Women's Christian Association (World YWCA), the Dominicans for Justice and Peace (Order of Preachers), Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos (España), Interfaith International, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and the International Movement of Catholic Students), Temple of Understanding (TOU), the Women's International League for Peace and Freedom (WILPF), the Women's World Summit Foundation (WWSF), the International Federation of University Women (IFUW), Femmes Africa Solidarité (FAS), the Lutheran World Federation (LWF), the Worldwide Organization for Women (WOW), the Union of Arab Jurists, 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), the Lassalle-Institut, the UNESCO Centre of Catalonia, the Anti-Racism Information Service (ARIS), the

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Pan Pacific and South East Asia Women's Association (PPSEAWA), the Permanent Assembly for Human Rights, 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 African Services Committee, Inc., the International Federation of Family Associations of Missing Persons from Armed Conflict (IFFAMPAC), 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, International Catholic Peace Movement, the Tandem Project, Canadian Voice of Women for Peace (VOW), the Organization for Defending Victims of Violence (ODVV), Solar Cookers International (SCI), the World Federation for Mental Health (WFMH), the United States Federation for Middle East Peace, Network Women in Development Europe (KULU), North-South XXI, the United Towns Agency for North-South Cooperation, the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), the Latin American Committee for the Defense of Women's Rights (CLADEM), the United Nations Association in Spain (UNA-Spain) (ANUE), Maryknoll Fathers and Brothers, Maryknoll Sisters of St. Dominic, the International Forum for Child Welfare, the BADIL Resource Center for Palestinian Residency and Refugee Rights, the Arab Lawyers Union, the General Federation of Iraqi Women, the International Federation of Social Workers (IFSW), the International Association of Peace Messenger Cities, the Committee for Hispanic Children and Families, the Peter Hesse Stiftung Foundation, Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples (CIRAC),

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the Cairo Institute for Human Rights Studies (CIHRS), the World for World Organization (WFWO), the Universal Esperanto Association (UEA), Associated Country Women of the World (ACWW), the Council of American Overseas Research Centres, Zenab for Women in Development, Inc., The Grail, UNANIMA International, the Association for Democratic Initiatives (ADI), the Congregation of our Lady of Charity of the Good Shepherd, the Centre for Development Studies and Action, the Deniz Feneri Association (Light House Aid and Solidarity Association), the Arab Centre for the Independence of the Judiciary and the Legal Profession (ACIJLP), the Commission for the Defense of Human Rights in Central America (CODEHUCA), the International Association of Democratic Lawyers (IADL), the General Arab Women Federation (GAWF), the National Alliance of Women's Organizations (NAWO), MADRE, Inc., the National Council of Women of Great Britain, Centre independant de recherches et d'initiatives pour le dialogue (CIRID), the World Organization against Torture (OMCT), the Guild of Service, the Universal Peace Federation, 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 of New York (CMS), the World Association for Phychosocial Rehabilitation (WAPR), Droit à l'énergie SOS Futur, the Foundation for Subjective Experience and Research, the Institute of International Social Development, the African Women's Development and Communication Network (FEMNET), the Salvation Army, the Planetary Association for Clean Energy, Inc., the International Association of Gerontology and Geriatrics, 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),

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	the Institute for Planetary Synthesis (IPS), the International Peace Bureau (IPB), the UNESCO Centre Basque Country (UNESCO ETXEA), 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), the Gray Panthers, the European Federation of Road Traffic Crash Victims (FEVR), the World Christian Life Community, Servas International, the Fondation Idole, the Arab NGO Network for Development, non-governmental organizations on the roster
A/HRC/14/NGO/48	4 Joint written statement submitted by France Libertés : Fondation Danielle Mitterrand, the Women's International League for Peace and Freedom (WILPF), non-governmental organizations in special consultative status, Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), a non-governmental organization on the roster
A/HRC/14/NGO/49	3 Joint written statement submitted by the Women's Federation for World Peace International (WFWPI), a non-governmental organization in general consultative status, the Universal Peace Federation, a non-governmental organization in special consultative status
A/HRC/14/NGO/50	3 Written statement submitted by the International NGO Forum on Indonesian Development, a non-governmental organization in special consultative status
A/HRC/14/NGO/51	3 Written statement submitted by the International NGO Forum on Indonesian Development, a non-governmental organization in special consultative status

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A/HRC/14/NGO/52	8	Written statement submitted by the Marangopoulos Foundation for Human Rights, a non-governmental organization in special consultative status
A/HRC/14/NGO/53	4	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/14/NGO/55	3	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/14/NGO/56	3	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/14/NGO/57	3	Joint written statement submitted by the Asian Legal Resource Centre, and Lawyers' Rights Watch Canada, a non-governmental organization in special consultative status
A/HRC/14/NGO/58	4	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/14/NGO/59	3	Written statement submitted by the International NGO Forum on Indonesian Development, a non-governmental organization in special consultative status
A/HRC/14/NGO/60	3	Written statement submitted by MADRE, Inc., a non-governmental organization in special consultative status
A/HRC/14/NGO/61	3	Written statement submitted by the International Fellowship of Reconciliation, a non-governmental organization in special consultative status
A/HRC/14/NGO/62	3	Written statement submitted by the Federation of Western Thrace Turks in Europe, a non-governmental organization in special consultative status
A/HRC/14/NGO/63	3	Written statement submitted by the Helsinki Foundation for Human Rights, a non-governmental organization in special consultative status

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A/HRC/14/NGO/64	6	Written statement submitted by the Association for Democratic Initiatives, a non-governmental organization in special consultative status
A/HRC/14/NGO/65	4	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster
A/HRC/14/NGO/66	4	Written statement submitted by the Sudan Council of Voluntary Agencies (SCOVA), a non-governmental organization in special consultative status

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/14/NI/1	6	Information presented by the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan
A/HRC/14/NI/2	3	Information presented by the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan
A/HRC/14/NI/3	9	Information presented by the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan
A/HRC/14/NI/4	3	Information presented by the Northern Ireland Human Rights Commission
A/HRC/14/NI/5	3	Information presented by the Zambia Human Rights Commission
A/HRC/14/NI/6	3	Information presented by the Office of the Ombudsman of the Republic of Paraguay
A/HRC/14/NI/7	3	Information presented by the Equality and Human Rights Commission of Great Britain
A/HRC/14/NI/8	3	Information presented by the Equality and Human Rights Commission of Great Britain



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A/HRC/14/NI/9	6 Information presented by the National Council for Human Rights of Egypt
A/HRC/14/NI/10	6 Information presented by the Asia Pacific Forum of National Human Rights Institutions
A/HRC/14/NI/11	3 Information presented by the National Human Rights Commission of India

## Annex V

### **Special procedures mandate holders appointed by the Human Rights Council at its fourteenth session**

#### **Working Group on Enforced or Involuntary Disappearances**

Ariel Dulitzky (Argentina/United States of America)

#### **Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination**

Faiza Patel (Pakistan)

#### **Special Rapporteur on extrajudicial, summary or arbitrary executions**

Christof Heyns (South Africa)

#### **Special Rapporteur on freedom of religion or belief**

Heiner Bielefeldt (Germany)

#### **Special Rapporteur on the right to education**

Kishore Singh (India)

#### **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 (Romania)

#### **Independent expert on the situation of human rights in Burundi**

Fatsah Ouguergouz (Algeria)

#### **Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea**

Marzuki Darusman (Indonesia)

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