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Human Rights Council

Twenty-third session

Agenda item 1

Organizational and procedural matters

**Report of the Human Rights Council on its
twenty-third session**

Vice-President and Rapporteur: Mr. Luis Gallegos Chiriboga (Ecuador)

Contents

<i>Chapter</i>	<i>Page</i>
Part One: Resolutions, decisions and President's statement.....	6
I. Resolutions.....	6
23/1 The deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al-Qusayr	6
23/2 The role of freedom of opinion and expression in women's empowerment	7
23/3 Enhancement of international cooperation in the field of human rights	9
23/4 The right to education: follow-up to Human Rights Council resolution 8/4.....	13
23/5 Trafficking in persons, especially women and children: efforts to combat human trafficking in supply chains of businesses	15
23/6 Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers	19
23/7 Elimination of discrimination against women	22
23/8 Mandate of the Special Rapporteur on the human rights of internally displaced persons.....	26
23/9 The negative impact of corruption on the enjoyment of human rights	31
23/10 Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity.....	33
23/11 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	35
23/12 Human rights and international solidarity	40
23/13 Attacks and discrimination against persons with albinism	44
23/14 Access to medicines in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health	45
23/15 Situation of human rights in Belarus.....	48
23/16 Promotion of the right to peace.....	50
23/17 National institutions for the promotion and protection of human rights	52
23/18 Technical assistance to the Central African Republic in the field of human rights	56
23/19 National policies and human rights.....	58
23/20 Human rights of migrants	59
23/21 Situation of human rights in Eritrea	62
23/22 Technical assistance to Côte d'Ivoire in the field of human rights	66
23/23 Strengthening of technical cooperation and consultative services in Guinea	68
23/24 Technical assistance and capacity-building for South Sudan in the field of human rights	71
23/25 Accelerating efforts to eliminate all forms of violence against women: preventing and responding to rape and other forms of sexual violence.....	72

23/26	The deterioration of the situation of human rights in the Syrian Arab Republic, and the need to grant immediate access to the commission of inquiry	77
II.	Decisions	81
23/101	Outcome of the universal periodic review: France	81
23/102	Outcome of the universal periodic review: Tonga	81
23/103	Outcome of the universal periodic review: Romania	82
23/104	Outcome of the universal periodic review: Mali	82
23/105	Outcome of the universal periodic review: Botswana	82
23/106	Outcome of the universal periodic review: Bahamas	83
23/107	Outcome of the universal periodic review: Burundi	83
23/108	Outcome of the universal periodic review: Luxembourg	84
23/109	Outcome of the universal periodic review: Barbados	84
23/110	Outcome of the universal periodic review: Montenegro	85
23/111	Outcome of the universal periodic review: United Arab Emirates	85
23/112	Outcome of the universal periodic review: Liechtenstein	86
23/113	Outcome of the universal periodic review: Serbia	86
23/114	Assistance to Somalia in the field of human rights	86
III.	President's statement	89
	PRST 23/1 Situation of human rights in Myanmar as regards Rohingya Muslims in Rakhine State and other Muslims	89
Part Two:	Summary of proceedings	1-806 91
I.	Organizational and procedural matters	1-47 91
A.	Opening and duration of the session	1-3 91
B.	Attendance	4 91
C.	Agenda and programme of work	5 91
D.	Organization of work	6-16 91
E.	Meetings and documentation	17-18 92
F.	Visits	19-20 92
G.	Urgent debate on the deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al-Qusayr	21-27 93
H.	Selection and appointment of mandate holders	28 94
I.	Consideration of the progress report of the Task Force on secretariat services, accessibility for persons with disabilities and use of information technology	29 94
J.	Consideration of and action on draft proposals	30-42 94
K.	Adoption of the report on the session	43-47 95

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.....	48–54	97
A.	Update by the United Nations High Commissioner for Human Rights	48–51	97
B.	Reports of the Office of the High Commissioner and the Secretary-General	52–54	98
III.	Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.....	55–216	99
A.	Interactive dialogue with special procedures mandate holders.....	55–130	99
B.	Panels.....	131–152	109
C.	General debate on agenda item 3	153–156	113
D.	Consideration of and action on draft proposals	157–216	114
IV.	Human rights situations that require the Council’s attention	217–257	121
A.	Interactive dialogue with the independent international commission of inquiry on the Syrian Arab Republic	217–220	121
B.	Interactive dialogue with special procedures mandate holders.....	221–231	121
C.	General debate on agenda item 4	232–234	123
D.	Consideration of and action on draft proposals	235–257	124
V.	Human rights bodies and mechanisms	258–273	126
A.	Panel discussion on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review.....	258–263	126
B.	Social Forum.....	264	126
C.	Open-ended intergovernmental working group on the draft United Nations declaration on the right to peace	265	126
D.	Forum on Business and Human Rights.....	266	127
E.	General debate on agenda item 5	267–268	127
F.	Consideration of and action on draft proposals	269–273	127
VI.	Universal periodic review	274–750	129
A.	Consideration of universal periodic review outcomes	274–734	129
B.	Report of the President of Human Rights Council submitted in accordance with Human Rights Council decision OM/7/1 of 29 January 2013	735–736	196
C.	General debate on agenda item 6	737	196
D.	Consideration of and action on draft proposals	738–750	197
VII.	Human rights situation in Palestine and other occupied Arab territories	751–755	199
A.	Interactive dialogue with special procedures mandate holders.....	751–754	199
B.	General debate on agenda item 7	755	199
VIII.	Follow-up to and implementation of the Vienna Declaration and Programme of Action	756–759	201
A.	General debate on agenda item 8	756–757	201

	B. Consideration of and action on draft proposals	758–759	202
IX.	Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action	760–766	204
	A. Interactive dialogue with special procedures mandate holders	760–763	204
	B. General debate on agenda item 9	764–766	204
X.	Technical assistance and capacity-building	767–806	206
	A. Interactive dialogue with special procedures mandate holders	767–770	206
	B. General debate on agenda item 10	771–775	206
	C. Consideration of and action on draft proposals	776–806	207
Annexes			
	I. Attendance		211
	II. Agenda		216
	III. Documents issued for the twenty-third session		217
IV.	Special procedures mandate holders appointed by the Human Rights Council at its twenty-third session		244

Part One

Resolutions, decisions and President's statement

I. Resolutions

23/1

The deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al-Qusayr

The Human Rights Council,

Guided by the Charter of the United Nations,

Having held an urgent debate to discuss the deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al Qusayr, which is currently under siege by the Syrian regime,

Recalling General Assembly resolutions 66/176 of 19 December 2011, 66/253 of 16 February 2012, 66/253B of 3 August 2012, 67/183 of 20 December 2012 and 67/262 of 15 May 2013, Human Rights Council resolutions S-16/1 of 29 April 2011, S-17/1 of 22 August 2011, S-18/1 of 2 December 2011, 19/1 of 1 March 2012, 19/22 of 23 March 2012, 20/22 of 6 July 2012, 21/26 of 28 September 2012 and 22/24 of 22 March 2013, and Security Council resolutions 2042 (2012) of 14 April 2012 and 2043 (2012) of 21 April 2012,

Recalling the press release of the United Nations High Commissioner for Human Rights on 10 May 2013, in which she expressed alarm at reports of major military build-up around the western Syrian town of Al Qusayr, and stated that she feared further atrocities and increasing displacement of the local civilian population,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter,

1. *Strongly condemns* all violations of international humanitarian law and the widespread and systematic gross violations of human rights and fundamental freedoms by the Syrian authorities and the Government-affiliated militias, such as those violations involving the regime's use of ballistic missiles and other heavy weapons against civilians in the Syrian Arab Republic, including against the people of Al Qusayr;

2. *Condemns* all violence in the Syrian Arab Republic, irrespective of where it comes from, and calls upon all parties to immediately put an end to all forms of violence, including terrorist acts and acts of violence or intimidation that may foment sectarian tensions, also condemns all human rights violations and abuses, and calls upon all parties to comply strictly with their obligations under international law, including international humanitarian law and international human rights law;

3. *Calls upon* the Syrian authorities to meet their responsibility to protect the Syrian population and to put an immediate end to all attacks against the civilians of Al Qusayr;

4. *Stresses* the need to ensure accountability for those responsible for the massacre in Al Qusayr, and also stresses that those responsible for the serious violations of international humanitarian law and international human rights law in the Syrian Arab Republic must be held to account; reaffirms that the Syrian people, on the basis of broad, inclusive and credible consultations, should determine, within the framework provided for by international law, the process and mechanisms to achieve justice, reconciliation, truth

and accountability for gross violations, as well as reparations and effective remedies for victims, while underlining the relevance of referrals to the appropriate international criminal justice mechanism under appropriate circumstances;

5. *Condemns* the intervention of foreign combatants fighting on behalf of the Syrian regime in Al Qusayr, and expresses deep concern that their involvement further exacerbates the deteriorating human rights and humanitarian situation, which has a serious negative impact on the region;

6. *Demands* that the Syrian authorities allow free and unimpeded access by the United Nations and humanitarian agencies to all civilians affected by the violence, especially in Al Qusayr, through all effective routes, including by providing authorization for cross-border humanitarian operations as an urgent priority, and urges all parties to protect medical personnel, facilities and transport as such;

7. *Requests* the commission of inquiry to urgently conduct a comprehensive, independent and unfettered inquiry into the events in Al Qusayr, and also requests the commission to include the findings of the inquiry in its report to the Human Rights Council at its twenty-fourth session.

8. *Decides* to remain seized of the matter and to take further action on the situation of human rights in the Syrian Arab Republic.

*8th meeting
29 May 2013*

[Adopted by a recorded vote of 36 to 1, with 8 abstentions. The voting was as follows:

In favour:

Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Costa Rica, Côte d'Ivoire, Czech Republic, Estonia, Gabon, Germany, Guatemala, Ireland, Italy, Japan, Kuwait, Libya, Malaysia, Maldives, Mauritania, Montenegro, Pakistan, Peru, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Sierra Leone, Spain, Switzerland, Thailand, United Arab Emirates, United States of America

Against:

Venezuela (Bolivarian Republic of)

Abstaining:

Angola, Congo, Ecuador, Ethiopia, India, Indonesia, Philippines, Uganda]

23/2

The role of freedom of opinion and expression in women's empowerment

The Human Rights Council,

Recalling the Universal Declaration of Human Rights and relevant international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women,

Recalling also the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights, and the Beijing Declaration and Platform for Action, adopted on 15 September 1995 by the Fourth World Conference on Women, and subsequent reviews thereof,

Bearing in mind that the Convention on the Elimination of All Forms of Discrimination against Women affirms human rights and fundamental freedoms and equality for women around the world, and states, inter alia, that States parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country,

Recalling Human Rights Council resolution 12/16 of 2 October 2009,

Recalling also Human Rights Council resolution 16/4 of 24 March 2011 and all previous resolutions of the Commission on Human Rights and the Council on the right to freedom of opinion and expression, including Council resolution 20/8 of 5 July 2012 on the promotion, protection and enjoyment of human rights on the Internet,

Recalling further General Assembly resolutions relating to the issue of women's empowerment, including resolutions 66/130 of 19 December 2011, on women and political participation, and 66/216 of 22 December 2011, on women in development, and the agreed conclusions of the Commission on the Status of Women,¹

Reaffirming articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights,

Reaffirming also that women and men have the right to enjoy, on an equal basis, all their human rights and fundamental freedoms,

Recognizing that the effective exercise of the right to freedom of opinion and expression, as enshrined in the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights, is essential for the enjoyment of other human rights and freedoms, and constitutes a fundamental pillar for building a democratic society and strengthening democracy, bearing in mind that all human rights are universal, indivisible, interdependent and interrelated,

Recognizing also how advances in information and communications technologies have enabled women to initiate or enhance their participation in political, economic, cultural and social life,

Recognizing further the important contributions that women have made towards the achievement of representative, transparent and accountable government in many countries,

Acknowledging the important role of women journalists and women human rights defenders in the exercise, promotion and protection of the right to freedom of opinion and expression and, in this context, expressing concern at the risks faced by these women in the exercise of their work,

Stressing the critical importance of women's political participation in all contexts, including in times of peace and of conflict and at all stages of political transition, concerned that many obstacles still prevent women from participating in political life on equal terms with men, and noting in that regard that situations of political transition may provide a unique opportunity to address such obstacles,

Recognizing the essential contributions that women around the world continue to make to the achievement and maintenance of international peace and security and to the full realization of all human rights, to the promotion of democracy, sustainable development and economic growth, and to the eradication of poverty, hunger and disease,

¹ *Official Records of the Economic and Social Council, 2013, Supplement No. 7 (E/2013/27).*

Highly concerned that women in every part of the world, including women belonging to racial, ethnic, religious or linguistic minorities and indigenous women, continue to be marginalized from the political, economic, cultural and social spheres, often as a result of discrimination, unequal access to education, lack of access to health care, the disproportionate effect of poverty on women, and violence against women and girls,

1. *Affirms* the fundamental role that freedom of opinion and expression plays in the ability of women to interact with society at large, in particular in the realms of economic and political participation, and reaffirms that the active participation of women, on equal terms with men, at all levels of decision-making, is essential to the achievement of equality, sustainable development, peace and democracy;

2. *Expresses deep concern* that discrimination, intimidation, harassment and violence, including in public spaces, often prevent women and girls from enjoying fully their human rights and fundamental freedoms, including their right to freedom of opinion and expression, which hinders their full participation in economic, social, cultural and political affairs;

3. *Calls upon* all States:

(a) To promote, respect and ensure women's exercise of freedom of opinion and expression, both online and offline, including as members of non-governmental organizations and other associations;

(b) To ensure that women and girls exercising their right to freedom of opinion and expression are not discriminated against, particularly in employment, housing, the justice system, social services and education;

(c) To facilitate the full, equal and effective participation and free communication of all women at all levels of decision-making in their societies and in national, regional and international institutions, including in the mechanisms for the prevention, management and resolution of conflicts;

(d) To facilitate equal participation in, access to and use of information and communications technology, such as the Internet, applying a gender perspective, and to encourage international cooperation aimed at the development of media and information and communication facilities in all countries;

(e) To provide women and girls with access to effective remedies for violations of their right to freedom of opinion and expression, and to ensure that there is no impunity for gender-based violence, including sexual violence, used to intimidate women and girls who are exercising their right to freedom of opinion and expression;

4. *Invites* the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression to include in his reports an analysis of the role of freedom of opinion and expression in improving women's participation in political, social, cultural and economic life and in advancing gender equality, as well as an analysis of the challenges that women face in exercising their freedom of opinion and expression.

*38th meeting
13 June 2013*

[Adopted without a vote.]

23/3

Enhancement of international cooperation in the field of human rights

The Human Rights Council,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action, adopted at the World Conference on Human Rights on 25 June 1993, for enhancing genuine cooperation among Member States in the field of human rights,

Recalling the adoption by the General Assembly of the United Nations Millennium Declaration on 8 September 2000, and the renewed commitments to achieve the Millennium Development Goals by their target date of 2015, as set out in the outcome document adopted at the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals,

Recalling also all decisions and resolutions of the Commission on Human Rights, the Human Rights Council and the General Assembly on the enhancement of international cooperation in the field of human rights, the latest of which being Council decision 22/116 of 21 March 2013, Assembly resolution 67/169 of 20 December 2012 and Council resolution 19/33 of 23 March 2012,

Recalling further the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, and the Durban Review Conference, held in Geneva, from 20 to 24 April 2009, and their role in the enhancement of international cooperation in the field of human rights,

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

Recognizing also that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue in all relevant forums, including in the context of the universal periodic review, and be aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Reiterating the role played by the universal periodic review as an important mechanism in contributing to the enhancement of international cooperation in the field of human rights,

Recalling Human Rights Council resolution 6/17 of 28 September 2008, in which the Council requested the Secretary-General to establish a universal periodic review voluntary trust fund to facilitate the participation of developing countries, particularly least developing countries, in the universal periodic review mechanism, and to establish the voluntary fund for financial and technical assistance, to be administered jointly with the universal periodic review voluntary trust fund, in order to provide, in conjunction with multilateral funding mechanisms, a source of financial and technical assistance to help countries to implement recommendations emanating from the universal periodic review in consultation with, and with the consent of, the country concerned,

Reaffirming that dialogue among and within religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all activities for the promotion and protection of human rights,

1. *Reaffirms* that it is one of the purposes of the United Nations and also the primary responsibility of States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among and within cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

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

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Emphasizes* the need to promote a cooperative and constructive approach to the promotion and protection of human rights, as well as to enhance the role of the Human Rights Council in promoting advisory services, technical assistance and capacity-building to support efforts to ensure equal realization of all human rights and fundamental freedoms, where appropriate;

8. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

9. *Emphasizes* the importance of the universal periodic review as a mechanism based on cooperation and constructive dialogue with the objective of, inter alia, improving the situation of human rights on the ground and promoting the fulfilment of the human rights obligations and commitments undertaken by States;

10. *Also emphasizes* the role of international cooperation in support of national efforts and in raising the capacities of States in the field of human rights through, inter alia, the enhancement of their cooperation with human rights mechanisms, including through the provision of technical assistance, upon the request of and in accordance with the priorities set by the States concerned;

11. *Takes note* of the latest report of the United Nations High Commissioner for Human Rights on the operations of the Voluntary Fund for Participation in the Universal Periodic Review,² requests the Office of the High Commissioner to continue to seek ways and means to facilitate the existing procedure, including by addressing the concerns identified in paragraphs 17 and 18 of the report, and to report on its progress in that regard in its next annual report to the Council on the operations of the Voluntary Fund;

12. *Also takes note* of the note of the Secretary-General³ informing the Human Rights Council that a consolidated annual written update on the operations of the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review would be submitted to the Council at its twenty-fourth session;

13. *Further takes note* of the compilation prepared by the Office of the High Commissioner of the views of States and relevant stakeholders on the contribution of the Voluntary Fund for Financial and Technical Assistance,⁴ in particular with regard to its sustainability and accessibility, to the implementation of recommendations accepted by States as part of their universal periodic review that required financial support;

14. *Requests* the Office of the High Commissioner to seek to enhance dialogue with representatives from non-traditional donor countries with a view to broaden the donor base and replenish the resources available to both funds;

15. *Also requests* the Office of the High Commissioner to make clear the process by which States request assistance from both funds, and to process such requests in a timely and transparent manner that adequately responds to the requesting States;

16. *Urges* States to continue to support both funds;

17. *Calls upon* States, specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

18. *Calls upon* States to further advance initiatives aimed at enhancing international cooperation in the field of human rights on issues of common interest and concern, bearing in mind the need to promote a cooperative and constructive approach in this regard;

19. *Urges* States to take necessary measures to enhance bilateral, regional and international cooperation aimed at addressing the adverse impact of consecutive and compounded global crises, such as financial and economic crises, food crises, climate change and natural disasters, on the full enjoyment of human rights;

20. *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;

21. *Takes note* of the holding of the seminar on the enhancement of international cooperation in the field of human rights on 15 February 2013, with the participation of States, relevant United Nations agencies, funds and programmes, and other

² A/HRC/23/61.

³ A/HRC/23/60.

⁴ A/HRC/19/50.

stakeholders, including academic experts and civil society, and also takes note of the report of the Office of the High Commissioner submitted pursuant to Human Rights Council resolution 19/33,⁵ containing a summary of the deliberations held during the seminar based on the study of the Advisory Committee on the enhancement of international cooperation in the field of human rights;⁶

22. *Recalls* that, in its resolution 67/169, the General Assembly requested the Secretary-General, in collaboration with the High Commissioner, to consult States and intergovernmental and non-governmental organizations on ways and means, as well as obstacles and challenges and possible proposals to overcome them, for the enhancement of international cooperation and dialogue in the United Nations human rights machinery, including the Human Rights Council;

23. *Requests* the Advisory Committee to prepare, in consultation with States, a more focused and in-depth study on the ways and means to enhance international cooperation in the field of human rights, including, but not limited to, the identification of areas where further progress could be made, taking into account responses received further to the consultations as requested by the General Assembly in resolution 67/169, and to submit a progressive report to the Human Rights Council at its twenty-sixth session;

24. *Decides* to continue its consideration of the matter in 2014, in accordance with its annual programme of work.

*38th meeting
13 June 2013*

[Adopted without a vote.]

23/4

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

The Human Rights Council,

Reaffirming Human Rights Council resolution 8/4 of 18 June 2008, and recalling all other Council resolutions on the right to education, the most recent of which is resolution 20/7 of 5 July 2012, and the resolutions adopted by the Commission on Human Rights on the subject,

Reaffirming also the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities, and other relevant international instruments,

Bearing in mind General Assembly resolution 67/18 of 28 November 2012 on education for democracy,

⁵ A/HRC/23/20.

⁶ A/HRC/19/74.

Deeply concerned that, according to the United Nations Educational, Scientific and Cultural Organization, progress towards many of the Education for All goals set for 2015 is slowing down, and that most of these goals are unlikely to be met, although progress in some of the world's poorest countries shows what can be achieved with the commitment of national Governments and aid donors, including greater numbers of children attending pre-school, completing primary school and making the transition to secondary education,

Mindful of the role that the full realization of the right to education for all plays in helping to achieve the Millennium Development Goals, noting in this regard the commitments relating to education contained in the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, including to ensure quality education and progression through the school system, and the need to ensure that the right to education is central in the context of the post-2015 agenda,

Aware of the role that communications procedures can play to promote the justiciability of the right to education, and welcoming in this regard the entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 5 May 2013,

1. *Calls upon* all States to take all measures to implement Human Rights Council resolutions on the right to education with a view to ensuring the full realization of this right for all;

2. *Notes with appreciation:*

(a) The report of the Special Rapporteur on the right to education on the justiciability of the right to education;⁷

(b) The work of the United Nations human rights treaty bodies and special procedures in the promotion of the right to education;

(c) The work undertaken by the Office of the United Nations High Commissioner for Human Rights in the promotion of the right to education at the country, regional and headquarters levels;

(d) The contribution of the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization and other relevant bodies towards attaining the Millennium Development Goals of achieving universal primary education and eliminating gender disparity in education and the goals of the Education for All agenda;

(e) International initiatives aimed at discussing and advancing the education agenda beyond 2015, while underlining the importance that the Open Working Group on Sustainable Development Goals and other ongoing consultation processes can have in this regard;

3. *Calls upon* all relevant stakeholders urgently to increase their efforts so that the goals of the Education for All agenda can be achieved by 2015, and welcomes in this regard the Education First initiative launched by the Secretary-General on 26 September 2012, including its three priority areas of putting every child in school, improving the quality of education and fostering global citizenship;

4. *Urges* all States to give full effect to the right to education by, inter alia, promoting the justiciability of the right to education by such means as:

⁷ A/HRC/23/35.

- (a) The adoption of adequate legislation on the implementation of the right to education;
- (b) The creation or strengthening of appropriate independent institutions and mechanisms to deal with complaints related to the right to education, stressing in this regard the importance of the independence of such institutions, including the judiciary;
- (c) Ensuring full protection of the right to education, including as it regards the responsibilities of private providers of education;
- (d) Facilitating access to appropriate adjudicatory procedures, including by adopting relevant provisions on legal standing and legal aid;
- (e) Ensuring adequate training of professionals involved in the examination of complaints related to the right to education, including judges, prosecutors, lawyers and, where appropriate, members of competent and relevant quasi-judicial mechanisms;
- (f) Fostering human rights education and information efforts concerning the enforceability of the right to education and available mechanisms to enforce this right at the national, regional and international levels;
- (g) Encouraging the development and use of appropriate indicators on the right to education;
5. *Invites* States and other relevant stakeholders to intensify their efforts to disseminate and to promote universal respect for and understanding of the United Nations Declaration on Human Rights Education and Training as a means to give full effect to the right to education worldwide;
6. *Encourages* the Office of the High Commissioner, the treaty bodies, the special procedures of the Human Rights Council and other relevant United Nations bodies and mechanisms, specialized agencies and programmes, within their respective mandates, to continue their efforts to promote the realization of the right to education worldwide and to enhance their cooperation in this regard, including by enhancing technical assistance to Governments;
7. *Stresses* the importance of the contribution of national human rights institutions, non-governmental and civil society organizations, and parliamentarians to the realization of the right to education, including through cooperation with the Special Rapporteur on the right to education;
8. *Decides* to remain seized of the matter.

38th meeting
13 June 2013

[Adopted without a vote.]

23/5

Trafficking in persons, especially women and children: efforts to combat human trafficking in supply chains of businesses

The Human Rights Council,

Reaffirming all previous resolutions on 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 Human Rights Council resolutions 8/12 of 18 June 2008, 11/3 of 17 June 2009, 14/2 of 23 June 2010, 17/1 of 6 July 2011 and 20/1 of 5 July 2012,

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,

Reaffirming also 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,

Recalling the Forced Labour Convention, 1930 (No. 29) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization, and welcoming the adoption by that Organization of the Domestic Workers Convention, 2011 (No. 189) and of the Domestic Workers Recommendation, 2011 (No. 201),

Taking note of the Recommended Principles and Guidelines on Human Rights and Human Trafficking⁸ and the commentary thereon developed by the Office of the United Nations High Commissioner for Human Rights,

Affirming that trafficking in persons violates and impairs the enjoyment of human rights and fundamental freedoms, 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 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,

Recognizing also that human trafficking in supply chains has been identified as a serious problem and a challenge that needs to be addressed in various economic sectors, including those integrated into global markets,

Noting that some of the demand fostering sexual exploitation, exploitative labour and illegal removal of organs is met by trafficking in persons,

Noting also that the availability of regular labour migration opportunities can be a way to reduce the risk of people being trafficked,

Welcoming in particular the efforts of States, United Nations bodies and agencies and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children, including the Working Group on the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Global Plan of Action to Combat Trafficking, adopted by the General Assembly in its resolution 64/293 of 30 July 2010, the Global Initiative to Fight Human Trafficking, the Inter-Agency Coordination Group against Trafficking in Persons and the United Nations Task Force on Transnational Organized Crime and Drug Trafficking,

⁸ E/2002/68/Add.1.

Taking note of the Global Report on Trafficking in Persons of the United Nations Office on Drugs and Crime and the Global Report on Forced Labour of the International Labour Organization,

Taking note with appreciation of the reports of the Special Rapporteur on trafficking in persons, especially women and children, submitted to the General Assembly⁹ and the Human Rights Council,¹⁰

1. *Reiterates its concern at:*

(a) The high number of persons, especially women and children, who are victims of trafficking 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 that constitute trafficking, such as for trafficking in women and girls for forced marriages, for forced labour and services and for exploitation in sex tourism, as well as trafficking in children for, inter alia, child pornography, paedophilia, forced labour and services, and any other form of 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;

(e) The lack of effective remedies for trafficked persons globally, including the possibility of obtaining compensation for damage suffered;

2. *Calls upon* States 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 ensure domestic application of provisions of the Protocol;

3. *Urges* States to consider signing and ratifying the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization;

4. *Reiterates* that all States have the obligation, under international law, to exercise due diligence to prevent and combat trafficking in persons under international law, including by establishing comprehensive programmes to prevent trafficking, and enacting and enforcing legislation criminalizing trafficking, to investigate instances of trafficking and impose proportionate punishments on perpetrators, and to ensure full respect for and protection of the human rights of victims of trafficking;

5. *Urges* States to recognize trafficked persons as victims with specific protection needs from the moment they are trafficked, and to ensure the promotion, protection and fulfilment of their human rights, including the right to an effective remedy for breaches of these rights;

⁹ A/67/261.

¹⁰ A/HRC/23/48.

6. *Calls upon States:*

(a) To effectively enforce relevant laws on trafficking in persons by, inter alia, intensifying capacity-building and training, including human rights education and training, for all relevant stakeholders, including the police, immigration authorities, border patrol officials, labour inspectors, judges, prosecutors, lawyers and tax authorities, as well as health and child welfare professionals, within available means;

(b) To strengthen the enforcement of their labour laws and, in particular, to specifically train and increase awareness of labour inspectors and other competent authorities in addition to allocating adequate resources so that they have the capacity to identify victims of trafficking during labour inspections of establishments where trafficked persons are likely to be exploited, including in small or informal establishments;

(c) To take appropriate measures to promote and protect the human rights of trafficked persons in all categories of work;

(d) To develop and support programmes and initiatives that motivate businesses to contribute proactively to prevent and combat trafficking in persons, such as awareness-raising initiatives, grievance mechanisms, risk assessment, product certification, labelling, monitoring and verification;

(e) To encourage increased transparency and due diligence in the recruitment practices of companies and suppliers within their supply chains;

(f) To undertake initiatives, including awareness-raising campaigns, to inform on the dangers of trafficking in persons, including trafficking in supply chains;

(g) To promote partnerships and engage the business community and civil society, including non-governmental organizations, in developing and implementing sustainable initiatives to prevent and combat human trafficking in supply chains, taking into account the views and experiences of trafficked persons in designing, implementing, monitoring and evaluating such initiatives;

7. *Encourages* businesses, in order to contribute to prevent or mitigate any risks of trafficking in persons in their supply chains, to, inter alia:

(a) Become supporters of the Global Compact and the Athens Ethical Principles, which underscore the importance of respect for human rights by businesses and their participation in efforts to combat the scourge of human trafficking in all its forms, especially in the supply chain, in addition to committing themselves to implement the Guiding Principles on Business and Human Rights;

(b) Establish, as appropriate, an effective monitoring system, such as social audits, to scrutinize the risks of human trafficking at all levels of the supply chain;

(c) Conduct a risk assessment for their entire supply chain and, on that basis, develop and adopt high-level, company-wide policies or strategies to eliminate risks of trafficking in persons in their supply chains, which should be made applicable to all enterprises in a company's supply chain by adequate measures;

(d) Raise awareness among human resources and all other relevant staff of the risks of trafficking in persons and the rights of trafficked persons, and train them in the company's anti-trafficking policies so that they are able to identify and report potential cases of trafficking and take appropriate action, including measures to respect and protect the human rights of victims of trafficking;

8. *Encourages* all actors and stakeholders, including Governments at all levels, industry and business peers and trade unions, national human rights institutions, civil society and community-based organizations to, inter alia:

(a) Establish networks to communicate, exchange views and information, on a regular basis, on policies, programmes, performance and the impact of different measures with regard to efforts to combat human trafficking;

(b) Identify good and best practices in the prevention of trafficking in persons in supply chains in identifying victims of trafficking and in cooperating to assist victims of trafficking in the protection of their human rights;

9. *Encourages* States 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 Rights¹ as a useful tool in integrating a human rights-based approach into their responses to provide a full range of effective remedies to trafficked persons and, in the case of trafficked children, to uphold, at a minimum, the general principles of the Convention on the Rights of the Child;

10. *Urges* States, regional and subregional organizations to develop collective regional strategies and plans of action to combat trafficking in persons and to involve, as appropriate, representatives of business organizations and trade unions in the national coordination mechanisms on combating trafficking in persons;

11. *Invites* States and other interested parties to make further voluntary contributions to the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, and the United Nations Trust Fund on Contemporary Forms of Slavery;

12. *Calls upon* all States to continue to cooperate with the Special Rapporteur on trafficking in persons, especially women and children, and to consider responding favourably to the mandate holder's 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;

13. *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;

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

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

*38th meeting
13 June 2013*

[Adopted without a vote.]

23/6

Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers

The Human Rights Council,

Guided by articles 7, 8, 9, 10 and 11 of the Universal Declaration of Human Rights and articles 2, 4, 9, 14 and 26 of the International Covenant on Civil and Political Rights, and bearing in mind the Vienna Declaration and Programme of Action,

Recalling the Basic Principles on the Independence of the Judiciary, the Basic Principles on the Role of Lawyers, the Guidelines on the Role of Prosecutors, the Bangalore Principles of Judicial Conduct and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,

Recalling also all previous resolutions and decisions of the Human Rights Council, as well as those of the Commission on Human Rights and the General Assembly, on the independence and impartiality of the judiciary and on the integrity of the judicial system,

Convinced that an independent and impartial judiciary, an independent legal profession, an objective and impartial prosecution able to perform its functions accordingly and the integrity of the judicial system are prerequisites for the protection of human rights and the application of the rule of law, and for ensuring fair trials and that there is no discrimination in the administration of justice,

Recalling that prosecutors should, in accordance with the law, perform their functions fairly, consistently and expeditiously, and respect and protect human dignity and uphold human rights, thus contributing to due process and the smooth functioning of the criminal justice system,

Noting with concern the increasingly frequent attacks on the independence of judges, lawyers, prosecutors and court officials, in particular threats, intimidation and interference in the discharge of their professional functions,

Recalling that every State should provide an effective framework of remedies to redress human rights grievances or violations and that the administration of justice, including law enforcement and prosecutorial agencies and, especially, an independent judiciary and legal profession in full conformity with applicable standards contained in international human rights instruments, is essential to the full and non-discriminatory realization of human rights and indispensable to the processes of democracy and sustainable development,

Recalling also that it is essential to ensure that judges, prosecutors, lawyers and court officials possess the professional qualifications required for the performance of their functions through improved methods of recruitment and legal and professional training, and through the provision of all necessary means for the proper performance of their role in ensuring the rule of law,

Emphasizing that judges, prosecutors and lawyers play a critical role in upholding human rights, including the absolute and non-derogable right of freedom from torture and other cruel, inhuman or degrading treatment or punishment,

Recognizing the importance of bar associations, professional associations of judges and prosecutors, and non-governmental organizations in the defence of the principle of the independence of judges and lawyers,

Stressing the role that independent and effective national human rights institutions in accordance with the Paris Principles can and should play in strengthening the rule of law and in supporting the independence and integrity of the judicial system,

Recognizing that legal aid is an essential element of a fair, humane and efficient system of administration of justice that is based on the rule of law,

Reaffirming Human Rights Council resolution 17/2 of 6 July 2011 on the mandate of the Special Rapporteur on the independence of judges and lawyers, and acknowledging the importance of his or her ability to cooperate closely, within the framework of his or her mandate, with the Office of the United Nations High Commissioner for Human Rights, including in the fields of advisory services and technical cooperation, in the effort to guarantee the independence of judges and lawyers,

1. *Calls upon* all States to guarantee the independence of judges and lawyers and the objectivity and impartiality of prosecutors, as well as their ability to perform their functions accordingly, including by taking effective legislative, law enforcement and other appropriate measures that will enable them to carry out their professional functions without interference, harassment, threats or intimidation of any kind;

2. *Encourages* States to promote diversity in the composition of the members of the judiciary, including by taking into account a gender perspective, and to ensure that the requirements for joining the judiciary and the selection process thereof are non-discriminatory, and provide for a public, transparent selection process, based on objective criteria, and guarantee the appointment of individuals of integrity and ability with appropriate training and qualifications in law;

3. *Stresses* that the term of office of judges, their independence, security, adequate remuneration, conditions of service, pensions and the age of retirement should be adequately secured by law, and that the security of tenure of judges is an essential guarantee of the independence of the judiciary and that grounds for removal must be explicit with well-defined circumstances provided by law, involving reasons of incapacity or behaviour that renders them unfit to discharge their functions, and that procedures upon which the discipline, suspension or removal of a judge are based should comply with due process;

4. *Calls on* States to ensure that prosecutors can perform their functional activities in an independent, objective and impartial manner;

5. *Condemns* all acts of violence, intimidation or reprisals against judges, prosecutors and lawyers, and reminds States of their duty to uphold the integrity of judges, prosecutors and lawyers and to protect them and their families and professional associates against all forms of violence, threat, retaliation, intimidation and harassment as a result of discharging their functions, and to prosecute such acts and to bring the perpetrators to justice;

6. *Calls upon* States, in collaboration with relevant national entities, such as bar associations, associations of judges and prosecutors, and educational institutions, to provide adequate training, including human rights training, for judges, prosecutors and lawyers, both on initial appointment and periodically throughout their career, taking into account regional and international human rights law and, where applicable and relevant, concluding observations and decisions of human rights mechanisms, such as treaty bodies and regional human rights courts;

7. *Underscores* the importance for States to develop and implement an effective and sustainable legal aid system that is consistent with their international human rights obligations and takes into account relevant commitments and good practices, and to ensure that legal aid is available at all stages of the criminal justice process, subject to appropriate eligibility criteria and in accordance with international human rights law;

8. *Urges* all Governments to cooperate with and assist the Special Rapporteur in the performance of her tasks, to provide all information and to respond to communications transmitted to them by the Special Rapporteur without undue delay;

9. *Invites* the Special Rapporteur to collaborate with relevant stakeholders within the United Nations system in the areas pertaining to her mandate;

10. *Calls upon* Governments to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries, and urges States to enter into a constructive dialogue with the Special Rapporteur with respect to the follow-up to and implementation of her recommendations to enable her to fulfil her mandate even more effectively;

11. *Encourages* the Special Rapporteur to facilitate the provision of technical assistance and capacity-building, and the dissemination of best practices, including through engagement with relevant stakeholders and in consultation with the Office of the United Nations High Commissioner for Human Rights, when requested by the State concerned, with a view to establishing and strengthening the rule of law, paying particular attention to the administration of justice and the role of an independent and competent judiciary and legal profession;

12. *Encourages* Governments that face difficulties in guaranteeing the independence of judges and lawyers, the objectivity and impartiality of prosecutors and their ability to perform their functions accordingly, or that are determined to take measures to implement these principles further to consult and to consider the services of the Special Rapporteur, for instance by inviting her to their country;

13. *Encourages* Governments to give due consideration to recommendations made by United Nations human rights mechanisms addressing the independence and effectiveness of the judiciary and their effective implementation, and also invites the international community, regional organizations and the United Nations system to support any implementation efforts;

14. *Invites* United Nations agencies, funds and programmes to continue their activities in the areas of the administration of justice and the rule of law, including at the country level at the request of the State, encourages States to reflect such activities in national capacity-building plans, and emphasizes that institutions concerned with the administration of justice should be properly funded;

15. *Encourages* States to ensure that their legal frameworks, implementing regulations and judicial manuals are fully in line with their international obligations and take into account relevant commitments in the area of the administration of justice and the rule of law;

16. *Decides* to continue consideration of this issue in accordance with its annual programme of work.

*38th meeting
13 June 2013*

[Adopted without a vote.]

23/7

Elimination of discrimination against women

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 Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, 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,

Recalling also the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights, the Beijing Declaration and Platform for Action, adopted on 15 September 1995 by the Fourth World Conference on

Women, and their review conferences in 2005 and 2010, the Durban Declaration and Programme of Action, adopted on 8 September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and the outcome document of the Durban Review Conference, adopted on 24 April 2009,

Recalling further General Assembly resolution 66/130 of 19 December 2011, Security Council resolution 1325 (2000) of 31 October 2000 and Human Rights Council resolutions 15/23 of 1 October 2010 and 20/6 of 5 July 2012 on the elimination of discrimination against women, and 20/4 of 5 July 2012 on the right to a nationality: women and children,

Bearing in mind that international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, prohibit discrimination on the basis of gender and include guarantees to ensure the enjoyment by women and men, and girls and boys, of their civil, political, economic, social and cultural rights on a basis of equality,

Recognizing that the full participation of women in all spheres of life, on an equal basis with men, is essential for the full and complete economic, political and social development of a country,

Mindful of the fact that the elimination of discrimination against women and girls requires the consideration of their specific socioeconomic context, and recognizing that laws, policies, customs and traditions that restrict their equal access to full participation in development processes and public and political life are discriminatory, and that the non-participation of women in decision-making contributes to the feminization of poverty and hampers sustainable development and economic growth,

Mindful also that women and girls account for more than half of the world population, that equal rights and opportunities are key factors in achieving sustainable economic, political and social development and lasting solutions to global challenges, and that gender equality benefits women, men, girls and boys and society as a whole,

Bearing in mind the challenges still faced by all countries throughout the world to overcome inequality between men and women,

Reiterating the need to intensify efforts to eliminate all forms of discrimination against women and girls throughout the world,

Deeply concerned by the fact that stigmatization, harassment and various forms of violence against women, including targeted attacks and sexual violence, have been used to silence and discredit women engaging in political and public life,

Recognizing and deeply regretting that many women and girls face multiple forms of discrimination and are still subject to significant disadvantage as the result of discriminatory laws and practices, and that de jure and de facto equality has not been achieved,

Acknowledging the work undertaken by the United Nations Entity for Gender Equality and the Empowerment of Women, the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the special procedures mandate holders of the Human Rights Council and other relevant United Nations bodies, agencies and mechanisms to eliminate discrimination in law and in practice throughout the world, and noting the work undertaken by the Office of the United Nations High Commissioner for Human Rights on the issue,

Recognizing that gender responsiveness is an essential part of the role played by national human rights institutions as established by the principles relating to the status of

national institutions for the promotion and protection of human rights (the Paris Principles) adopted by the General Assembly in its resolution 48/134 of 20 December 1993,

Considering that periods of political transition provide a unique opportunity to advance women's equal participation and representation in economic, political and social spheres but can also raise challenges in that regard,

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

1. *Welcomes* the work undertaken by the Working Group on the issue of discrimination against women in law and in practice, and takes note with appreciation of its report;¹¹

2. *Recognizes* the constructive approach of the Working Group, and calls upon it, in the discharge of its mandate, to maintain such an approach and dialogue with States to address the elimination of discrimination against women in law and in practice in all spheres from the perspective of States' obligations under international human rights law, taking into account the good practices that have been transformative in different contexts and in the light of the different realities that women face;

3. *Affirms* that realizing human rights in political and public life requires the effective and meaningful participation of women in all aspects of political and public life, on an equal footing with men;

4. *Calls upon* States to include, as appropriate, special or positive action measures to achieve gender equality in political and public life as part of a comprehensive system-wide approach of non-discrimination and equality of opportunity and treatment;

5. *Also calls upon* States to take concrete steps towards eliminating all forms of discrimination against women and girls, directed to achieve gender equality at all levels of political and public decision-making processes, particularly during times of political transition, and to engage women in State-building and peace and security issues;

6. *Further calls upon* States to promote reforms and implement legal frameworks and policies directed towards achieving equality and the elimination of all forms of discrimination against women and girls, including nationality laws;

7. *Urges States* to support the creation of enabling conditions for public recognition and acceptance for all women in leadership and decision-making positions by, inter alia, establishing public campaigns and educational programmes that are responsive to multicultural settings and developing a bottom-up approach to building democratic and accountable relations between State and society;

8. *Calls upon* States to promote the rights of women and girls and to support their empowerment by adopting, as appropriate, a coherent set of gender-responsive social and economic policies directed at the family, the workplace and the marketplace, and by addressing poverty and social exclusion in order to overcome the structural barriers and inequalities they face and to thereby ensure their long-term and sustainable participation in political and public life;

¹¹ A/HRC/23/50.

9. *Stresses* the need to accelerate efforts to eliminate all forms of violence against women and girls in political and public life, including by working towards a comprehensive national legal framework to combat impunity and by guaranteeing access to appropriate civil remedies and redress, and taking into account multiple, intersecting and aggravated forms of discrimination;

10. *Reaffirms* the importance of the right to education as key to the empowerment of women and girls and for ensuring equality and non-discrimination;

11. *Calls upon* States to support and enhance women's and girls' equal participation in political and public life by improving their digital literacy and their access to information and communications technologies and to the global governance of such technologies, including through international cooperation and within their national capabilities;

12. *Recommends* that States collect data, prepare statistics disaggregated by sex and conduct multidisciplinary research reflecting the whole spectrum of women's engagement in society in order to contribute to overcoming the knowledge gap that exists at the local, national and global levels regarding their participation in political and public life;

13. *Calls upon* States to support the work of national human rights institutions and specialized mechanisms for women's human rights and gender equality by improving their resources, as appropriate;

14. *Recognizes* that the work done by civil society organizations, in particular independent women's civil society organizations, is crucial to promoting full equality in all aspects of political and public life and eliminating violence against women, including women human rights defenders, and therefore that they require support for their sustainability and growth;

15. *Decides* to extend the mandate of the Working Group on the issue of discrimination against women in law and in practice for a period of three years on the same terms as provided for by the Human Rights Council in its resolution 15/23;

16. *Calls upon* all States to cooperate with and assist the Working Group in its task, to supply all necessary available information requested by it and to give serious consideration to responding favourably to its requests to visit their country to enable it to fulfil its mandate effectively;

17. *Calls upon* States and urges institutions of global governance, including the United Nations, to promote women's equal access to decision-making positions and processes, and encourages them to appoint and promote women staff members in order to guarantee women's equal participation;

18. *Invites* relevant United Nations agencies, funds and programmes, treaty bodies and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Working Group in the fulfilment of its mandate, and requests the Working Group to continue its cooperation with the Commission on the Status of Women;

19. *Requests* the Working Group to continue to work on its thematic priorities, namely, political and public life, economic and social life, family and cultural life, and health and safety, and to dedicate specific attention to good practices that have contributed to mobilizing society as a whole, including men and boys, in the elimination of discrimination against women;

20. *Takes note* of the intention of the Working Group to focus its next report on the issue of discrimination against women in law and in practice in economic and social life, including in times of economic crisis, with specific attention to the way in which

current and past economic crises have affected women's access to economic and social resources, as well as policies that effectively protect women's social and economic status during and after economic crises;

21. *Requests* the Working Group, in the discharge of its mandate, to offer support to States' initiatives to address multiple forms of discrimination against women and girls when implementing their obligations as State parties to relevant international human rights treaties with regard to civil, cultural, economic, political and social rights, and related commitments, where applicable;

22. *Decides* to continue its consideration of this issue in conformity with the annual programme of work of the Human Rights Council.

38th meeting
13 June 2013

[Adopted without a vote.]

23/8

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 66/165 of 19 December 2011 and Council resolutions 14/6 of 17 June 2010 and 20/9 of 5 July 2012,

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 on Internal Displacement annexed thereto,

Recalling further Human Rights Council 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 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, including through the facilitation of durable solutions, and to address the root causes of the displacement problem in appropriate cooperation with the international community,

Deeply disturbed by the alarmingly high number of internally displaced persons throughout the world, for reasons including armed conflict, generalized violence, violations of international law, in particular human rights law, and natural or human-made disasters, who receive inadequate protection and assistance, and conscious of the serious challenges that this is creating for the international community,

1. *Commends* the Special Rapporteur 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. *Welcomes* the report of the Special Rapporteur on the human rights of internally displaced persons submitted to the Human Rights Council at its twenty-third session;¹²

3. *Expresses its appreciation* to those Governments and intergovernmental and non-governmental organizations that have provided protection and assistance to internally displaced persons, including through the facilitation of durable solutions and the inclusion of internally displaced persons within their national development plans, and have supported the work of the Special Rapporteur;

4. *Expresses concern* at the persistent problems of the large number of internally displaced persons worldwide, in particular the risk of extreme poverty and socioeconomic exclusion, their limited access to humanitarian assistance and long-term development efforts and assistance, vulnerability to violations of international law, in particular human rights law, and difficulties resulting from their specific situation, such as lack of food, shelter, health services and education, and issues pertinent during their reintegration, including, in appropriate cases, the need for the restitution of or compensation for property;

5. *Also expresses concern* at the problem of protracted internal displacement, and recognizes the need to find durable solutions and for the integration of the rights and needs of internally displaced persons into both rural and urban development strategies, and for their participation in the design and implementation of these strategies;

6. *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 and the Human Rights Council;

7. *Strongly condemns* the continued perpetration of sexual and gender-based violence against internally displaced persons of all ages, with women and girls disproportionately victimized, and urges authorities and the international community to work together for effective prevention, security, protection of human rights, access to justice and victim assistance, as well as in addressing the causes of violence against women and girls and in fighting impunity across the board;

8. *Calls upon* States to provide, as set forth in the Guiding Principles on Internal Displacement and with the support of international and national stakeholders, for national laws and policies that comprehensively protect the human rights of internally displaced persons and adequately address the specific needs of internally displaced women and girls, including:

(a) By means of gender-sensitive policies, durable solutions strategies, and planning and budgeting processes that ensure the allocation of adequate resources to the needs of internally displaced women and girls, and by making special efforts to ensure the full participation of women in the planning and allocation of these resources;

¹² A/HRC/23/44.

(b) By providing gender-sensitive training for police, military personnel, the judiciary, social workers and other officials, including on preventing and addressing sexual and gender-based violence in displacement situations;

(c) By strengthening efforts to prevent and respond effectively to, at all stages of displacement, sexual and gender-based violence, and harmful practices such as female genital mutilation, including outlining specific measures which States and the international community should take to ensure greater accountability for sexual and gender-based violence, and paying special attention to the health needs of women, including access to female health-care providers and services, as well as appropriate counselling for victims and survivors of sexual and other abuses;

(d) By recruiting, training and deploying greater numbers of female police and military personnel at the national level, as well as in United Nations peacekeeping operations;

(e) By strengthening efforts to collect, analyse and disseminate quantitative and qualitative data on internally displaced women and girls;

(f) By ensuring the prompt and non-discriminatory provision of all necessary documentation to internally displaced women and girls, including having such documentation issued in their own name;

(g) By establishing a coordination mechanism for the protection of the human rights of internally displaced persons that involves relevant ministries and government bodies with mandates and responsibilities to work on issues affecting women and children;

9. *Urges* States and other relevant actors to take into account the specific needs of persons with disabilities and of the elderly when promoting and ensuring the protection of the human rights of internally displaced persons, in particular by ensuring that persons with disabilities and the elderly have equal access to assistance, protection and rehabilitation services;

10. *Calls upon* States, in cooperation with international agencies and other stakeholders, to ensure and support the full and meaningful participation of internally displaced persons, including women, at all levels of decision-making processes and activities that have a direct impact on their lives, in all aspects relating to internal displacement, regarding the promotion and protection of human rights, the prevention of human rights violations and the design and implementation of durable solutions, including voluntary return, peace processes, peacebuilding, transitional justice, post-conflict reconstruction and development;

11. *Expresses concern* at the 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 disaster risk reduction, early warning, disaster contingency planning, disaster management and mitigation, as well as recovery efforts, to find durable solutions;

12. *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, as well as development donors and other providers of development assistance, to continue to work together in endeavours to provide a more predictable response to the needs of internally displaced persons, including their need for long-term development assistance for the implementation of durable solutions, and, in this regard, calls for international support, upon request, for the capacity-building efforts of States;

13. *Decides* to extend the mandate of the Special Rapporteur on the human rights of internally displaced persons for a period of three years:

(a) To address the complex problem of internal displacement, in particular by mainstreaming the 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 to 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, intergovernmental, regional and non-governmental organizations and other relevant actors;

14. *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, intergovernmental, regional and non-governmental organizations and other relevant actors, the analysis of the reasons for internal displacement, the needs and human rights of those displaced, measures of prevention, including measures relating to the protection of and assistance to persons at risk of displacement, and ways to strengthen protection, as well as assistance and durable solutions for internally displaced persons, taking into account specific situations and relevant information, including, in particular, statistics and data disaggregated by age, sex, diversity and location, and to include information thereon in his or her reports submitted to the Human Rights Council;

(b) To continue, through continuous dialogue with Governments, intergovernmental, regional and non-governmental organizations and other relevant actors, his or her efforts to promote comprehensive strategies and support that focus on the prevention of displacement, better protection and assistance, durable solutions and the integration of internally displaced persons into national development plans, 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, States in post-conflict or other situations, intergovernmental, regional 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 and peace agreements, and in 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, intergovernmental, regional and non-governmental organizations and other relevant actors, his or her efforts to promote the protection of the human rights of internally displaced persons in the context of natural disasters;

(h) To strengthen further the cooperation established between the Special Rapporteur 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;

(i) To continue to use in his or her activities the Framework on Durable Solutions for Internally Displaced Persons¹³ of the Inter-Agency Standing Committee;

(j) To continue cooperation with development donors and other providers of development assistance, including United Nations agencies and other relevant actors, to further strengthen international assistance efforts in support of durable solutions;

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

16. *Encourages* States to continue to develop and implement domestic legislation and policies dealing with all stages of displacement in an inclusive and non-discriminatory way, including through the identification of a national focal point within the Government for issues concerning internal displacement, and through the allocation of budget resources, and encourages the international community, relevant United Nations agencies and regional and national actors to provide financial and technical support and cooperation to Governments, upon request, in this regard;

17. *Strongly welcomes* the adoption, entry into force and ongoing process of ratification of the African Union Convention for 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 in Africa, and encourages other regional mechanisms to consider the development of similar regional normative frameworks for the protection of internally displaced persons;

18. *Strongly encourages* all Governments, in particular Governments of countries with situations of internal displacement, to facilitate the activities of the United Nations and other relevant actors 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 the recommendations of the mandate holder and to make available information on the measures taken in this regard;

19. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, mandate holders, interested institutions and independent

¹³ A/HRC/13/21/Add.4.

experts, and non-governmental organizations to develop regular dialogue and cooperation with the Special Rapporteur in the fulfilment of his or her mandate;

20. *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 the 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;

21. *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 Office of the United Nations High Commissioner for Refugees;

22. *Invites* the Special Rapporteur to continue to submit annual reports on the implementation of his or her mandate to the Human Rights 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;

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

38th meeting
13 June 2013

[Adopted without a vote.]

23/9

The negative impact of corruption on the enjoyment of human rights

The Human Rights Council,

Guided by the Charter of the United Nations, its purposes and principles, and reaffirming the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council, including Council resolutions 21/13 of 27 September 2012 on the panel on the negative impact of corruption on human rights, and 19/20 of 23 March 2012, on the role of good governance in the promotion and protection of human right, as well as General Assembly resolution 67/192 of 20 December 2012, on preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning such assets to legitimate owners, in particular to the countries of origin, in accordance with the United Nations Convention against Corruption, and the United Nations Millennium Declaration,

Recalling also the United Nations Convention against Corruption, which is the most comprehensive and universal instrument on corruption, and all relevant resolutions of the Conference of the State Parties to the Convention,

Deeply concerned about the increasing negative impact of widespread corruption on the enjoyment of human rights,

Recognizing that corruption constitutes one of the obstacles to the effective promotion and protection of human rights, as well as to the achievement of the Millennium Development Goals and other internationally agreed development goals,

Welcoming the resolve of States parties to the United Nations Convention against Corruption, noting with interest the provisions of the Convention that have led to the development of a mechanism among States parties to review their progress in combating corruption, and welcoming also the commitment made by all States in the 2005 World Summit Outcome¹⁴ to make the fight against corruption a priority at all levels,

Emphasizing that international cooperation and coordination among different stakeholders, at both the national and international levels, in the fight against corruption contribute positively to the promotion and protection of human rights,

Welcoming the joint statement on the negative impact of corruption on the enjoyment of human rights made on behalf of one hundred and thirty four States Members of the United Nations at the twentieth session of the Human Rights Council,

Welcoming also the holding by the Human Rights Council, at its twenty-second session, of a panel discussion on the negative impact of corruption on the enjoyment of human rights,

1. *Takes note with appreciation* of the summary report of the Human Rights Council panel discussion on the negative impact of corruption on the enjoyment of human rights prepared by the Office of the United Nations Commissioner for Human Rights;¹⁵

2. *Recognizes* that all forms of corruption can have a serious negative impact on the enjoyment of all human rights, and that the Human Rights Council should consider this issue further;

3. *Also recognizes* the link between anti-corruption efforts and human rights, and the importance of exploring how to better utilize United Nations human rights mechanisms in this regard;

4. *Requests* the Advisory Committee to submit a research-based report to the Human Rights Council at its twenty-sixth session on the issue of the negative impact of corruption on the enjoyment of human rights, and to make recommendations on how the Council and its subsidiary bodies should consider this issue;

5. *Recalls* the mandate of the Conference of State Parties to the United Nations Convention against Corruption, which will hold its fifth session in Panama City in November 2013, and encourages the Office of the High Commissioner to attend the Conference;

6. *Requests* the Advisory Committee to seek the views and inputs of Member States, relevant international and regional organizations dealing with the issue of corruption, in particular the United Nations Office on Drugs and Crime, the International Anti-Corruption Academy and the Office of the High Commissioner, as well as national human rights institutions, civil society and relevant academic institutions, when preparing the above-mentioned research-based report;

¹⁴ General Assembly resolution 60/1.

¹⁵ A/HRC/23/26.

7. *Also requests* the Advisory Committee, when elaborating the above-mentioned report, to take into account, as appropriate, the specific mandate of the Human Rights Council as well as the work done on the issue by competent United Nations bodies and mechanisms within their respective mandates.

38th meeting
13 June 2013

[Adopted without a vote.]

23/10

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 resolutions 10/23 of 26 March 2009, 14/9 of 18 June 2010, 17/15 of 17 June 2011, 19/6 of 22 March 2012 and 20/11 of 5 July 2012,

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 also 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 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, and which entered into force on 18 March 2007,

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,

Affirming the necessity of an international enabling environment for the conservation, development and diffusion of science, while preserving, promoting and giving primacy to public interest,

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 State, regardless of its political, economic and cultural system, 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 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* of the report of the Special Rapporteur in the field of cultural rights,¹⁶ in which she focused on the right to freedom of artistic expression and creativity;

10. *Also takes note* of the work conducted by the Special Rapporteur, including the holding, in Geneva, of an experts' meeting on the issue, on 4 and 5 December 2012, and of a public consultation, on 6 December 2012;

11. *Reiterates* its call upon all Governments to cooperate with and assist the Special Rapporteur 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;

12. *Requests* the High Commissioner to provide all the human and financial resources necessary for the effective fulfilment of the mandate by the Special Rapporteur;

13. *Invites* the Special Rapporteur to include in her next report the issue of the ways and means to sensitize institutions and society on diverse cultural heritage and to enhance cooperation for its safeguard and promotion;

¹⁶ A/HRC/23/34.

14. *Also invites* the Special Rapporteur to continue to address, in the course of her work, the issue of the right to enjoy the benefits of scientific progress and its applications, taking into account the discussion to be held in 2013 at the seminar mandated by the Human Rights Council in its resolution 20/11 and other consultations with relevant stakeholders;

15. *Requests* the Special Rapporteur to present her next report to the Human Rights Council at its twenty-fifth session;

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

38th meeting
13 June 2013

[Adopted without a vote.]

23/11

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 and the Human Rights Council 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, the latest being Council resolution 20/10 of 5 July 2012,

Reaffirming also Human Rights Council 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 emerging and developing economies rose from 2,678.4 billion United States dollars in 2003 to 5,414.6 billion dollars

in 2010 and was projected to rise to 6,446.3 billion dollars in 2012, and that debt service payments rose from 795.2 billion dollars in 2003 to 1,743.7 billion dollars in 2010, and were projected to rise to 2,010.8 billion and 2,265.5 billion in 2011 and 2012 respectively,

Mindful of the role, mandate and activities of other United Nations agencies, funds and programmes in dealing with the issues of foreign debt and international financial obligations,

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 create the conditions for the realization of 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,¹⁷ as well as his work and contributions;

2. *Recalls* the endorsement of the Human Rights Council, in its resolution 20/10 of 5 July 2012, of the guiding principles on foreign debt and human rights;¹⁸

3. *Reiterates* its encouragement to all Governments, relevant United Nations agencies, funds and programmes and the private sector to take into consideration the guiding principles when designing policies and programmes;

4. *Also reiterates* its request to the Independent Expert to develop a commentary to the guiding principles by inviting comments from States, international financial institutions, regional economic commissions, civil society organizations, the private sector 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 and policy conditionalities 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;

¹⁷ A/HRC/23/37.

¹⁸ A/HRC/20/23, annex.

7. *Reaffirms* the fact that responses to the 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 low- and middle-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 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 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 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 the fact* 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 may 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. *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. *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 Human Rights Council and its Advisory Committee on issues relating to economic, social and cultural rights and the right to development in his work;

29. *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;

30. *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;

31. *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;

32. *Requests* the Independent Expert to submit a report on the implementation of the present resolution, and containing the commentary to the guiding principles on foreign debt and human rights, to the Human Rights Council at its twenty-fifth session;

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

*38th meeting
13 June 2013*

[Adopted by a recorded vote of 30 to 15, with 2 abstentions. The voting was as follows:

In favour:

Angola, Argentina, Benin, Botswana, Brazil, Burkina Faso, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Ethiopia, Gabon, Guatemala, India, Indonesia, Kazakhstan, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania, Pakistan, Philippines, Qatar, Sierra Leone, Thailand, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)

Against:

Austria, Czech Republic, Estonia, Germany, Ireland, Italy, Japan, Montenegro, Poland, Republic of Korea, Republic of Moldova, Romania, Spain, Switzerland, United States of America

Abstaining:

Chile, Peru]

23/12

Human rights and international solidarity

The Human Rights Council,

Reaffirming all previous resolutions adopted by the Commission on Human Rights and the Human Rights Council on the issue of human rights and international solidarity, including Commission resolution 2005/55 of 20 April 2005, Council resolutions 6/3 of 27 September 2007, 7/5 of 27 March 2008, 9/2 of 24 September 2008, 12/9 of 1 October 2009, 15/13 of 30 September 2010, 17/6 of 16 June 2011, 18/5 of 29 September 2011, and 21/10 of 27 September 2012,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10. *Requests* all States, United Nations agencies, other relevant international organizations and non-governmental organizations to mainstream the right of peoples and individuals to international solidarity into their activities, and to cooperate with the Independent Expert on human rights and international solidarity in her mandate, to supply all necessary information requested by her and to give serious consideration to responding favourably to her requests to visit their country to enable her to fulfil her mandate effectively;

11. *Welcomes* the report of the Independent Expert on human rights and international solidarity;¹⁹

12. *Also welcomes* the work conducted by the Independent Expert, inter alia, her consultations with States, civil society organizations and other stakeholders, her participation in the 2012 Social Forum and the seminar on the enhancement of international cooperation in the field of human rights, held in Geneva on 15 February 2013;

13. *Requests* the Independent Expert:

(a) To continue to identify areas to be addressed, the main concepts and norms that can form the basis of a framework, and good practices to inform the future development of law and policy with regard to human rights and international solidarity;

(b) To hold consultations with States, relevant United Nations and other international organizations, agencies and programmes, and other stakeholders at the national, regional and international levels, in the discharge of her mandate;

(c) To undertake country visits with the aim of seeking and exchanging views with Governments and identifying their best practices for the promotion of international solidarity;

(d) To conduct in-depth research and intensive consultations with a view to preparing and sharing with Member States and all other relevant stakeholders a preliminary text of the draft declaration on the right of peoples and individuals to international solidarity;

(e) To participate in relevant international forums and major events with a view to promoting the importance of international solidarity in the implementation of the Millennium Development Goals and in the post-2015 sustainable development agenda;

¹⁹ A/HRC/23/45.

(f) To continue to engage actively in the post-2015 process, stressing the role of international solidarity as a key element to achieve sustainable and more inclusive development;

(g) To report regularly to the General Assembly in accordance with its programme of work;

14. *Reiterates its request* to the Independent Expert, in accordance with her work plan, to continue to work in the preparation of a draft declaration on the right of peoples and individuals to international solidarity and in further developing guidelines, standards, norms and principles with a view to promoting and protecting this right by addressing, inter alia, existing and emerging obstacles to its realization;

15. *Requests* the Independent Expert to continue consultations with States, and to consider holding regional consultations on the issues mentioned in paragraph 14 above, and requests the Office of the United Nations High Commissioner for Human Rights to assist the Independent Expert in the organization and holding of those consultations, including through the allocation of sufficient budgetary resources;

16. *Encourages* the widest possible participation of States, civil society organizations and other stakeholders in the above-mentioned regional consultations;

17. *Reiterates its request* to the Independent Expert to take into account the outcomes of all major United Nations and other global summits and ministerial meetings in the economic, social and climate fields and to seek views and contributions from Governments, United Nations agencies, other relevant international organizations and non-governmental organizations in the discharge of her mandate;

18. *Requests* the Independent Expert to submit a report on the implementation of the present resolution to the Human Rights Council at its twenty-sixth session;

19. *Requests* the Secretary-General and the Office of the High Commissioner to provide all the human and financial resources necessary for the effective fulfilment of the mandate by the Independent Expert;

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

*38th meeting
13 June 2013*

[Adopted by a recorded vote of 32 to 15, with no abstentions. The voting was as follows:

In favour:

Angola, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Ethiopia, Gabon, Guatemala, India, Indonesia, Kazakhstan, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania, Pakistan, Peru, Philippines, Qatar, Sierra Leone, Thailand, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)

Against:

Austria, Czech Republic, Estonia, Germany, Ireland, Italy, Japan, Montenegro, Poland, Republic of Korea, Republic of Moldova, Romania, Spain, Switzerland, United States of America]

23/13

Attacks and discrimination against persons with albinism

The Human Rights Council,

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

Reaffirming the Universal Declaration of Human Rights, and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant of Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

Reaffirming also that everyone has the right to life, liberty and security of person, and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling the fundamental principle of equality and non-discrimination that underlies the Charter and international human rights instruments,

Taking note of the work of the Special Representative of the Secretary-General on Violence against Children,

Reaffirming the right to health and education as enshrined in the Universal Declaration of Human Rights and relevant international human rights treaties,

Expressing its concern at attacks against persons with albinism, including against women and children, which are often committed with impunity,

Expressing its concern also at the widespread discrimination, stigma and social exclusion suffered by persons with albinism,

Welcoming the steps taken and efforts made by the countries concerned, including the initiation of legal action against the perpetrators of attacks against persons with albinism, public condemnation of attacks against persons with albinism, the provision of temporary shelter to persons with albinism under threat of attack, and public awareness-raising campaigns,

1. *Urges* States to take all measures necessary to ensure the effective protection of persons with albinism, and their family members;

2. *Calls upon* States to ensure accountability through the conduct of impartial, speedy and effective investigations into attacks against persons with albinism falling within their jurisdiction, and to bring those responsible to justice, and to ensure that victims and family members have access to appropriate remedies;

3. *Also calls upon* States to take effective measures to eliminate any type of discrimination against persons with albinism, and to accelerate education and public awareness-raising activities;

4. *Encourages* States to share best practices in protecting and promoting the rights of persons with albinism;

5. *Invites* relevant special procedures of the Human Rights Council, as appropriate, in the framework of their mandate, to address the relevant aspects of the safety and non-discrimination of persons with albinism;

6. *Invites* States, in collaboration with relevant regional and international organizations, to promote bilateral, regional and international initiatives to support the protection of persons with albinism;

7. *Requests* the Office of the United Nations High Commissioner of Human Rights to submit a preliminary report on attacks and discrimination against persons with albinism to the Human Rights Council at its twenty-fourth session;

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

38th meeting
13 June 2013

[Adopted without a vote.]

23/14

Access to medicines in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Reaffirming also that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health is a human right that derives from the inherent dignity of the human person,

Recalling Human Rights Council resolution 17/14 of 17 June 2011 and all previous resolutions and decisions on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health adopted by the Council, the General Assembly and the Commission on Human Rights, as well as Assembly resolution 67/81 of 12 December 2012 on global health and foreign policy,

Recalling also the Declaration on the Right to Development, which, inter alia, establishes that States should take, at the national level, all measures necessary for the realization of the right to development and should ensure, inter alia, equality of opportunity for all in their access to basic resources, such as health services,

Noting with concern that, for millions of people throughout the world, the full enjoyment of the right to the highest attainable standard of physical and mental health remains a distant goal and that, in many cases, especially for those living in poverty, this goal is becoming increasingly remote,

Recognizing the need for States, in cooperation with international organizations and civil society, including non-governmental organizations and the private sector, to create favourable conditions at the national, regional and international levels to ensure the full and effective enjoyment of the right of everyone to the highest attainable standard of physical and mental health,

Recalling that the Doha Ministerial Declaration on the Agreement on Trade-Related Aspects of Intellectual Property Rights and Public Health confirms that the Agreement does not and should not prevent members of the World Trade Organization from taking measures to protect public health and that the Declaration, accordingly, while reiterating the commitment to the Agreement, affirms that it can and should be interpreted and implemented in a manner supportive of the rights of members of the Organization to protect public health and, in particular, to promote access to medicines for all, and further

recognizes, in this connection, the right of members of the Organization to use, to the full, the provisions of the above-mentioned Agreement, which provide flexibility for this purpose,

Regretting the high number of people still without access to affordable, safe, efficacious and quality medicines, and underscoring that improving such access could save millions of lives every year, and noting with deep concern that more than one billion people still do not have access to essential medicines,

Concerned about the interrelatedness between poverty and the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, in particular the fact that ill health can be both a cause and a consequence of poverty,

Concerned also that the increasing incidence of non-communicable diseases constitutes a heavy burden on society, with serious social and economic consequences, which represent a leading threat to human health and development, and recognizing the urgent need for further measures at the global, regional and national levels to prevent and control such diseases in order to contribute to the full realization of the right of everyone to the highest attainable standard of physical and mental health,

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

1. *Takes note with appreciation* of the study of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on existing challenges with regard to access to medicines in the context of that right, ways to overcome them and good practices;²⁰

2. *Recognizes* that access to medicines is one of the fundamental elements in achieving progressively the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

3. *Stresses* the responsibility of States to ensure the highest attainable level of health for all, including through access, without discrimination, to medicines, in particular essential medicines, that are affordable, safe, efficacious and of quality;

4. *Emphasizes* the central role of prevention, the promotion of healthy lifestyles and the strengthening of health systems;

5. *Urges* States, as appropriate:

(a) To implement, or where they do not exist, to establish, national health frameworks that ensure access for all, without discrimination, to medicines that are affordable, safe, efficacious and of quality;

(b) To develop a policy framework on medicines, including, where appropriate, local production of medicines, with the aim of ensuring long-term accessibility and affordability of medicines;

(c) To adopt regulation measures with a view to providing access of the population, and particularly individuals in vulnerable situations, to affordable medicines;

²⁰ A/HRC/23/42.

(d) To raise awareness about the responsible use of medicines, including through the wide dissemination of information in that regard, taking into account the potential risks to health;

(e) To promote the informed participation of relevant stakeholders, as appropriate, in formulating national medicines policies and programmes, while safeguarding public health from undue influence by any form of real, perceived or potential conflict of interest;

(f) To strengthen, or where they do not exist, to establish, national monitoring and accountability mechanisms for policies relating to access to medicines;

(g) To ensure that procurement practices and procedures for medicines are transparent, fair, competitive and non-discriminatory;

(h) To promote access to medicines for all, including through the use, to the full, of the provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights which provide flexibility for that purpose, recognizing that the protection of intellectual property is important for the development of new medicines, as well as the concerns about its effects on prices;

(i) To foster the development of technology and the voluntary transfer of technology to developing countries, on mutually agreed terms aligned with national priorities, bearing in mind the specific needs of least-developed countries in this regard;

(j) To apply measures and procedures for enforcing intellectual property rights in such a manner as to avoid creating barriers to the legitimate trade of affordable, safe, efficacious and quality medicines, and to provide for safeguards against the abuse of such measures and procedures;

(k) To strengthen, or where they do not exist, to establish, national health regulatory systems that ensure the quality, safety and efficacy of medicines;

(l) To promote the improvement of health infrastructures necessary for access to affordable, safe, efficacious and quality medicines, such as storage and distribution systems;

(m) To ensure that investment, industrial or other policies promote development and access to medicines, in particular their affordability;

(n) To explore and promote a range of incentive schemes for research and development, including addressing, where appropriate, the delinkage of the costs of research and development and the price of health products, in accordance with the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property;

(o) To improve domestic management capacities in order to improve delivery and access to quality, safe, efficacious and affordable medicines;

(p) To promote universal health coverage in national systems as one of the efficacious means to promote access to medicines for all;

6. *Calls upon* the international community to continue to assist developing countries in promoting the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including through access to medicines that are affordable, safe, efficacious and of quality, and through financial and technical support and training of personnel, while recognizing that the primary responsibility for promoting and protecting all human rights rests with States;

7. *Invites* relevant United Nations programmes and agencies, in particular the World Health Organization, as well as other relevant international organizations, within their mandates, to consider the findings of the study of the Special Rapporteur;

8. *Recognizes* the innovative funding mechanisms that contribute to the availability of vaccines and medicines in developing countries, such as the Global Fund to Fight AIDS, Tuberculosis and Malaria, the GAVI Alliance and the International Drug Purchase Facility, UNITAID, and calls upon all States, United Nations programmes and agencies, in particular the World Health Organization, and relevant intergovernmental organizations, within their respective mandates, and encourages relevant stakeholders, including pharmaceutical companies, while safeguarding public health from undue influence by any form of real, perceived or potential conflict of interest, to further collaborate to enable equitable access to quality, safe and efficacious medicines that are affordable to all, including those living in poverty, children and other persons in vulnerable situations;

9. *Urges* all States, United Nations agencies and programmes and relevant intergovernmental organizations, within their respective mandates, and encourages non-governmental organizations and relevant stakeholders, to promote innovative research and development to address health needs in developing countries, including access to quality, safe, efficacious and affordable medicines, and in particular with regard to diseases disproportionately affecting developing countries, as well as the challenges arising from the growing burden of non-communicable diseases;

10. *Invites* the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, within his existing mandate, while considering the many ways towards the full realization of the right to health, including universal health coverage, to continue to focus on the issue of access to medicines, including in his regular country missions.

*38th meeting
13 June 2013*

[Adopted by a recorded vote of 31 to 0, with 16 abstentions. The voting was as follows:

In favour:

Angola, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Ethiopia, Gabon, Guatemala, India, Indonesia, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania, Pakistan, Peru, Philippines, Qatar, Sierra Leone, Thailand, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)

Abstaining:

Austria, Czech Republic, Estonia, Germany, Italy, Ireland, Japan, Kazakhstan, Montenegro, Poland, Republic of Korea, Republic of Moldova, Romania, Spain, Switzerland, United States of America]

23/15 Situation of human rights in Belarus

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling all resolutions adopted by the Commission on Human Rights, the General Assembly and the Human Rights Council on the situation of human rights in Belarus, including Council resolutions 17/24 of 17 June 2011 and 20/13 of 5 July 2012, and deploring the inadequate response by the Government of Belarus to the requests of the Council made in those resolutions, including the denial of access to the Special Rapporteur on the situation of human rights in Belarus and other special procedures mandate holders to the country,

Recalling also Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

1. *Welcomes* the report of the Special Rapporteur on the situation of human rights in Belarus;²¹

2. *Expresses deep concern* at continuing violations of human rights in Belarus, which are of a structural and endemic nature, and also at the systemic and systematic restrictions on human rights, especially in the case of the freedoms of association, of assembly, and of opinion and expression, as well as the guarantees of due process and fair trial, and expresses particular concern at the use of torture and ill-treatment in custody, the lack of response by the Government to cases of enforced disappearance of political opponents, violations of labour rights amounting to forced labour, significant gaps in anti-discrimination legislation, the impunity of perpetrators of human rights violations and abuses, the harassment of civil society organizations, human rights defenders, journalists and political opponents, pressure on defence lawyers, the lack of participation of opposition political parties in Parliament, and the fact that most international observers regarded the polling in Parliamentary elections on 23 September 2012 as inconsistent with basic standards for competitive, free and fair elections;

3. *Calls upon* the Government of Belarus to carry out a comprehensive review of relevant legislation, policies, strategies and practices to ensure that the provisions are clearly defined, consistent with international human rights law and their human rights commitments, and not used to impede or unduly restrict the exercise of any human right, including the freedoms of expression, of association and of peaceful assembly, or freedom of the media;

4. *Notes* the attention paid by the Special Rapporteur to the issue of the death penalty in Belarus, and takes note of the re-establishment of the parliamentary working group on the death penalty, and encourages it to expedite its work;

5. *Calls upon* the Government of Belarus to carry out a comprehensive reform of the justice sector and bar associations in order to guarantee the independence and impartiality of the judiciary, the presumption of innocence, fair trial and the right to an effective review of sentences and convictions by a higher tribunal established by law and to freely chosen legal representation throughout all proceedings, as well as the availability of information on the implementation of all sentences;

6. *Strongly urges* the Government of Belarus to immediately and unconditionally release and rehabilitate all political prisoners, and to rehabilitate those who have already been released, to address, through comprehensive, transparent and credible investigations, reports of torture and ill-treatment by law-enforcement officials, and to put an immediate end to the arbitrary detention of human rights defenders and political

²¹ A/HRC/23/52.

opponents, arbitrary travel bans and other policies aimed at intimidating representatives of the political opposition and the media, as well as human rights defenders and civil society;

7. *Encourages* the Government of Belarus to consider expediting its initiative to establish a national human rights institution in accordance with the Paris Principles, and to enhance the progress made towards reaching the Millennium Development Goals;

8. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, and requests the Special Rapporteur to submit a report on the situation of human rights in Belarus to the Human Rights Council at its twenty-sixth session and to the General Assembly at its sixty-ninth session;

9. *Urges* the Government of Belarus to cooperate fully with the Special Rapporteur, including by providing him access to visit the country and the information necessary to facilitate the fulfilment of the mandate;

10. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with the assistance and resources necessary to allow the fulfilment of the mandate.

*38th meeting
13 June 2013*

[Adopted by a recorded vote of 26 to 3, with 18 abstentions. The voting was as follows:

In favour:

Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Czech Republic, Estonia, Gabon, Germany, Guatemala, Ireland, Italy, Japan, Maldives, Montenegro, Peru, Poland, Republic of Korea, Romania, Spain, Switzerland, United States of America

Against:

India, Kazakhstan, Venezuela (Bolivarian Republic of)

Abstaining:

Angola, Côte d'Ivoire, Ecuador, Ethiopia, Indonesia, Kenya, Kuwait, Libya, Malaysia, Mauritania, Pakistan, Philippines, Qatar, Republic of Moldova, Sierra Leone, Thailand, Uganda, United Arab Emirates]

23/16

Promotion of the right 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, in particular Council resolution 20/15 of 5 July 2012, in which the Council decided to establish an open-ended intergovernmental working group with the mandate of progressively negotiating a draft United Nations declaration on the right to peace, on the basis of the draft submitted by the Advisory Committee, and without prejudging relevant past, present and future views and proposals,

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,

Welcoming the important work being carried out by civil society organizations for the promotion of the right to peace and their contribution to the development of this issue,

Taking note of the report of the open-ended intergovernmental working group on its first session,²² held from 18 to 21 February 2013, pursuant to Human Rights Council resolution 20/15, and in particular of the inputs from Governments, regional and political groups, civil society and relevant stakeholders,

Bearing in mind the progressive development of this issue,

1. *Decides* that the working group shall hold its second session for five working days in 2014, before the twenty-fifth session of the Human Rights Council;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the working group with the assistance necessary for it to fulfil its mandate;

3. *Requests* the Chairperson-Rapporteur of the working group to conduct informal consultations with Governments, regional groups and relevant stakeholders before the second session of the working group;

4. *Also requests* the Chairperson-Rapporteur of the working group to prepare a new text on the basis of the discussions held during the first session of the working group and on the basis of the intersessional informal consultations to be held, and to present it prior to the second session of the working group for consideration and further discussion thereat;

5. *Invites* States, civil society and all relevant stakeholders to contribute actively and constructively to the work of the working group;

6. *Requests* the working group to prepare a report on progress made, and to submit it to the Human Rights Council as a pre-session document, to be made available in all official languages of the United Nations, for consideration at its twenty-sixth session.

*38th meeting
13 June 2013*

[Adopted by a recorded vote of 30 to 9, with 8 abstentions. The voting was as follows:

In favour:

Angola, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Ethiopia, Gabon, Guatemala, Indonesia, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania, Pakistan, Peru, Philippines, Qatar, Sierra Leone, Thailand, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)

Against:

Austria, Czech Republic, Estonia, Germany, Japan, Montenegro, Republic of Korea, Spain, United States of America

Abstaining:

India, Ireland, Italy, Kazakhstan, Poland, Republic of Moldova, Romania, Switzerland]

²² A/HRC/WG.13/1/2.

23/17

National institutions for the promotion and protection of human rights

The Human Rights Council,

Recalling Human Rights Council resolution 20/14 of 5 July 2012 and relevant resolutions of the General Assembly and the Commission on Human Rights concerning national institutions for the promotion and protection of human rights, and taking note of Council resolution 22/6 of 21 March 2013,

Reaffirming the importance of establishing and strengthening independent, pluralistic national institutions for the promotion and protection of human rights in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles),²³

Reaffirming also the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms, in strengthening participation and the rule of law, and in developing and enhancing public awareness of those rights and fundamental freedoms,

Reaffirming further, on the twentieth anniversary of its adoption, the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in preventing and remedying human rights violations in disseminating information on human rights and in education in human rights,

Acknowledging the important role that national institutions can play in promoting and protecting the rights of women and girls,

Recognizing the important role of the Office of the United Nations High Commissioner for Human Rights in assisting the development of independent and effective national human rights institutions, in accordance with the Paris Principles, and recognizing also in this regard the potential for strengthened and complementary cooperation among the Office of the High Commissioner, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, regional coordinating committees of national institutions and those national institutions in the promotion and protection of human rights,

Noting with interest the twenty-sixth annual meeting of the International Coordinating Committee, held from 6 to 8 May 2013,

Welcoming the strengthening in all regions of regional and cross-regional cooperation among national human rights institutions, and between national human rights institutions and other regional human rights forums,

1. *Welcomes* the most recent reports of the Secretary-General submitted to the Human Rights Council on national institutions for the promotion and protection of human rights²⁴ and on the activities of the International Coordinating Committee of National

²³ General Assembly resolution 48/134, annex.

²⁴ A/HRC/23/27.

Institutions for the Promotion and Protection of Human Rights in accrediting national institutions in compliance with the Paris Principles;²⁵

2. *Takes note with appreciation* of the most recent report of the Special Rapporteur on the situation of human rights defenders to the Human Rights Council;²⁶

3. *Recognizes* the role of independent national institutions for the promotion and protection of human rights in working together with their Governments to ensure full respect for human rights at the national level, including by contributing to follow-up actions, as appropriate, to the recommendations resulting from the international human rights mechanisms;

4. *Welcomes* the increasingly important role of national institutions for the promotion and protection of human rights in supporting cooperation between their Governments and the United Nations in the promotion and protection of human rights;

5. *Encourages* Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of all human rights and fundamental freedoms for all, as outlined in the Vienna Declaration and Programme of Action, and to do so in accordance with the Paris Principles;

6. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action, it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

7. *Welcomes* the growing number of Member States establishing or considering the establishment of national institutions for the promotion and protection of human rights in accordance with the Paris Principles, and welcomes in particular the high number of States that have accepted recommendations to establish national human rights institutions through the universal periodic review and, where relevant, by treaty bodies and special procedures;

8. *Also welcomes* the continuing number of national institutions seeking accreditation status through the International Coordinating Committee, and encourages national institutions, including ombudsman institutions, to seek accreditation status;

9. *Further welcomes* the important role of the International Coordinating Committee, in close cooperation with the Office of the United Nations High Commissioner for Human Rights, in assessing conformity with the Paris Principles and in assisting Governments and national institutions, when requested, to strengthen national human rights institutions in accordance with the Paris Principles;

10. *Encourages* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions in accordance with the Paris Principles;

11. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

²⁵ A/HRC/23/28.

²⁶ A/HRC/22/47.

12. *Recognizes* the important role played by national institutions for the promotion and protection of human rights in the Human Rights Council, including its universal periodic review mechanism, in both preparation and follow-up, and the special procedures, as well as in the human rights treaty bodies, in accordance with General Assembly resolutions 60/251 of 15 March 2006 and 65/281 of 17 June 2011, Council resolutions 5/1 and 5/2 of 18 June 2007 and decision 19/119 of 22 March 2012, and Commission on Human Rights resolution 2005/74 of 20 April 2005, and encourages national human rights institutions to continue to participate in and contribute to these mechanisms, including by continuing to engage with the treaty bodies by, inter alia, providing parallel reports and other information;

13. *Welcomes* the increased engagement between the special procedures and national human rights institutions, including during country and follow-up visits and on thematic reports, and encourages the deepening of such engagement, including through the participation of national human rights institutions following the presentation of country mission reports to the Human Rights Council;

14. *Also welcomes* the contribution of national human rights institutions to the ongoing treaty body strengthening process, and encourages national human rights institutions to continue to contribute to the process;

15. *Further welcomes* the efforts of the Secretary-General to encourage national human rights institutions to continue to interact with and advocate for independent participation in all relevant United Nations mechanisms, in accordance with their respective mandates;

16. *Welcomes* the endorsement by the General Assembly of the strengthening of opportunities for national human rights institutions compliant with the Paris Principles to contribute to the work of the Human Rights Council in its resolutions 65/281 and 66/169, and recommends that the Assembly explore the feasibility of enabling national human rights institutions compliant with the Paris Principles to participate in the Assembly based on practices and arrangements agreed upon in Assembly resolution 60/251, Human Rights Council resolutions 5/1 and 5/2, and 16/21 of 25 March 2011, and Commission on Human Rights resolution 2005/74, while ensuring their most effective contribution;

17. *Stresses* the importance of financial and administrative independence and the stability of national human rights institutions for the promotion and protection of the human rights, and notes with satisfaction the efforts of those Member States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

18. *Commends* the work of the Office of the High Commissioner with national institutions, including through technical cooperation, and encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, including supporting the work of the International Coordinating Committee and its regional coordinating committees, and invites Governments to contribute additional voluntary funds to that end;

19. *Welcomes* the efforts made by the High Commissioner to strengthen United Nations system-wide coordination on national human rights institutions, and encourages all United Nations human rights mechanisms, as well as its agencies, funds and programmes, to work within their respective mandates with national human rights institutions;

20. *Also welcomes* the strengthening of international cooperation among national institutions, including through the International Coordinating Committee, and encourages the Secretary-General to continue to provide the assistance necessary for holding international, regional and cross-regional meetings and conferences of national institutions, including meetings of the International Coordinating Committee, in cooperation with the Office of the High Commissioner;

21. *Stresses* the role that national institutions can play in creating a coherent institutional architecture for women's human rights and gender equality, as stipulated in the recommendations of the Working Group on the issue of discrimination against women in law and in practice in its report;²⁷

22. *Takes note with interest* of the Amman Declaration and Programme of Action resulting from the eleventh International Conference of National Human Rights Institutions from 5 to 7 November 2012, particularly the commitment of national human rights institutions therein to give priority to women's rights;

23. *Commends* the decision of the International Coordinating Committee to dedicate a session at future annual general meetings to the role of national human rights institutions in promoting and protecting the rights of women and girls;

24. *Stresses* the important contribution of national human rights institutions to the elimination of discrimination and violence against women and girls, as stipulated in the agreed conclusions of the Commission on the Status of Women at its fifty-seventh session,²⁸ as well as the need to endow those institutions with the necessary human and sufficient financial resources to enable them to function effectively;

25. *Welcomes* the strengthening in all regions of regional cooperation among national human rights institutions, and notes with appreciation the continuing work of the Network of African National Human Rights Institutions, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia-Pacific Forum of National Human Rights Institutions and the European Group of National Human Rights Institutions;

26. *Encourages* all States and national human rights institutions to continue to take appropriate steps to promote cooperation, the exchange of information, the sharing of experience and the dissemination of best practices concerning the establishment and effective operation of national institutions;

27. *Invites* national institutions to include in their cooperation the exchange of best practices on strengthening their liaison role between civil society and their Governments;

28. *Requests* the Secretary-General to report to the Human Rights Council at its twenty-seventh session on the implementation of the present resolution;

29. *Also requests* the Secretary-General to report to the Human Rights Council at its twenty-seventh session on the activities of the International Coordinating Committee in accrediting national institutions in compliance with the Paris Principles.

*38th meeting
13 June 2013*

²⁷ A/HRC/23/50.

²⁸ *Official Records of the Economic and Social Council, 2013, Supplement No. 7 (E/2013/27)*.

[Adopted without a vote.]

23/18

Technical assistance to the Central African Republic in the field of human rights

The Human Rights Council,

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

Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007,

Bearing in mind the situation in the Central African Republic since 24 March 2013,

Reaffirming that all States are under an obligation to promote and protect the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights, the international human rights covenants and other relevant international human rights instruments to which they are party,

In view of the Bamako Declaration adopted on 3 November 2000 by the French-speaking States and Governments, which condemns all coups d'état and any seizure of power through violence, arms or other illegal means,

In view also of the final communiqué of the special meeting of the Heads of State and Government of the Economic Community of Central African States held in N'Djamena on 21 December 2012, and the political agreement signed in Libreville on 11 January 2013,

Taking into account the efforts undertaken by States members of the Economic Community of Central African States, including those of the chair of the follow-up committee of the Economic Community of Central African States on the situation in the Central African Republic,

Reaffirming its commitment to the sovereignty, independence, unity and territorial integrity of the Central African Republic,

Concerned about the political, security and humanitarian situation in the Central African Republic, as well as the risk of clashes between communities and religions,

Deeply concerned about the human rights violations and acts of violence perpetrated against the civilian population following the events of 24 March 2013, including summary executions, rape and other forms of sexual abuse, torture, looting and other serious violations of international human rights law,

Recalling that such violence has led to the mass displacement of people,

Bearing in mind the establishment of a National Transitional Council and the appointment by this Council of a Head of State to oversee the transition,

Bearing in mind also the deployment of the Central African Multinational Force set up by the Economic Community of Central African States in the context of an operation to disarm the militias, train the Central African Armed Forces and secure the electoral process,

1. *Welcomes the decisions of the Peace and Security Council of the African Union and the conclusions of the fourth special summit of the Heads of State and Government of the Economic Community of Central African States, held in N'Djamena on 18 April 2013, and those of the International Contact Group on the Central African Republic at its meeting on 3 May 2013 in Brazzaville;*

2. *Takes note with interest* of the decision of the United Nations High Commissioner for Human Rights to dispatch a fact-finding mission to the Central African Republic;

3. *Condemns* all the serious human rights violations and acts of violence perpetrated against the civilian population, including crimes, summary executions, rape and other forms of sexual abuse, the use of children by armed groups, torture, looting and other serious violations of international human rights law, as well as the arrests, arbitrary detention and destruction of property carried out by all the forces present;

4. *Calls for* an immediate halt to all such human rights violations and acts of violence, and for the strict observance of all human rights and fundamental freedoms;

5. *Welcomes* the initiatives taken by the Economic Community of Central African States to resolve the Central African crisis, including the decision taken at its special summits in N'Djamena on 3 and 18 April 2013 to set up an institutional transition mechanism in the Central African Republic for a period of up to 18 months;

6. *Supports* current efforts by the African Union and the Economic Community of Central African States to resolve the crisis in the Central African Republic and to bring about a definitive return to constitutional order, peace and security in that country;

7. *Encourages* the efforts of the Economic Community of Central African States, the African Union, the United Nations and the partners of the Central African Republic in the stabilization process, which led to the adoption of a road map on a transition lasting 18 months, a Government of national unity, a National Transitional Council, a Transition Charter and a Transitional Constitutional Court;

8. *Encourages* the transitional authorities to guarantee freedom of expression and invites them to organize a free and transparent general election, with a view to creating conditions conducive to a return to constitutional order, to a lasting and inclusive reconciliation of the different components of the Central African population and to the consolidation of peace, while ensuring that women participate fully in the election and reconciliation processes;

9. *Requests* the support of all stakeholders and all international partners to meet the need for significant financial, humanitarian and technical assistance and for measures identified as urgent priorities by the Central African Republic;

10. *Calls on* the transitional authorities to take all necessary steps to put an immediate stop, throughout the national territory, to all acts of violence against the civilian population, in strict compliance with the provisions of applicable international human rights law;

11. *Also calls on* the transitional authorities to ensure respect for the rights and fundamental freedoms of all population groups and to take all necessary steps to ensure there is no impunity for the perpetrators of crimes, acts of violence or any other human rights violations;

12. *Emphasizes* the need to facilitate access by the population to humanitarian aid and calls on the international community, in conjunction with the transitional authorities and neighbouring countries, to continue to deliver appropriate humanitarian assistance to refugees and displaced persons and to respond to the challenges associated with the humanitarian crisis in the Central African Republic;

13. *Requests* the High Commissioner to submit to the Human Rights Council, at its twenty-fourth session, an interim report on the human rights situation and, at its twenty-fifth session, a report evaluating the needs for technical assistance and capacity-building in the Central African Republic;

14. *Decides* to remain seized of this matter.

*39th meeting
13 June 2013*

[Adopted without a vote.]

23/19 National policies and human rights

The Human Rights Council,

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

Guided also by the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations,

Recalling all relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also that States emphasized in the Vienna Declaration and Programme of Action and the 2005 World Summit Outcome²⁹ that they bear the responsibility, in conformity with the Charter, to develop and encourage respect for human rights and fundamental freedoms for all, without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Bearing in mind that States should integrate their obligations under international human rights law into their national legislation in order to ensure that State action at the national level is effectively directed towards the promotion and protection of all human rights and fundamental freedoms,

Noting that State action aimed at the promotion, protection and full realization of human rights and fundamental freedoms at the national level is most effective when fully integrated into national policies based on a human rights perspective,

Reaffirming that all human rights are inalienable, universal, indivisible, interdependent and interrelated and that, therefore, national policies aimed at their promotion and protection will also have a mutually reinforcing effect on their realization,

Recognizing that each State has the right to choose the framework that is best suited to its particular needs at the national level,

Reaffirming the importance of international cooperation to support States in the process of integrating their obligations under international human rights law into national legislation, and drawing up and carrying out national policies aimed at the full realization of human rights and fundamental freedoms,

Recognizing the important and constructive role that national human rights institutions and civil society can play in the process of drawing up and assessing the impact of national policies aimed at the promotion, protection and full realization of human rights and fundamental freedoms,

²⁹ General Assembly resolution 60/1.

1. *Recognizes* that State action aimed at the full realization of human rights and fundamental freedoms at the national level is made most effective by drawing up and putting into practice national policies in conformity with obligations under international human rights law;

2. *Stresses* the importance of the resolution of Heads of State and Government to integrate the promotion and protection of human rights into national policies as reflected in the 2005 World Summit Outcome,

3. *Recognizes* the importance of developing, strengthening and implementing, as appropriate, national systems for collecting, monitoring and evaluating relevant disaggregated national data as a useful tool for drawing up and assessing the impact of national policies aimed at the enjoyment of human rights and fundamental freedoms;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to prepare a report on technical assistance and capacity-building options for integrating human rights into national policies, drawing from worldwide best practices in this field, with a view to support States in developing and applying suitable methodologies to that end, upon request and according to their own particular needs and priorities;

5. *Also requests* the Office of the High Commissioner to submit the above-mentioned report to the Human Rights Council at its twenty-seventh session.

*39th meeting
13 June 2013*

[Adopted without a vote.]

23/20

Human rights of migrants

The Human Rights Council,

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

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

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

Bearing in mind the High-level Dialogue on International Migration and Development that will be held during the sixty-eighth session of the General Assembly, which provides a unique opportunity to work towards a global agenda for effective,

inclusive discussions on migration policies and to identify measures that promote the role of migrants as agents of innovation and development,

Reaffirming that the Universal Declaration of Human Rights proclaims that everyone has the right to freedom of movement and residence within the borders of each State and the right to leave any country, including his or her own, and to return to his or her country,

Recognizing the valuable economic, social and cultural contributions of migrants to the communities of countries of origin and destination,

Reaffirming that everyone is entitled to all human rights and fundamental freedoms, without distinction of any kind, including the right to life, liberty and security of person, wherever the person is and regardless of his or her immigration status, and that human rights are only subject to the limitations and derogations established in international human rights treaties of which the State is party.

Recognizing that States are responsible for promoting and protecting the human rights of all persons, including irregular migrants, who are in their territory and subject to their jurisdiction,

Deeply concerned at the large and growing number of migrants, including women and children, who have lost their lives in attempting to cross international borders without the required travel documents, and recognizing the obligation of States to protect and respect the human rights of those crossing their borders,

Bearing in mind that policies and initiatives on the issue of migration, including those that refer to border control and the orderly management of migration, must be in accordance with international human rights obligations in order to uphold the human rights and fundamental freedoms of all migrants,

Expressing its concern at measures that, including in the context of policies aimed at reducing irregular migration, treat irregular migration as a criminal rather than an administrative offence, where the effect of doing so is to deny migrants the full enjoyment of their human rights and fundamental freedoms,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation, built on a partnership approach, and the need to protect the human rights of migrants, particularly at a time in which the increased regional and global mobility of persons, the structural changes in the global economy, and the ongoing adverse impact of the world financial and economic crisis generates new opportunities and challenges for countries of origin, transit and destination,

Recognizing that mixed movements, in which people with various needs and circumstances use the same routes and means of transport, create challenges for States with regard to the needs of the different individuals, and underscores the importance of status determination and effective referral systems,

Aware that, as criminals take advantage of migratory flows and attempt to circumvent restrictive immigration policies, migrants become more vulnerable to, inter alia, kidnapping, extortion, forced labour, sexual exploitation, physical assault, debt servitude and abandonment,

Affirming that crimes against migrants, including trafficking in persons, continue to pose a serious challenge and require a concerted international assessment and response, and genuine multilateral cooperation among countries of origin, transit and destination for their eradication,

Expressing concern at the arbitrary detention of migrants in the context of enforcement of migration laws and at the use of prolonged detention of persons without procedural guarantees, particularly without prospect of removal,

Stressing the need for States to develop adequate procedures for detention and expulsions that ensure respect for legal, procedural and substantive guarantees consistent with their international obligations,

1. *Takes note with appreciation* of the report of the Special Rapporteur on the human rights of migrants,³⁰ and welcomes his work;

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

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

4. *Calls upon* States and regional and international organizations with competence in the field of regulating migration and implementing migration policies:

(a) To effectively promote and protect the human rights and fundamental freedoms of all migrants, including, in particular, the right to life, liberty and security of person, especially those of women and children, regardless of their immigration status, in conformity with the Universal Declaration of Human Rights and the international human rights instruments to which they are party;

(b) To adopt concrete measures to prevent violations of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to train public officials who work in those facilities and in border areas to treat migrants and their families respectfully and in accordance with their obligations under international human rights law, and to pay particular attention to women and girls, who may be exposed to sexual violence;

(c) To prosecute, in conformity with applicable law, acts of violation of the human rights of migrants and their families, such as arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from their country of origin to the country of destination and vice versa, including their transit through national borders;

(d) To regularly assess their policies of migration control and enforcement with regard to the risks they may pose for the loss of life of migrants, and to continue efforts to avoid human tragedies in border crossings by land or sea;

(e) To promote and protect the right of all persons to the highest attainable standard of physical and mental health without discrimination of any kind and, to this end, to provide emergency medical and first-aid attention for migrants who need it, regardless of their immigration status, and to create a safe and enabling environment in which individuals

³⁰ A/HRC/23/46.

and organizations that provide such attention can operate free from hindrance and insecurity;

(f) To take care that domestic law and administrative provisions and their application facilitate the work of humanitarian workers, human rights defenders and any other actor providing humanitarian assistance to and defending the human rights of irregular migrants, including by avoiding any criminalization, stigmatization, impediments, obstructions or restrictions thereof contrary to international human rights law;

(g) To avoid the stigmatization of irregular migrants in language, policies and practice, and to use correct terminology that qualifies actions rather than persons;

(h) To respect the human rights and inherent dignity of migrants, to put an end to arbitrary arrest and detention and, in order to avoid excessive detention of irregular migrants, to review, where necessary, detention periods and to use alternatives to detention, where appropriate;

(i) To respect in all circumstances the principle of non-refoulement and to comply fully with their international legal obligations with regard to the expulsion of migrants;

(j) To put in place, if they have not yet done so, systems and procedures that can easily be applied in order to ensure full compliance with their international human rights law obligations by all their programmes and institutions in the field of migration;

(k) To participate in international and regional dialogues on migration that include countries of origin, transit and destination;

5. *Takes note with appreciation* of the actions taken by several special procedures of the Human Rights Council and the treaty bodies for the effective prevention of violations of the human rights of migrants, including through joint statements and urgent appeals, and encourages them to continue their collaborative efforts to this end, within their respective mandates;

6. *Requests* the Special Rapporteur to, in accordance with his mandate, continue to pay attention to the topic of the universal enjoyment of human rights for all migrants;

7. *Encourages* States and regional and international organizations to enhance cooperation with the Special Rapporteur;

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

*40th meeting
14 June 2013*

[Adopted without a vote.]

23/21 Situation of human rights in Eritrea

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling resolution 91 and decisions 250/2002 and 275/2003 of the African Commission on Human and Peoples' Rights,

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

Recalling further Human Rights Council resolution 20/20 of 6 July 2012, in which the Council established the mandate of Special Rapporteur on the situation of human rights in Eritrea,

Recalling Human Rights Council resolution 21/1 of 26 September 2012, in which the Council decided that the documentation considered by the Council under its complaint procedure relating to the situation of human rights in Eritrea should no longer be considered confidential, with the exception of the names or any other identifying information of specific individuals who have not consented, and invited the Special Rapporteur on the situation of human rights in Eritrea to investigate further the allegations contained in the submitted complaints and to report thereon to the Council at its twenty-sixth session,

Expressing deep concern at the ongoing reports of grave violations of human rights by the Eritrean authorities against their own population and fellow citizens, including violation of civil and political rights, as well as economic, social and cultural rights, and the alarming number of civilians fleeing Eritrea as a result of those violations,

Expressing grave concern at the compulsory practice of children undertaking their final year of schooling in a military training camp,

Expressing grave concern also at the widespread use of indefinite conscription into national service, a system that constitutes forced labour, and the forced conscription of children under the age of 18 into military service,

Expressing grave concern further at the reported use of forced labour, including of conscripts and minors in the mining industry,

Reaffirming that everyone has the right to leave any country, including his or her own, and to return to his or her country,

Noting the participation of Eritrea in the first cycle of the universal periodic review,

Noting also the efforts of Eritrea to achieve the Millennium Development Goals and to promote gender equality and progress on female genital mutilation, while stressing that sustainable social changes are linked with the establishment of a conducive political and legal environment,

Recalling the Charter, the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action and international human rights treaties to which States are party,

Recalling also the obligations of Eritrea under the African Charter on Human and Peoples' Rights and the African Charter on the Rights and Welfare of the Child,

Expressing concern at the failure of the Government of Eritrea to cooperate with the Special Rapporteur on the situation of human rights in Eritrea,

1. *Welcomes* the report of the Special Rapporteur on the situation of human rights in Eritrea;³¹

³¹ A/HRC/23/53.

2. *Strongly condemns:*

(a) The continued, widespread and systematic violations of human rights and fundamental freedoms committed by the Eritrean authorities, including cases of arbitrary and extrajudicial executions, enforced disappearances, the use of torture, arbitrary and incommunicado detention without recourse to justice, and detention in inhumane and degrading conditions;

(b) The severe restrictions on freedom of opinion and expression, freedom of information, freedom of thought, conscience and religion and freedom of peaceful assembly and association, including the detention of journalists, human rights defenders, political actors and religious leaders and practitioners in Eritrea;

(c) The forced conscription of citizens for indefinite periods of national service, a system that amounts to forced labour, and the compulsory practice of all children undertaking the final year of schooling in a military training camp, as well as the intimidation and detention of family members of those suspected of evading national service in Eritrea;

(d) The severe restrictions on freedom of movement, including the arbitrary detention of people caught attempting to flee the country or suspected of an intention to do so;

(e) The violations of the rights of the child, including but not limited to the forced military conscription of children;

(f) The widespread use of torture and other cruel, inhuman or degrading treatment or punishment and the use of places of detention that fall far short of international standards, including underground cells and metal shipping containers;

(g) The shoot-to-kill practice employed on the borders of Eritrea to stop Eritrean citizens seeking to flee their country;

(h) Any violation by the Government of Eritrea of its international human rights obligations in connection with the collection of taxes outside Eritrea from its nationals;

(i) The lack of cooperation with international and regional human rights mechanisms by Eritrea;

3. *Calls upon* the Government of Eritrea, without delay:

(a) To end its use of arbitrary detention of its citizens, and to end the use of torture or other cruel, inhumane and degrading treatment or punishment;

(b) To account for and release all political prisoners, including members of the "G-15" and journalists;

(c) To ensure free and fair access to an independent judicial system for those detained, and to improve prison conditions, including by prohibiting the use of underground cells and shipping containers to hold prisoners, ending the use of secret detention centres and secret courts and the practice of incommunicado detention, and allowing regular access to prisoners for relatives, legal advocates, medical care and other competent and legally authorized authorities and institutions;

(d) To put an end to the system of indefinite national service, to provide for conscientious objection to military service, and to end the compulsory practice of all children undertaking their final year of schooling in a military training camp;

(e) To allow human rights and humanitarian organizations to operate in Eritrea without fear or intimidation, and to facilitate the full implementation of the Strategic

Partnership Cooperation Framework for 2013-2016 signed by the Government of Eritrea and the United Nations on 28 January 2013;

(f) To respect everyone's right to freedom of expression and to freedom of thought, conscience and religion or belief, and the rights to freedom of peaceful assembly and of association;

(g) To enhance the promotion and protection of women's rights, including by taking further measures to combat harmful practices, such as early marriage and female genital mutilation;

(h) To implement the recommendations accepted during its universal periodic review, to report on progress made and to cooperate fully with the Human Rights Council and the universal periodic review during its second cycle;

(i) To end "guilt-by-association" policies that target family members of those who evade national service or seek to flee Eritrea;

(j) To cooperate fully with the Office of the United Nations High Commissioner for Human Rights, in accordance with its international human rights obligations, by, *inter alia*, allowing access to a mission by the Office as requested by the High Commissioner, the human rights treaty bodies, all mechanisms of the Human Rights Council and with all international and regional human rights mechanisms;

(k) To provide the Office of the High Commissioner with all relevant information on the identity, safety, well-being and whereabouts of all detained persons and persons missing in action, including journalists and Djiboutian combatants;

(l) To implement fully the Constitution of Eritrea adopted in 1997, and to govern in accordance with the principles of the rule of law;

4. *Urges* Eritrea to make available information pertaining to Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008 so that those concerned may ascertain the presence and condition of Djiboutian prisoners of war;

5. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Eritrea for a period of one year, and requests her to present a report to the Human Rights Council at its twenty-sixth session and to address and engage in an interactive dialogue with the General Assembly at its sixty-eighth session;

6. *Calls upon* the Government of Eritrea to cooperate fully with the Special Rapporteur, to permit her access to visit the country, to give due consideration to the recommendations contained in her first report and to provide the information necessary for the fulfilment of her mandate, and underlines the importance for all States to lend their support to the Special Rapporteur for the discharge of her mandate;

7. *Urges* the international community to cooperate fully with the Special Rapporteur and to strengthen efforts to ensure the protection of those fleeing from Eritrea, in particular the increasing number of unaccompanied children;

8. *Requests* the Secretary-General to provide the Special Rapporteur with all information and the resources necessary to fulfil the mandate;

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

*40th meeting
14 June 2013*

[Adopted without a vote.]

23/22

Technical assistance to Côte d'Ivoire in the field of human rights

The Human Rights Council,

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

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

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

Recalling further Council resolutions S-14/1 of 23 December 2010 and 16/25 of 25 March 2011 concerning the situation of human rights in Côte d'Ivoire, Council resolution 17/21 of 17 June 2011 establishing the mandate of the Independent Expert on the situation of human rights in Côte d'Ivoire and Council resolution 20/19 of 6 July 2012 renewing the mandate of the Independent Expert,

Reaffirming that all States have a responsibility 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 relevant human rights instruments,

Welcoming the holding of local (municipal and departmental) elections in Côte d'Ivoire on 21 April 2013, which mark the completion of the process of establishing national institutions,

Noting that, while the situation of human rights in Côte d'Ivoire has improved, as indicated in the report of the Independent Expert on the situation of human rights in Côte d'Ivoire,³² it remains relatively fragile in view of the many challenges, particularly as regards the restoration of peace, national reconciliation and the fight against impunity, as well as security sector reform,

Gravely concerned by the resurgence of armed attacks on the Forces républicaines de Côte d'Ivoire and the forces of the United Nations in the exercise of their mandate to protect civilians,

1. *Condemns* the resurgence of attacks by unidentified armed groups in Côte d'Ivoire, which are liable to thwart the joint efforts of the Ivorian people and the international community to definitively overcome the effects of the post-election crisis in Côte d'Ivoire;

2. *Deplores* the attack on the Nahibly camp for displaced persons and urges the Ivorian Government to expedite the investigations under way to identify the perpetrators of these acts and to bring them before the competent courts;

3. *Welcomes* the substantial improvement in security matters in Côte d'Ivoire, as well as the establishment of the Special Investigative Unit and the National Security Council, particularly as regards their roles in early warnings and prevention of human rights violations;

³² A/HRC/22/66.

4. *Welcomes* the continued cooperation of the Ivorian Government with the United Nations human rights machinery and its commitment to promote and protect human rights, and encourages the continuation of efforts to end all human rights violations, to prosecute the perpetrators of such acts and to provide assistance to victims;

5. *Takes note* of the reports and recommendations of the Independent Expert on the situation of human rights in Côte d'Ivoire;

6. *Welcomes* the commitments undertaken by the Government of Côte d'Ivoire at the twenty-second session of the Council to endorse the Independent Expert's recommendations, particularly those related to strengthening democracy, combating impunity through the justice system and strengthening inclusive political pluralism and cultural and religious pluralism;

7. *Also welcomes* in this regard the establishment of a political framework for ongoing dialogue aimed at facilitating inclusive political pluralism, the ratification of the Rome Statute of the International Criminal Court and the adoption of new norms of family law to provide for equality between men and women in marriage, which constitute important progress in strengthening the legislative framework and thus in promoting and protecting human rights and ending impunity;

8. *Takes note* of the opening of the trial of some members of the Forces républicaines de Côte d'Ivoire and of the holding in Yamoussoukro, from 21 to 23 February 2013, of an international conference on impunity, organized by the Independent Expert;

9. *Urges* the Ivorian Government and all the actors concerned to support the effective implementation of the mandate of the Dialogue, Truth and Reconciliation Commission of Côte d'Ivoire, and invites the Commission to do all it can to meet the expectations of the Ivorian people and the international community in terms of redress and non-repetition;

10. *Takes note* of the publication of the work of the National Commission of Inquiry in Côte d'Ivoire, which is responsible for investigating the facts and circumstances surrounding the allegations of serious abuses and human rights violations in Côte d'Ivoire following the presidential election of 28 November 2010, commends the relevance of the Commission's conclusions and recommendations and urges the Ivorian Government to follow up on them;

11. *Encourages* the Ivorian Government to continue to ratify and implement international and regional human rights instruments, to comply with their reporting requirements and to promote human rights education;

12. *Notes with concern* the continuing instability of the humanitarian situation on the ground, and calls on United Nations agencies and other relevant actors to continue to cooperate with the Ivorian Government in providing assistance to refugees and internally displaced persons, in conformity with the measures put in place by the Government, so as to encourage their safe and voluntary return to their homes;

13. *Notes also with concern* the continued and recurring allegations of violence against women and children, and requests the Ivorian Government to do all it can to investigate such allegations;

14. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide the technical assistance requested by the Ivorian Government, including support for the Dialogue, Truth and Reconciliation Commission, and to work with it to identify other areas of assistance that will help Côte d'Ivoire to meet its human rights obligations;

15. *Requests* the international community to continue to support the reconstruction and reconciliation process under way in Côte d'Ivoire and to provide the assistance requested in the specific areas in which such assistance is necessary, including in strengthening the capacity of the mechanisms for combating violence against women and children;

16. *Calls on* the international community to support the national efforts made by Côte d'Ivoire and its institutions to improve the human rights situation in the country, and to respond to its requests for technical assistance in the humanitarian, educational, health, economic and social spheres;

17. *Also calls on* the international community to support the new National Human Rights Commission, through technical assistance and capacity-building programmes, with a view to enabling it to contribute effectively to the promotion and protection of the fundamental rights of the Ivorian people, in accordance with the Paris Principles;

18. *Decides* therefore to renew the mandate of the Independent Expert on the situation of human rights in Côte d'Ivoire for a period of one year, from the twenty-third to the twenty-sixth session of the Human Rights Council;

19. *Requests* the Independent Expert to submit his report at the twenty-fifth session and his recommendations at the twenty-sixth session of the Human Rights Council;

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

*40th meeting
14 June 2013*

[Adopted without a vote.]

23/23

Strengthening of technical cooperation and consultative services in Guinea

The Human Rights Council,

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

Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 13/21 of 26 March 2010, 16/36 of 25 March 2011 and 19/30 of 23 March 2012,

Reaffirming that all States have an obligation to promote and protect the human rights and fundamental freedoms set forth in the Charter of the United Nations, the Universal Declaration of Human Rights, the international covenants on human rights and the other relevant human rights instruments to which they are parties,

Noting with satisfaction the efforts made by Guineans and the international community, in particular the African Union and the Economic Community of West African States, to establish democratic institutions and to strengthen the rule of law,

Noting with concern the delay in the completion of the political transition process due to the postponement of legislative elections, a delay that could hamper the reforms that are indispensable in order to protect human rights and fundamental freedoms and to combat impunity,

Recalling that it is the primary responsibility of Guinea to protect its civilian population, to conduct inquiries into violations of human rights and international humanitarian law, and to bring perpetrators to justice,

1. *Recognizes* the efforts made by the Guinean Government to strengthen the rule of law and improve the human rights situation in Guinea in line with the recommendations of the international commission of enquiry³³ established by the Secretary-General of the United Nations and supported by the African Union and the Economic Community of West African States;

2. *Welcomes* the creation of the new Ministry of Human Rights and Civil Liberties and the mainstreaming of human rights in the reform of the security sector;

3. *Takes note* of the change in the composition of the Independent National Electoral Commission, which is responsible for coordinating parliamentary elections on an impartial and consensual basis;

4. *Calls on* the Guinean authorities to guarantee freedom of opinion and expression and freedom of peaceful assembly and association;

5. *Urges* all political stakeholders:

(a) To take an active part in good faith in the political dialogue, and invites them to organize free, democratic and transparent legislative elections as soon as possible with a view to creating the conditions for the restoration of calm based on an inclusive dialogue among all sectors of the Guinean population;

(b) To prevent and prohibit acts of violence during the democratization process under way in Guinea;

6. *Takes note* of the establishment by the Guinean Government of a national commission for the study and prevention of the problem of violence and of the creation of a permanent framework for dialogue and consultation among stakeholders with a view to leading the country to free, democratic, transparent and peaceful elections;

7. *Firmly reiterates* its commitment to accession to power by democratic means and condemns all incitement to ethnic or racial hatred;

8. *Urges* the Guinean Government to pursue reforms in the security and defence sectors that incorporate respect for human rights and guarantee the enjoyment of civil and political rights;

9. *Encourages* the Guinean Government to draw up and implement a comprehensive programme to strengthen the justice system so that efforts to combat impunity may be intensified, in line with its aim of making 2013 the year of justice, and to consolidate reforms relating to the strict observance of human rights;

10. *Notes* that measures have been taken by the panel of judges appointed by the Guinean Government to investigate the events of 28 September 2009, including interviews with victims and the filing of charges against suspects, encourages the panel of judges to pursue its work and urges the Government to guarantee the necessary means and security conditions for the panel of judges so that its members may effectively fulfil the mandate conferred upon them;

³³ S/2009/693.

11. *Encourages* the Guinean Government to adopt the following supplementary measures:

(a) Support the work of the panel of judges and expedite judicial proceedings against those responsible for the events of 28 September 2009, including the acts of sexual violence committed against women and girls, under conditions that will ensure the safety and protection of the judges and judicial personnel and of the witnesses and victims, and guarantee the transparency of the mandate and working methods of the panel of judges and their ability to investigate and prosecute the persons at all levels who are implicated in those events;

(b) Guarantee the protection of the survivors of these acts of violence, including the victims of sexual violence, and the provision of all suitable forms of assistance and redress, including medical assistance and psychological support, particularly for victims of sexual violence;

(c) Compensate the families of victims who lost their lives as a result of the events of 28 September 2009 and provide redress for the physical and psychological suffering inflicted upon those who were wounded;

12. *Notes* that the Guinean Government has agreed to accept technical assistance from an expert deployed by the Team of Experts on the Rule of Law and Sexual Violence in Conflict, and urges the Government to continue its cooperation with the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict;

13. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guinea;³⁴

14. *Firmly reiterates* its appeal to the international community to:

(a) Provide the Guinean Government with appropriate assistance to promote respect for human rights through, inter alia, the achievement of the Millennium Development Goals, the fight against impunity and the reform of the security and justice sectors, as well as the initiatives that are under way to promote truth, justice and national reconciliation;

(b) Support the Office of the United Nations High Commissioner for Human Rights in Guinea;

(c) Support the efforts of the Guinea configuration of the United Nations Peacebuilding Commission to accompany the country along the road towards peacebuilding and the strengthening of the State;

15. *Invites* the High Commissioner to report to the Council at its twenty-fifth session on the situation of human rights and the work of the Office of the United Nations High Commissioner for Human Rights in Guinea;

16. *Decides* to remain seized of this matter.

*40th meeting
14 June 2013*

[Adopted without a vote.]

³⁴ A/HRC/22/39.

23/24

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

The Human Rights Council,

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

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

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

Recalling Human Rights Council resolutions 18/17 of 29 September 2011 and 21/28 of 28 September 2012 on technical assistance and capacity-building for South Sudan,

Recognizing the challenges of institution- and State-building facing South Sudan, including the administration of justice and the rule of law, the protection of the rights of women and children and the enjoyment of civil, political, social and economic rights, and commending the steps being taken to address those challenges,

Welcoming the commitments made by the Government of South Sudan to strengthen national mechanisms for the promotion and protection of human rights, and calling upon the Government to implement those commitments,

Calling on the Government of South Sudan to investigate the alleged human rights violations by the security forces against civilians and to bring the perpetrators to justice,

Expressing concern at the continuation of inter-communal fighting, and calling upon the Government to raise awareness and enforce appropriate legal frameworks in the country, and to promote reconciliation,

Welcoming the steps taken by the Government of South Sudan in the protection and promotion of human rights, in particular to build the capacity of the South Sudan Human Rights Commission, and calling upon the Government to take steps to ensure the independence of the Commission, in accordance with the Paris Principles, and to provide it with adequate resources to fulfil its mandate,

Welcoming also the Government's support for the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity,

1. *Calls upon the Government of South Sudan to implement legally binding international and regional human rights instruments to which it is party;*

2. *Also calls on the Government of South Sudan to strengthen cooperation with the United Nations Mission in South Sudan on issues pertaining to the promotion and protection of human rights and to ensure the security of its members;*

3. *Takes note with appreciation of the report of the Office of the United Nations High Commissioner for Human Rights on technical assistance and capacity-building for South Sudan;*³⁵

³⁵ A/HRC/23/31.

4. *Requests* the Government of South Sudan to take steps to tackle impunity and improve the justice system, including improvement in the training of government officials to foster a culture of accountability;

5. *Requests* Member States, relevant United Nations agencies and stakeholders to support, as a matter of urgency, the national efforts of the Government of South Sudan on technical assistance and capacity-building to include training and workshops in human rights education to overcome challenges in the areas of security and to promote respect for human rights;

6. *Requests* the Government of South Sudan to take steps to strengthen further the independence of the South Sudan Human Rights Commission, enabling it to contribute to promotion and protection of the human rights of the people of South Sudan;

7. *Requests* the High Commissioner to report on the situation of human rights in South Sudan, to work with the Government of South Sudan to provide it with technical assistance, and to identify additional areas of assistance to strengthen the capacity of South Sudan to fulfil its human rights obligations and commitments;

8. *Also requests* the High Commissioner to submit an interim report to the Human Rights Council at its twenty-sixth session, and a final report at its twenty-eighth session, on progress in technical assistance and capacity-building in the field of human rights;

9. *Decides* to remain seized of this matter.

*40th meeting
14 June 2013*

[Adopted without a vote.]

23/25

Accelerating efforts to eliminate all forms of violence against women: preventing and responding to rape and other forms of sexual violence

The Human Rights Council,

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

Guided by the Convention on the Elimination of All Forms of Discrimination against Women,

Reaffirming the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, the Programme of Action of the International Conference on Population and Development and Human Rights Council resolutions 7/24 of 28 March 2008, 14/12 of 18 June 2010, 16/7 of 24 March 2011, 17/11 of 17 June 2011 and 20/12 of 5 July 2012, as well as those of the Commission on Human Rights on the elimination of all forms of violence against women, and recalling relevant resolutions of the General Assembly and relevant resolutions and the agreed conclusions of the Commission on the Status of Women,³⁶

Recalling Security Council resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009

³⁶ *Official Records of the Economic and Social Council, 2013, Supplement No. 7 (E/2013/27).*

and 1960 (2010) of 16 December 2010, on women, peace and security, 1674 (2006) of 28 April 2006, and all relevant Security Council resolutions on children and armed conflict, including resolutions 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011,

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

Outraged by the prevalence of rape and other forms of sexual violence, which disproportionately affect women and girls, and occur in all spheres of society, in public and private life, in peace time, during periods of civil unrest or political transition, and in conflict and post-conflict situations,

Recognizing that rape or any other form of sexual violence is unlawful in all circumstances and in all places,

Underscores the fact that shame, stigma, fear of reprisals and negative economic consequences, such as loss of livelihood or reduced household income, prevent many women from reporting cases of rape and other forms of sexual violence, and from seeking justice for these crimes,

Stressing the importance of law enforcement pursuing adequate investigations and prosecutions for rape and other forms of sexual violence perpetrated on any ground against women and girls, and recognizing that a lack of accountability unacceptably reinforces social normalization of and tolerance for these crimes,

Acknowledging that the forced marriage of women and young girls is a violation or an abuse of their human rights and makes them particularly vulnerable to violence, including sexual violence,

Deeply concerned that child, early and forced marriages expose young married girls to a greater risk of HIV and sexually transmitted infections, often lead to early childbearing and increase the risk of disability, stillbirth, obstetric fistula and maternal death, and reduce their opportunities to complete their education, gain comprehensive knowledge or develop employable skills, and violate and impair the full enjoyment of the human rights of women and girls, preventing women and girls from becoming full, contributing members of society,

Recognizing that violence against women has both short- and long-term adverse consequences for their health, including their sexual and reproductive health, and the enjoyment of their human rights, and that respecting and promoting sexual and reproductive health, and protecting and fulfilling reproductive rights in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences is a necessary condition to achieve gender equality and the empowerment of women to enable them to enjoy all their human rights and fundamental freedoms, and to prevent and mitigate violence against women,

Recalling the inclusion of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court, as well as the recognition by the ad hoc international criminal tribunals that rape can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide or torture,

Emphasizing the responsibility of all States to comply with their relevant obligations to put an end to impunity and to effectively use all appropriate means to thoroughly investigate and prosecute those subject to their jurisdiction that are responsible for such crimes,

Stressing that women's empowerment, including women's economic empowerment and full and equal access to resources, women's full integration into the formal economy, in particular in economic decision-making, and their full and equal participation at all levels of public, political and cultural life are essential for addressing the underlying causes of violence against women, including sexual violence,

Recognizing the important role of the United Nations system, in particular of the United Nations Entity for Gender Equality and the Empowerment of Women, in addressing discrimination and violence against women and girls at the global, regional and national levels and in assisting States, upon their request, in their efforts to eliminate and prevent all forms of violence against women and girls,

1. *Strongly condemns* all acts of violence against women and girls, whether these acts are perpetrated by the State, private persons or non-State actors, and calls for the elimination of all forms of gender-based violence in the family, within the general community and where perpetrated or condoned by the State, in accordance with the Declaration on the Elimination of Violence against Women;

2. *Expresses deep concern* at rape and other forms of sexual violence in all their manifestations, which often target victims associated with communities, ethnic groups or other groups regarded as antagonistic to or insufficiently supportive of the group or entity whose forces commit the crime, and are frequently calculated to humiliate, dominate, instil fear in, disperse and/or forcibly relocate members of such groups, including, but not limited to, the victims and their families, and can be used as a form of ethnic cleansing;

3. *Also expresses deep concern* at the use of rape and other forms of sexual violence to intimidate, harass, deter and commit reprisals against women and girls, including women human rights defenders, in public spaces, and calls upon States to ensure that women and girls are enabled to participate as members of civil society without fear of reprisal, coercion, intimidation or attack;

4. *Urges* States to take meaningful steps to address the harmful attitudes, customs, practices, stereotypes and unequal power relations that underlie and perpetuate rape and other forms of sexual violence by, inter alia:

(a) Publicly condemning, at the highest levels, rape and sexual violence against women and girls on any grounds, and providing visible and sustained leadership, by men and women alike, to support effective prevention;

(b) Engaging all segments of society, including community and religious leaders, civil society organizations, the private sector and the media, in prevention efforts, such as awareness-raising and education campaigns targeting the general public to increase their understanding of the harmful effects of violence;

(c) Engaging, educating, encouraging and supporting men and boys to take responsibility for their behaviour and to become active partners in the prevention and elimination of all forms of discrimination and violence against women and girls, and to end the stigmatization of victims by encouraging a change in attitudes, norms and behaviour through the promotion of gender equality;

(d) Measuring the effectiveness of policies and programmes to prevent sexual violence, including by carrying out regular evaluation and monitoring, and collecting and disseminating data disaggregated by sex, age, disability and other relevant factors;

5. *Also urges* States to increase measures to protect women and girls from all forms of violence, including sexual violence, by addressing their security and safety, including through, inter alia, awareness-raising, involvement of local communities, crime

prevention laws, infrastructures, public transportation, sanitation facilities, street lighting and improved urban planning;

6. *Stresses* that women should be empowered to protect themselves against sexual 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;

7. *Calls upon* States to ensure that all forms of rape and sexual violence are criminalized in national law and to take appropriate legislative and policy steps to ensure the prompt and adequate investigation, prosecution and accountability of perpetrators, including by strengthening the capacity of the criminal justice system;

8. *Urges* States to ensure that national laws and policies are in compliance with their international human rights obligations and are non-discriminatory by, inter alia, permitting prosecution of marital rape and repealing provisions that require corroboration of testimony, enable perpetrators of rape to escape prosecution and punishment by marrying their victim, and subject victims of sexual violence to prosecution for moral crimes or defamation;

9. *Affirms* the need for States to take practical steps to ensure women's access to justice, including by creating an enabling environment where women and girls can easily report incidents of violence, including sexual violence, through, inter alia, victim services, testimonial support and the possibility of publication bans, by improving victim and witness protection, protecting confidentiality and privacy rights, and providing law enforcement officials and first responders with human rights training;

10. *Underscores* the importance for States to address all health consequences, including physical, mental and sexual and reproductive health consequences, of rape and other forms of sexual violence against women and girls by providing accessible health-care services that are responsive to trauma and include affordable, safe and effective treatment;

11. *Calls upon* Governments, in cooperation with the private sector, non-governmental organizations and other civil society actors, as appropriate, to address the long-term consequences faced by victims of rape and other forms of sexual violence, including legal discrimination and social stigmatization, as well as the effects on children born as a result of rape or who witness such violence;

12. *Stresses* the need for States and relevant United Nations agencies to ensure that measures to provide protection to victims and witnesses of rape and other forms of sexual violence extend to and address the specific needs of those most vulnerable to these forms of violence, including indigenous, disabled, refugee and internally displaced women and girls, women in custody, women and girls forcibly recruited by armed forces and armed non-State actors, and trafficked women and girls, including those forced into sexual exploitation and slavery;

13. *Underlines* that, in situations of peaceful protest, civil unrest, public emergency or political transition, States must continue to take all necessary measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual violence, and must ensure that such acts, whether or not committed by State or non-State actors in the course of achieving political or military objectives or, as a means of intimidation or repression, are promptly and effectively investigated and, if grounds for it are established, prosecuted;

14. *Condemns* all acts of sexual exploitation, abuse and trafficking of women and children by military, police and related civilian personnel, including those involved in United Nations operations, and affirms the need for personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel,

including by ensuring that appropriate training is provided, that any allegations of rape or other forms of sexual violence against any such personnel are investigated and prosecuted, and that perpetrators are held accountable;

15. *Calls upon* States to demonstrate their commitment to preventing sexual violence by promoting and protecting women's human rights and the equal participation and full involvement of women in society and by ensuring that women are active participants in decision-making processes, including peace, transitional justice, political transition and constitutional reform processes;

16. *Takes note* of the efforts to develop a non-binding international protocol on the investigation and documentation of sexual violence in conflict, drawing on existing local, regional and international guidance, to set out international standards for the investigation of rape and sexual violence to ensure that the strongest possible evidence is collected and that victims receive sensitive and sustained support;

17. *Affirms* its intention to ensure that, where appropriate, the mandates of future fact-finding missions or commissions of inquiry require them to devote specific attention to violence against women and girls in their reports and recommendations, or upon renewal of existing mandates;

18. *Invites* the Office of the United Nations High Commissioner for Human Rights, within its mandate, to make expertise promptly available to investigate allegations of mass rape or systematic sexual violence, including by utilizing existing regionally diverse and gender-balanced multilateral rosters of readily deployable trained professionals, such as the United Nations Entity for Gender Equality and the Empowerment of Women/Justice Rapid Response joint roster of international investigators of sexual and gender-based crimes;

19. *Also invites* the Office of the High Commissioner to include, during the annual full-day discussion on women's human rights to be held during the twenty-ninth session of the Human Rights Council, a discussion on the outcome of the meeting of the open-ended intergovernmental expert group to be convened by the Secretary-General in 2014 and organized by the Commission on Crime Prevention and Criminal Justice on ways and means to more effectively prevent, prosecute and punish gender-related killings of women and girls, and on the work carried out on good and promising practices, such as the non-binding model protocol and the best practices guide for the investigation of gender-related killings in Latin America;

20. *Welcomes* the work of the Special Rapporteur on violence against women, its causes and consequences and of the Special Representative of the Secretary-General on Sexual Violence in Conflict, and takes note with appreciation of the report of the Special Rapporteur on State responsibility for eliminating violence against women;³⁷

21. *Decides* to extend the mandate of the Special Rapporteur on violence against women, its causes and consequence, as set out by the Human Rights Council in its resolution 16/7, for a period of three years;

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

³⁷ A/HRC/23/49/Add.5.

40th meeting
14 June 2013

[Adopted without a vote.]

23/26

The deterioration of the situation of human rights in the Syrian Arab Republic, and the need to grant immediate access to the commission of inquiry

The Human Rights Council,

Guided by the Charter of the United Nations,

Recalling Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

Recalling also all relevant resolutions of the General Assembly, the Security Council and the Human Rights Council on the situation in the Syrian Arab Republic,

Taking note of all relevant resolutions of the League of Arab States and the Organization of Islamic Cooperation relating to the situation in the Syrian Arab Republic,

Recalling the urgent debate held by the Human Rights Council on 28 May 2013 on the deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al Qusayr,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Recalling all the meetings of the Group of Friends of the Syrian People, in particular the fourth Ministerial Meeting held in Marrakech on 12 December 2012, where the participants acknowledged the National Coalition for Syrian Revolutionary and Opposition Forces as the legitimate representative of the Syrian people,

Reaffirming its support for the mission of the Joint Special Representative of the United Nations and the League of Arab States, Lakhdar Brahimi, and welcoming the international efforts to organize an international conference aimed at finding a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, where all citizens are equal regardless of gender, religion and ethnicity, and demands in this regard that all Syrian parties work with the Joint Special Representative to implement rapidly the transition plan set forth in the final communiqué issued by the Action Group for Syria on 30 June 2012,

Recalling the statements made by the United Nations High Commissioner for Human Rights before the Human Rights Council and the Security Council and by the special procedures of the Human Rights Council that crimes against humanity are likely to have been committed in the Syrian Arab Republic, and noting the repeated encouragement by the High Commissioner to the Security Council to refer the situation to the International Criminal Court,

1. *Welcomes* the report of the independent international commission of inquiry on the Syrian Arab Republic submitted pursuant to Human Rights Council resolution 22/24 of 22 March 2013;³⁸
2. *Condemns* the lack of cooperation of the Government of the Syrian Arab Republic with the commission of inquiry, in particular the persistent denial of access to members of the commission to the Syrian Arab Republic;
3. *Notes with concern* that the lack of access by the commission of inquiry to the Syrian Arab Republic continues to hamper the commission's ability to fulfil its mandate, and stresses in this regard the need to collect evidence directly from all of the Syrian Arab Republic;
4. *Demands* that the Syrian authorities cooperate fully with the commission of inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic and responding promptly to its communications and requests;
5. *Acknowledges* the statement of the Syrian opposition coalition of 5 June 2013 to cooperate with the commission of inquiry, including in opposition-controlled areas, and calls on the opposition to assist the commission of inquiry in the fulfilment of its mandate;
6. *Condemns* all violence, especially against civilians, irrespective of where it comes from, including terrorist acts and acts of violence that may foment sectarian tensions, and demands that all parties put an immediate end to all forms of violence and comply strictly with their obligations under international law, including international humanitarian law;
7. *Urges* all parties to the conflict to refrain from any actions that may contribute to the escalation of violations of human rights or international humanitarian law;
8. *Strongly condemns* the continued widespread and systematic gross violations of human rights and fundamental freedoms and all violations of international humanitarian law by the Syrian authorities and the government-affiliated *Shabbiha* militias, as well as any human rights abuses and violations of international humanitarian law by armed oppositions groups, while noting that the commission of inquiry stated in its report that abuses and violations committed by anti-Government armed groups did not reach the intensity and scale of the violations committed by government forces and its associated militia;
9. *Condemns in the strongest terms* all massacres taking place in the Syrian Arab Republic, and stresses the need to hold those responsible to account;
10. *Strongly condemns* the intervention of all foreign combatants in the Syrian Arab Republic, including those fighting on behalf of the regime and most recently Hizbullah, and expresses deep concern that their involvement further exacerbates the deteriorating human rights and humanitarian situation, which has a serious negative impact on the region;
11. *Stresses* the imperative need to follow up on the report of the commission of inquiry and to conduct a prompt and transparent independent international investigation into all abuses and all violations of international law committed by all parties, with a view to hold to account those responsible for violations and abuses, including those that may amount to crimes against humanity and war crimes;

³⁸ A/HRC/23/58.

12. *Calls upon* all parties to respect fully international law applicable to the rights and protection of women and girls, and to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and also calls for the involvement of women at decision-making levels in conflict resolution and peace processes;

13. *Notes with grave concern* that violations of the rights of the child are being committed in the Syrian Arab Republic, in violation of the Convention on the Rights of the Child and the Optional Protocol thereto on the involvement of children in armed conflict to which the Syrian Arab Republic is a party, and urgently calls for refraining from recruiting and involving children in the conduct of hostilities;

14. *Encourages* members of the international community to ensure that there is no impunity for such violations or abuses, and stresses that the Syrian authorities have failed to prosecute alleged perpetrators of serious violations or abuses that may amount to war crimes or crimes against humanity;

15. *Reaffirms* that the Syrian people, on the basis of broad, inclusive and credible consultations, should determine, within the framework provided by international law, the process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations, as well as reparations and effective remedies for victims, while underlining the relevance of referrals to the appropriate international criminal justice mechanism under appropriate circumstances;

16. *Demands* that the Syrian authorities meet their responsibility to protect the Syrian population;

17. *Deplores* the further deterioration of the humanitarian situation and the failure to ensure the safe and timely provision of humanitarian assistance to all areas affected by the fighting;

18. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence, and welcomes the efforts by neighbouring countries to host Syrian refugees, while acknowledging the socioeconomic consequences of the presence of large-scale refugee populations in these countries;

19. *Notes* the request made by the General Assembly to the Special Rapporteur on the human rights of internally displaced persons to submit a written report on the very dire situation of internally displaced persons in the Syrian Arab Republic,³⁹ and invites the Special Rapporteur to present that report to the Council at its twenty-fourth session;

20. *Urges* the international community to provide urgent financial support to the host countries to enable them to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

21. *Urges* all relevant United Nations agencies, in particular the Office of the United Nations High Commissioner for Refugees, and other international organizations and donor States to provide urgent and more support to Syrian refugees and their host countries;

22. *Urges* all donors to provide expeditiously financial support to the Office for the Coordination of Humanitarian Affairs and international humanitarian organizations, as requested in the humanitarian appeal on the Syrian Arab Republic, so that they can implement more actively the humanitarian response plan inside the country;

³⁹ General Assembly resolution 67/262, para. 21.

23. *Takes note with appreciation* of the international assistance offered since the Kuwait Donors Conference of 30 January 2013, notes the scale of the Syrian regional humanitarian appeal launched on 7 June 2013, and calls on all members of the international community to respond expeditiously to the appeal and to fulfil previous pledges;

24. *Demands* that the Syrian authorities facilitate the access of humanitarian organizations to all people in need through the most efficient routes, including by providing authorization for cross-border humanitarian operations as an urgent priority, encourages all parties in the Syrian Arab Republic to facilitate the delivery of assistance in areas under their control, including across conflict lines, in order to implement fully the humanitarian response plan, and calls on all sides to respect the safety of humanitarian workers and United Nations personnel and to protect medical personnel, facilities and transport consistent with applicable international law, as well as to allow the provision of medical care on a non-discriminatory basis;

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

*41st meeting
14 June 2013*

[Adopted by a recorded vote of 37 to 1, with 9 abstentions. The voting was as follows:

In favour:

Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Czech Republic, Estonia, Germany, Guatemala, Indonesia, Ireland, Italy, Japan, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania, Montenegro, Peru, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Sierra Leone, Spain, Switzerland, Thailand, United Arab Emirates, United States of America

Against:

Venezuela (Bolivarian Republic of)

Abstaining:

Angola, Ecuador, Ethiopia, Gabon, India, Kazakhstan, Pakistan, Philippines, Uganda]

II. Decisions

23/101

Outcome of the Universal Periodic Review: France

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 France on 21 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on France which is constituted of the report of the Working Group on France (A/HRC/23/3), together with the views of France 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/23/3/Add.1 and A/HRC/23/2, chapter VI).

*24th meeting
6 June 2013*

[Adopted without a vote.]

23/102

Outcome of the Universal Periodic Review: Tonga

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Tonga on 21 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Tonga which is constituted of the report of the Working Group on Tonga (A/HRC/23/4), together with the views of Tonga 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/23/4/Add.1 and A/HRC/23/2, chapter VI).

*24th meeting
6 June 2013*

[Adopted without a vote.]

23/103

Outcome of the Universal Periodic Review: Romania

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Romania on 22 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Romania which is constituted of the report of the Working Group on Romania (A/HRC/23/5), together with the views of Romania 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/23/5/Add.1 and A/HRC/23/2, chapter VI).

*24th meeting
6 June 2013*

[Adopted without a vote.]

23/104

Outcome of the Universal Periodic Review: Mali

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Mali on 22 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Mali which is constituted of the report of the Working Group on Mali (A/HRC/23/6), together with the views of Mali 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/23/6/Add.1 and A/HRC/23/2, chapter VI).

*25th meeting
6 June 2013*

[Adopted without a vote.]

23/105

Outcome of the Universal Periodic Review: Botswana

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 resolutions 5/1 of 18 June 2007 and 16/21

of 21 March 2011, 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 Botswana on 23 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Botswana which is constituted of the report of the Working Group on Botswana (A/HRC/23/7), together with the views of Botswana 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/23/7/Add.1 and A/HRC/23/2, chapter VI).

25th meeting
6 June 2013

[Adopted without a vote]

23/106

Outcome of the Universal Periodic Review: Bahamas

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Bahamas on 23 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on the Bahamas which is constituted of the report of the Working Group on the Bahamas (A/HRC/23/8), together with the views of the Bahamas 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/23/8/Add.1 and A/HRC/23/2, chapter VI).

25th meeting
6 June 2013

[Adopted without a vote.]

23/107

Outcome of the Universal Periodic Review: Burundi

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Burundi on 24 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Burundi which is constituted of the report of the Working Group on Burundi (A/HRC/23/9), together with the views of Burundi 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/23/2, chapter VI).

26th meeting
6 June 2013

[Adopted without a vote.]

23/108

Outcome of the Universal Periodic Review: Luxembourg

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Luxembourg on 24 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Luxembourg which is constituted of the report of the Working Group on Luxembourg (A/HRC/23/10), together with the views of Luxembourg 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/23/10/Add.1 and A/HRC/23/2, chapter VI).

26th meeting
6 June 2013

[Adopted without a vote.]

23/109

Outcome of the Universal Periodic Review: Barbados

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Barbados on 25 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Barbados which is constituted of the report of the Working Group on Barbados (A/HRC/23/11), together with the views of Barbados 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/23/11/Add.1 and A/HRC/23/2, chapter VI).

26th meeting
6 June 2013

[Adopted without a vote.]

23/110

Outcome of the Universal Periodic Review: Montenegro

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Montenegro on 28 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Montenegro which is constituted of the report of the Working Group on Montenegro (A/HRC/23/12), together with the views of Montenegro 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/23/12/Add.1 and A/HRC/23/2, chapter VI).

27th meeting
7 June 2013

[Adopted without a vote.]

23/111

Outcome of the Universal Periodic Review: United Arab Emirates

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 United Arab Emirates on 28 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on the United Arab Emirates which is constituted of the report of the Working Group on the United Arab Emirates (A/HRC/23/13), together with the views of the United Arab Emirates 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/23/13/Add.1 and A/HRC/23/2, chapter VI).

27th meeting
7 June 2013

[Adopted without a vote.]

23/112

Outcome of the Universal Periodic Review: Liechtenstein

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Liechtenstein on 30 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Liechtenstein which is constituted of the report of the Working Group on Liechtenstein (A/HRC/23/14), together with the views of Liechtenstein 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/23/14/Add.1 and A/HRC/23/2, chapter VI).

27th meeting
7 June 2013

[Adopted without a vote.]

23/113

Outcome of the Universal Periodic Review: Serbia

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 resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, 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 Serbia on 30 January 2013 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Serbia which is constituted of the report of the Working Group on Serbia (A/HRC/23/15), together with the views of Serbia 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/23/15/Add.1 and A/HRC/23/2, chapter VI).

29th meeting
7 June 2013

[Adopted without a vote.]

23/114

Assistance to Somalia in the field of human rights

At its 40th meeting, on 14 June 2013, the Human Rights Council decided to adopt the text below:

“The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reaffirming also previous Human Rights Council resolutions on Somalia,

Acknowledging the commitment of the Federal Government of Somalia after an eight-year transition process to work towards a more stable, representative system of governance, with a special focus on the promotion and protection of human rights,

Recognizing that serious human rights and humanitarian concerns remain in Somalia,

Acknowledging the cooperation of the Federal Government of Somalia with the Independent Expert on the situation of human rights in Somalia and with the wider United Nations system,

Welcoming the new United Nations Assistance Mission in Somalia and its mandate to support the Federal Government of Somalia in developing its human rights capacity and to monitor the situation in Somalia,

Recalling the intention of the Federal Government of Somalia to adopt a human rights road map, and affirming the importance of adopting it before the end of 2013,

Welcoming the decision of the Federal Government of Somalia to establish its Directorate General for Human and Minority Rights and Rule of Law within the Office of the Prime Minister,

Acknowledging the commitment of the Federal Government of Somalia to establish a broad-based national human rights commission as soon as feasible, and the role it will play in holding the Government to account with regard to its human rights obligations,

Reaffirming international commitments to support progress and development in Somalia, as shown at the Somalia Conference, held on 7 May 2013 in London, and the communiqué thereof, noting especially the commitments to create sustainable and accountable security institutions that respect human rights, to ensure the protection of women and children in conflict, to ensure equal access for all to a robust, impartial and effective justice system, and to ensure press and media safety and freedom,

Reaffirming also the joint communiqué, signed by the United Nations and Somalia on 7 May 2013, on tackling the root causes of sexual violence in a sustainable manner,

Commending the sustained and vital commitment of the African Union Mission in Somalia and the sacrifices it has made, and affirming the importance of continued efforts to provide human rights training and training on other international obligations to its and Somali security forces, with the support of the United Nations Support Office for the African Union Mission in Somalia,

Recognizing the role of the Intergovernmental Authority on Development in working towards peace and stabilization in Somalia,

Recognizing also the role of the international community, including across the United Nations system, in facilitating progress and development in Somalia through

coordinated support to Somalia and, in particular, in supporting the implementation of its human rights road map and facilitating the monitoring of its effectiveness,

1. *Decides* to hold, from within existing resources, at its twenty-fourth session, a stand-alone high-level interactive dialogue with the aim of exploring how all stakeholders can work effectively towards the finalization and implementation of the road map and the realization of human rights in Somalia;
2. *Also decides* to invite to the above-mentioned high-level interactive dialogue the United Nations High Commissioner for Human Rights, a high-level representation from the Federal Government of Somalia, the Special Representative of the Secretary-General for Somalia, the African Union Special Representative for Somalia, the Independent Expert on the situation of human rights in Somalia, senior representatives of relevant United Nations agencies and other relevant stakeholders;
3. *Requests* the Office of the High Commissioner to provide a summary of the key conclusions of the high-level dialogue pertaining to how to ensure maximum effectiveness of technical and other assistance to Somalia and to ensuring implementation of the road map at the national and subnational levels in Somalia.”

III. President's statement

PRST 23/1

Situation of human rights in Myanmar as regards Rohingya Muslims in Rakhine State and other Muslims

At the 40th meeting, held on 14 June 2013, the President of the Human Rights Council read out the following statement:

“The Human Rights Council:

- (a) Expresses deep concern at the gross violations of human rights in Myanmar, in particular against Rohingya Muslims in Rakhine State and other Muslims in Myanmar;
- (b) Acknowledges the statement made by President U Thein Sein on 28 March 2013, in which he guaranteed that all perpetrators of violence would be prosecuted to the fullest extent of the law, and notes the establishment of the Central Committee for Implementation of Stability and Development in Rakhine State following the report of the independent commission of investigation on Rakhine;
- (c) Recalls the various statements made by the Secretary-General, the United Nations High Commissioner for Human Rights, the Special Adviser to the Secretary-General on Myanmar and the Special Rapporteur on the situation of human rights in Myanmar in which they urged the authorities of Myanmar to protect the civilian population from violence and to ensure full respect of human rights and fundamental freedoms, as well as the statement made by the High Commissioner in her briefing to the Human Rights Council on 27 May 2013;
- (d) Urges the Government of Myanmar to take immediate measures to put an end to all acts of violence based on religion and all violations of human rights, including against Muslims, and calls upon political and religious leaders in the country to give precedence to peaceful resolution through dialogue;
- (e) Calls upon the Government of Myanmar to take all necessary measures to ensure accountability and to end impunity for all violations of human rights that take place, including violence based on religion, including against Muslims, by undertaking a full, transparent and independent investigation into reports of all violations of international human rights law and international humanitarian law;
- (f) Also calls upon the Government of Myanmar, in conjunction with the international community and in accordance with international law, to ensure the return of all refugees and persons displaced from their homes, including Muslims;
- (g) Urges the Government of Myanmar to take all necessary measures to prevent the destruction of places of worship, cemeteries, infrastructure and commercial or residential buildings belonging to all peoples;
- (h) Urges the Government of Myanmar to grant full citizenship rights, in keeping within a transparent due process, to Rohingya Muslims in Rakhine State, including by reviewing the 1982 Citizenship Law;

- (i) Calls upon the Government of Myanmar to ensure full cooperation with all parties and to allow full access of humanitarian assistance to affected persons and communities, and in this regard, urges the Government to implement the various cooperation agreements not yet implemented made between the authorities of Myanmar and the international community for the distribution of humanitarian aid to all affected areas, including Rakhine State, without any discrimination;
- (j) Also calls upon the Government of Myanmar to speed up the process of establishing a country office in accordance with the mandate of the High Commissioner;
- (k) Encourages the Government of Myanmar to continue to engage with the Human Rights Council on this matter.”

Part Two

Summary of proceedings

I. Organizational and procedural matters

A. Opening and duration of the session

1. The Human Rights Council held its twenty-third session at the United Nations Office at Geneva from 27 May to 14 June 2013. 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 twenty-third session was held on 13 May 2013.
3. The twenty-third session consisted of 41 meetings over 15 days (see paragraph 17 below).

B. Attendance

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

C. Agenda and programme of work

5. At its 1st meeting, on 27 May 2013, the Human Rights Council adopted the agenda and programme of work of the twenty-third session.

D. Organization of work

6. At the 1st meeting, on 27 May 2013, the President made an announcement in relation to the proposed modalities for online inscription on the lists of speakers for panels.
7. At the same meeting, the representatives of Cuba, Pakistan and Venezuela (Bolivarian Republic of) made statements. The Council decided to postpone its decision to its 3rd meeting on 28 May 2013.
8. Also at the same meeting, on the same day, 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 States Members of the Human Rights Council and two minutes for observer States and other observers.
9. At the 2nd meeting, on 27 May 2013, the President outlined the modalities for the clustered interactive dialogue with special procedures mandate holders under agenda item 3, which would be 10 minutes for the initial presentation by the mandate holder of the report, 5 minutes for the countries concerned, if any, and for States Members of the Human Rights Council, 3 minutes for observer States and other observers and 5 minutes for concluding remarks by the mandate holder.

10. At the 4th meeting, on 28 May 2013, the Council decided to maintain the current modalities for the inscription for panels. The representative of Ecuador, on behalf of the Group of Latin American and Caribbean States, made a statement.

11. At the 6th meeting, on 29 May 2013, the President outlined the modalities for the panel discussion on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review, which would be five minutes for panellists and two minutes for States Members of the Human Rights Council, observer States and other observers.

12. At the 7th meeting, on 27 May 2013, the President outlined the modalities for the urgent debate on the deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al-Qusayr, which would be two minutes for States Members of the Council, observer States and other observers.

13. At the 17th meeting, on 3 June 2013, the President outlined the modalities for the general debate on the 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 Human Rights Council and two minutes for observer States and other observers.

14. At the 18th meeting, on 4 June 2013, the President outlined the modalities for the individual interactive dialogue with special procedures mandate holders under agenda item 4, which would be 10 minutes for the initial presentation by the mandate holder of the report, 3 minutes for Member States, 2 minutes for observer States and other observers and 5 minutes for the mandate holder's concluding remarks.

15. At the 21st meeting, on 5 June 2013, the President outlined the modalities for the full-day discussion on women's human rights, which would be seven minutes for panellists and two minutes for States Members of the Council, observer States and other observers.

16. At the 24th meeting, on 6 June 2013, 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; where appropriate, 2 minutes for the national human rights institution with "A" status of the State concerned; up to 20 minutes for States Members of the Human Rights Council, observer States and United Nations agencies to express their views on the outcome of the review, with varying speaking times according to the number of speakers in accordance with the modalities set out in the Appendix to resolution 16/21; and up to 20 minutes for stakeholders to make general comments on the outcome of the review.

E. Meetings and documentation

17. The Human Rights Council held 41 fully serviced meetings during its twenty-third session.

18. The text of the resolutions, decisions and President's statement adopted by the Human Rights Council is contained in part one of the present report.

F. Visits

19. At the 28th meeting, on 7 June 2013, the Minister of Justice of the Central African Republic, Arsène Sendé, delivered a statement to the Human Rights Council.

20. At the 31st meeting, on 10 June 2013, the Federal President of Austria, Heinz Fischer, delivered a statement to the Human Rights Council.

G. Urgent debate on the deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al-Qusayr

21. At the 1st meeting, on 27 May 2013, the President of the Human Rights Council announced that on 24 May 2013, he received a request from Qatar, Turkey and the United States of America to convene an urgent debate on the deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al-Qusayr.

22. At the same meeting, the representatives of Qatar and Turkey made statements. The representative of the Syrian Arab Republic made a statement as the country concerned. At the request of Venezuela (Bolivarian Republic of), the Council decided to postpone the decision on the urgent debate to the 2nd meeting.

23. At the 2nd meeting, on the same day, the Council decided to hold the urgent debate at its 7th meeting on 29 May 2013. The representative of Venezuela (Bolivarian Republic of) made a statement.

24. At its 7th meeting, on 29 May 2013, the Council held an urgent debate on the deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al-Qusayr. Prior to the commencement of the urgent debate, the representative of the Russian Federation⁴⁰, also on behalf of Algeria, Bangladesh, Belarus, Bolivia (Plurinational State of), China, Cuba, India, Indonesia, Iran (Islamic Republic of), Nicaragua, Myanmar, Venezuela (Bolivarian Republic of) and Viet Nam, made a statement in connection with the holding of the urgent debate. The United Nations High Commissioner for Human Rights made a statement for the urgent debate.

25. At the same meeting, the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, and the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, made statements on behalf of all special procedures mandate holders, at the request of the Coordination Committee of Special Procedures.

26. At the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

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

(a) Representatives of States Members of the Human Rights Council: Angola, Argentina, Austria, Botswana, Brazil, Chile, Costa Rica, Ecuador, Estonia, Gabon, Guatemala, India, Indonesia, Ireland (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Montenegro, the Republic of Moldova and the former Yugoslav Republic of Macedonia), Italy, Japan, Kuwait, Libya, Maldives, Montenegro, Peru, Poland, Qatar, Republic of Korea, Spain, Switzerland, Thailand, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Bahrain, Belgium, Canada, Croatia, Cuba, China, Democratic People's Republic of Korea, Egypt, France, Honduras, Iran (Islamic Republic of), Jordan, Lebanon, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Paraguay, Russian Federation, Saudi Arabia, South Africa, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay;

⁴⁰ Observer of the Human Rights Council speaking on behalf of Member and observer States.

(c) Observer for the Holy See;

(d) Observers for non-governmental organizations: Amnesty International, Association of World Citizens, Cairo Institute for Human Rights Studies, CIVICUS – World Alliance for Citizen Participation, International Association of Jewish Lawyers and Jurists, International Commission of Jurists, Mouvement contre le racisme et pour l'amitié entre les peuples, Presse Embleme Campagne, Verein Sudwind Entwicklungspolitik.

H. Selection and appointment of mandate holders

28. At its 41st meeting, on 14 June 2013, the Human Rights Council appointed two special procedures mandate holders in accordance with Council resolutions 5/1, 6/36 and 16/21 and its decision 6/102 (see annex IV). The Council had before it a note by the President of the Council containing nominations of candidates for appointment.

I. Consideration of the progress report of the Task Force on secretariat services, accessibility for persons with disabilities and use of information technology

29. At the 41st meeting, on 14 June 2013, the President provided an update about progress made on the implementation of the recommendations by the Task Force on secretariat services, accessibility for persons with disabilities and use of information technology, contained in Human Rights Council decision 19/119. The Council had before it the progress report of the task force on secretariat services, accessibility for persons with disabilities and use of information technology on the status of implementation of recommendations as of 10 June 2013 (A/HRC/23/CRP.2).

J. Consideration of and action on draft proposals

The deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al-Qusayr

30. At the 8th meeting, on 29 May 2013, the representative of Qatar introduced draft resolution A/HRC/23/L.1, sponsored by Qatar, Turkey and the United States of America. Subsequently, Australia, Bahrain, Canada, France, Georgia, Iceland, Italy, Japan, Jordan, Kuwait, Libya, Maldives, Monaco, Morocco, New Zealand, Poland, the Republic of Korea, Saint Kitts and Nevis, San Marino, Saudi Arabia, the former Yugoslav Republic of Macedonia, Turkey, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland joined the sponsors.

31. At the same meeting, the representative of Qatar orally revised the draft resolution.

32. Also at the same meeting, the representatives of Ireland, on behalf of States members of the European Union that are members of the Council, and Venezuela (Bolivarian Republic of) made general comments in relation to the draft resolution.

33. At the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

34. 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. The Chief of OHCHR Finance and Budget Section made a statement in relation to the budgetary implications of the draft resolution as orally revised.

35. At the same meeting, the representatives of Ecuador, Germany (also on behalf of Austria and the Czech Republic), Pakistan and Peru made statements in explanation of vote before the vote. The representatives of Guatemala and India sought clarification on the text of draft resolution under consideration.

36. Also at the same meeting, at the request of the representative of Venezuela (Bolivarian Republic of), a recorded vote was taken on draft resolution A/HRC/23/L.1 as orally revised. The draft resolution, as orally revised, was adopted by 36 votes to 1, with 8 abstentions.

37. For the text as adopted and voting results, see part one, chapter I, resolution 23/1.

38. At the same meeting, the representatives of Argentina, Chile, Indonesia and Thailand made statements in explanation of vote after the vote.

Situation of human rights in Myanmar as regards Rohingya Muslims in Rakhine State and other Muslims

39. At the 40th meeting, on 14 June 2013, the President of the Human Rights Council introduced draft President's statement A/HRC/23/L.26 as orally revised.

40. At the same meeting, the representatives of India, Indonesia, Ireland (on behalf of the European Union), Japan, Pakistan (on behalf of the Organization of Islamic Cooperation), Thailand and the United States of America made general comments in relation to the draft President's statement.

41. Also at the same meeting, the representative of Myanmar made a statement as the country concerned.

42. At the same meeting, the draft President's statement, as orally revised, was adopted by the Council (for the text of the President's statement, see part one, chapter III, PRST 23/1).

K. Adoption of the report on the session

43. At the 41st meeting, on 14 June 2013, the representatives of Australia, Bahrain (on behalf of the Gulf Cooperation Council), China, Cuba, Egypt, El Salvador, New Zealand, the Russian Federation and South Africa made statements as observer States with regard to adopted resolutions.

44. At the same meeting, the Vice-President and Rapporteur of the Human Rights Council made a statement in connection with the draft report of the Council on its twenty-third session (A/HRC/23/2).

45. Also at the same meeting, the Human Rights Council adopted the draft report (A/HRC/23/2) ad referendum and decided to entrust the Rapporteur with its finalization.

46. At the same meeting, the representatives of Ireland (on behalf of the European Union) and Pakistan (also on behalf of China, Cuba, the Democratic People's Republic of Korea, the Russian Federation, Sri Lanka, Turkmenistan, Uganda and Venezuela (Bolivarian Republic of)) and the observers for the International Service for Human Rights (also on behalf of the Asian Forum for Human Rights and Development, Canadian HIV/AIDS Legal Network, CIVICUS – World Alliance for Citizen Participation, the Commonwealth Human Rights Initiative, the East and Horn of Africa Human Rights Defenders Project, the Human Rights House Foundation, Human Rights Watch, the International Federation for Human Rights Leagues and the International Lesbian and Gay Association) and Mouvement contre le racismisme et pour l'amitié entre les peuples (also on behalf of the American Association of Jurists, BADIL Resource Center for Palestinian

Residency and Refugee Rights, the Indian Council of South America (CISA), the International Educational Development, Inc., the International Fellowship of Reconciliation, the International Organization for the Elimination of All Forms of Racial Discrimination, the International Youth and Student Movement for the United Nations, Nord-Sud XXI – North-South XXI, the Union of Arab Jurists and the World Federation of Democratic Youth (WFDY)) made statements in connection with the session.

47. Also at the same meeting, the President of the Human Rights Council made a closing statement.

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

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

48. At the 1st meeting, on 27 May 2013, the United Nations High Commissioner for Human Rights made a statement providing an update of the activities of her Office.

49. During the ensuing general debate, at the 1st and 2nd meetings, on the same day, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴¹ (on behalf of the Group of Arab States), Angola, Argentina, Austria, Botswana, Brazil, Chile, Costa Rica, Czech Republic, Ecuador, Ethiopia, Gabon (on behalf of the Group of African States), Germany, India, Indonesia, Iran (Islamic Republic of)⁴¹ (on behalf of the Non-Aligned Movement), Ireland (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, the former Yugoslav Republic of Macedonia, Serbia and Ukraine), Japan, Kuwait, Libya, Malaysia, Maldives, Montenegro, Pakistan (also on behalf of the Organization of Islamic Cooperation), Philippines, Qatar, Republic of Korea, Republic of Moldova, Sierra Leone, Spain, Switzerland, Thailand, Uganda, United States of America;

(b) Representatives of observer States: Algeria, Belarus, Belgium, China, Cuba, Egypt, Honduras, Iran (Islamic Republic of), Iraq, Jordan, Mexico, Morocco, Myanmar, Nepal, Nigeria, Norway, Paraguay, Russian Federation, South Africa, Sri Lanka, Syrian Arab Republic, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uzbekistan;

(c) Observer for the Holy See;

(e) Observer for an intergovernmental organization: Council of Europe;

(e) Observers for non-governmental organizations: Amnesty International, Canadian HIV/AIDS Legal Network, France Libertés: Fondation Danielle Mitterrand, International Human Rights Association of American Minorities (IHRAAM), International Service for Human Rights, Mouvement contre le racisme et pour l'amitié entre les peuples, United Nations Watch, Verein Sudwind Entwicklungspolitik, World Muslim Congress.

50. At the 2nd meeting, statements in exercise of the right of reply were made by the representatives of Morocco and Romania.

51. At the 18th meeting, a statement in exercise of the right of reply was made by the representative of Egypt.

⁴¹ Observer of the Human Rights Council speaking on behalf of Member and observer States.

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

52. At the 17th meeting, on 3 June 2013, the Deputy High Commissioner for Human Rights presented thematic reports prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Secretary-General under agenda items 2 and 3.

53. At its 17th meeting, on the same day, and the 18th meeting, on 4 June 2013, the Human Rights Council held a general debate on thematic reports presented by the Deputy High Commissioner (see chapter III, section C).

54. At the 36th meeting, on 12 June 2013, the Deputy High Commissioner for Human Rights presented reports prepared by the High Commissioner under agenda items 2 and 10 (see chapter X, section B).

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 mandate holders

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

55. At the 2nd meeting, on 27 May 2013, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, presented his reports (A/HRC/23/41 and Add.1–5, and A/HRC/23/42).

56. At the same meeting, the representatives of Azerbaijan, Japan and Tajikistan made statements as the countries concerned.

57. During the ensuing interactive dialogue, at the 2nd meeting, on 27 May 2013, and at the 3rd meeting, on 28 May 2013, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Argentina, Brazil, Gabon (on behalf of the Group of African States), India, Indonesia, Libya, Mexico⁴² (on behalf of the Group of Latin American and Caribbean States), Pakistan (on behalf of the Organization of Islamic Cooperation), Philippines, Sierra Leone, Thailand, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Bahrain, Bangladesh, China, Cuba, Djibouti, Egypt, Morocco, Norway, Saudi Arabia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Uruguay;

(c) Observer for the Holy See;

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

(e) Observers for non-governmental organizations: Action Canada for Population and Development (also on behalf of the Federation for Women and Family Planning), Canadian HIV/AIDS Legal Network, Caritas Internationalis (International Confederation of Catholic Charities) (also on behalf of the Dominicans for Justice and Peace - Order of Preachers and Associazione Comunita Papa Giovanni XXIII), Center for Reproductive Rights, Inc., Elizabeth Glaser Pediatric AIDS Foundation, Human Rights Now, Mouvement contre le racisme et pour l'amitié entre les peuples (also on behalf of France Libertés: Fondation Danielle Mitterrand, International Educational Development, Inc. and the Women's Human Rights International Association), Peace Boat.

58. At the 3rd meeting, on 27 May 2013, the Special Rapporteur answered questions and made his concluding remarks.

59. At the 8th meeting, on 29 May 2013, a statement in exercise of the right of reply was made by the representative of Iraq.

⁴² Observer of the Human Rights Council speaking on behalf of Member and observer States.

60. At the 18th meeting, on 4 June 2013, statements in exercise of the right of reply were made by the representatives of Armenia and Azerbaijan.

61. At the same meeting, statements in exercise of a second right of reply were made by the representatives of Armenia and Azerbaijan.

Special Rapporteur on the human rights of migrants

62. At the 2nd meeting, on 27 May 2013, the Special Rapporteur on the human rights of migrants, François Crépeau, presented his report (A/HRC/23/46, Add.1–6 and Add.3/Corr.1).

63. At the same meeting, the representative of the European Union, made a statement of the party concerned and the representatives of Turkey and Tunisia made statements as the countries concerned. At the 3rd meeting, the representatives of Greece and Italy made statements as the countries concerned.

64. Also at the same meeting, the Greek National Commission for Human Rights made a statement.

65. During the ensuing interactive dialogue, at the 2nd meeting, on 27 May 2013, and at the 3rd meeting, on 28 May 2013, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Angola, Argentina, Burkina Faso, Cote d'Ivoire, Ecuador, Ethiopia, Gabon (on behalf of the Group of African States), Indonesia, Mexico⁴² (on behalf of the Group of Latin American and Caribbean States), Montenegro, Pakistan (on behalf of the Organization of Islamic Cooperation), Philippines, Sierra Leone, Thailand, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Bangladesh, Belarus, Bolivia (Plurinational State of), Cuba, China, Egypt, Honduras, Nigeria, Paraguay, Portugal, Sri Lanka, Uruguay;

(c) Observer for United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF);

(d) Observers for non-governmental organizations: International Commission of Jurists, Worldwide Organization for Women.

66. At the 3rd meeting, on 27 May 2013, the Special Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on trafficking in persons, especially women and children

67. At the 4th meeting, on 28 May 2013, the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, presented her report (A/HRC/23/48 and Add.1–5).

68. At the same meeting, the representatives of Gabon, the Philippines and the United Arab Emirates made statements as the countries concerned.

69. During the ensuing interactive dialogue, at the 4th and 5th meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Argentina, Austria, Belarus⁴² (also on behalf of Bahrain, Bangladesh, Bolivia (Plurinational State of), Ecuador, Egypt, Eritrea, India, Kazakhstan, Kyrgyzstan, the Lao People's Democratic Republic, Libya, Nicaragua,

Nigeria, the Philippines, Qatar, the Russian Federation, Singapore, Tajikistan, Turkmenistan, the United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Brazil, Burkina Faso, Costa Rica, Ecuador, Estonia, Ethiopia, Germany, India, Indonesia, Libya, Malaysia, Maldives, Montenegro, Pakistan (on behalf of the Organization of Islamic Cooperation), Qatar, Republic of Korea, Republic of Moldova, Sierra Leone, Spain, Switzerland, Thailand, Uganda, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Belgium, Bolivia (Plurinational State of), Colombia, Cuba, China, Egypt, Eritrea, Georgia, Greece, Honduras, Morocco, Nigeria, Norway, Russian Federation, Saudi Arabia, Serbia, Slovenia, South Africa, Sri Lanka, Sudan;

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

(d) Observers for non-governmental organizations: International Catholic Child Bureau (also on behalf of Caritas Internationalis (International Confederation of Catholic Charities), the Company of the Daughters of Charity of St. Vincent de Paul, Dominicans for Justice and Peace – Order of Preachers, Franciscans International, the International Organization for the Right to Education and Freedom of Education (OIDE), the International Volunteerism Organization for Women, Education and Development – VIDES and Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco), Make Mothers Matter International.

70. At the 5th meeting, on the same day, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on extreme poverty and human rights

71. At the 4th meeting, on 28 May 2013, the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, presented her report (A/HRC/23/36 and Add.1–3).

72. At the same meeting, the representatives of Mongolia and Namibia made statements as the countries concerned.

73. During the ensuing interactive dialogue, at the 4th and 5th meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Angola, Brazil, Chile, Ecuador, Estonia, India, Indonesia, Libya, Malaysia, Maldives, Pakistan (on behalf of the Organization of Islamic Cooperation), Peru (on behalf of the Group of Latin American and Caribbean States), Republic of Korea, Sierra Leone, Spain, Thailand, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Bangladesh, Belgium, Bolivia (Plurinational State of), China, Cuba, Djibouti, Egypt, Finland, France, Morocco, Norway, Paraguay, Saudi Arabia, South Africa, Sri Lanka, Togo;

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

(d) Observers for non-governmental organizations: Association Points-Coeur (also on behalf of Al-Hakim Foundation), Worldwide Organization for Women.

74. At the 5th meeting, on the same day, the Special Rapporteur answered questions and made her concluding remarks.

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

75. At the 5th meeting, on 28 May 2013, 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, Cephas Lumina, presented his report (A/HRC/23/37 and Add.1).

76. At the 8th meeting, on 29 May 2013, the representative of Latvia made a statement as the country concerned.

77. During the ensuing interactive dialogue, at the same meeting, and at the 9th meeting, on 30 May 2013, the following made statements and asked the Independent Expert questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Ecuador (on behalf of the Group of Latin American and Caribbean States), Gabon (on behalf of the Group of African States), Indonesia, Pakistan (on behalf of the Organization of Islamic Cooperation), Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, China, Cuba, Egypt, Lebanon, Morocco, Saudi Arabia, South Africa.

78. At the 9th meeting, on 30 May 2013, the Independent Expert answered questions and made his concluding remarks.

Special Rapporteur on the independence of judges and lawyers

79. At the 5th meeting, on 28 May 2013, the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, presented her report (A/HRC/23/43, Corr.1 and Add.1–4).

80. At the 8th meeting, on 29 May 2013, the representatives of El Salvador, the Maldives and Pakistan made statements as the countries concerned.

81. During the ensuing interactive dialogue, at the same meeting, and at the 9th meeting, on 30 May 2013, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Argentina, Botswana, Brazil, Burkina Faso, Costa Rica, Ecuador (on behalf of the Group of Latin American and Caribbean States), Estonia, Indonesia, Libya, Pakistan (on behalf of the Organization of Islamic Cooperation), Thailand, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Belarus, Bulgaria, China, Cuba, Egypt, Morocco, Nicaragua, Russian Federation, Sri Lanka;

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

(d) Observers for non-governmental organizations: CIVICUS – World Alliance for Citizen Participation, Human Rights House Foundation, International Commission of Jurists, International Human Rights Association of American Minorities (IHRAAM), International Organization for the Elimination of All Forms of Racial Discrimination (also on behalf of the Union of Arab Jurists), Lawyers' Rights Watch Canada, World Muslim Congress.

82. At the 8th meeting, on 29 May 2013, a statement in exercise of the right of reply was made by the representative of Cuba.

83. At the 9th meeting, on 30 May 2013, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on extrajudicial, summary or arbitrary executions

84. At the 9th meeting, on 30 May 2013, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, presented his report (A/HRC/23/47, Add.1–7 and Add.1/Corr.1).

85. At the same meeting, the representatives of India and Turkey made statements as the countries concerned.

86. During the ensuing interactive dialogue, at the same meeting and at the 10th meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Argentina (on behalf of the Group of Latin American and Caribbean States), Austria, Brazil, Ecuador, Germany, Indonesia, Pakistan (also on behalf of the Organization of Islamic Cooperation), Sierra Leone, Switzerland, United States of America;

(b) Representatives of observer States: Algeria, Colombia, Cuba, China, Egypt, France, Iran (Islamic Republic of), Iraq, Mexico, Morocco, Russian Federation, Sri Lanka, Sweden, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for United Nations entities, specialized agencies and related organizations: United Nations Office for Disarmament Affairs;

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

(e) Observers for non-governmental organizations: Amnesty International, Asian Legal Resource Centre, Canadian HIV/AIDS Legal Network, Colombian Commission of Jurists, Habitat International Coalition (by video message), Helsinki Foundation for Human Rights, International Association of Democratic Lawyers (IADL) (also on behalf of Centre Europe - Tiers Monde – Europe-Third World Centre), International Human Rights Association of American Minorities (IHRAAM), Union of Arab Jurists (also on behalf of the International Organization for the Elimination of All Forms of Racial Discrimination), Women's International League for Peace and Freedom, World Muslim Congress.

87. At the 10th meeting, on 30 May 2013, the Special Rapporteur answered questions and made his concluding remarks.

88. At the same meeting, on the same day, a statement in exercise of the right of reply was made by the representative of China.

Special Rapporteur on the human rights of internally displaced persons

89. At the 9th meeting, on 30 May 2013, the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, presented his report (A/HRC/23/44 and Add.1–3).

90. At the same meeting, the representatives of Cote d'Ivoire and the Sudan made statements as the countries concerned.

91. During the ensuing interactive dialogue, at the same meeting and at the 10th meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Argentina (on behalf of the Group of Latin American and Caribbean States), Austria, Estonia, Indonesia, Montenegro, Pakistan (on behalf of the Organization of Islamic Cooperation), Sierra Leone, Switzerland, Uganda, United States of America;

(b) Representatives of observer States: Armenia, Azerbaijan, Colombia, China, Egypt, Georgia, Mexico, Morocco, Nigeria, Norway, Serbia, Sri Lanka, United Kingdom of Great Britain and Northern Ireland;

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

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

92. At the 10th meeting, the Special Rapporteur answered questions and made his concluding remarks.

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

Working Group on the issue of human rights and transnational corporations and other business enterprises

94. At the 10th meeting, on 30 May 2013, the Chairperson of the Working Group on the issue of human rights and transnational corporations and other business enterprises, Pavel Sulyandziga, presented the report of the Working Group (A/HRC/23/32 and Add.1-2).

95. At the same meeting, the representative of Mongolia made a statement as the country concerned.

96. During the ensuing interactive dialogue, at the same meeting, and at the 12th meeting, on 31 May 2013, the following made statements and asked the Chairperson of the Working Group questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (also on behalf of the Group of Arab States), Argentina, Austria, Brazil, Costa Rica, India, Indonesia, Norway⁴² (also on behalf of Argentina, Ghana, India and the Russian Federation), Pakistan (on behalf of the Organization of Islamic Cooperation), Spain, Switzerland, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Belgium, Cuba, Egypt, France, Ghana, Morocco, Paraguay, State of Palestine;

(c) Observer for the Holy See;

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

(e) Observer for a national human rights institution: Canadian Human Rights Commission;

(f) Observers for non-governmental organizations: Al-Haq, Law in the Service of Man; Asian Forum for Human Rights and Development, Franciscans International, International Service for Human Rights, Lawyers' Rights Watch Canada.

97. At the 12th meeting, on 31 May 2013, the Chairperson of the Working Group answered questions and made his concluding remarks.

Special Rapporteur on the rights to freedom of peaceful assembly and of association

98. At the 10th meeting, on 30 May 2013, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, presented his report (A/HRC/23/39 and Add.1–3).

99. At the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland made a statement as the country concerned.

100. Also at the 12th meeting, on 31 May 2013, the Equality and Human Rights Commission of Great Britain, the Northern Ireland Human Rights Commission and the Scottish Human Rights Commission made a joint statement.

101. During the ensuing interactive dialogue, at the 10th meeting, on 30 May 2013, and at the 12th meeting, on 31 May 2013, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Botswana, Costa Rica, Czech Republic, Estonia, Ethiopia, Gabon (on behalf of the Group of African States), Germany, India, Indonesia, Malaysia, Maldives, Pakistan (on behalf of the Organization of Islamic Cooperation), Poland, Spain, Switzerland, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Azerbaijan, Belarus, Belgium, Croatia, Cuba, Egypt, France, Iran (Islamic Republic of), Latvia, Lebanon, Lithuania, Morocco, Netherlands, Paraguay, Slovakia, Slovenia, Sri Lanka, Sudan, Sweden, Uruguay, Uzbekistan;

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

(d) Observers for non-governmental organizations: Asian Forum for Human Rights and Development, Cairo Institute for Human Rights Studies, CIVICUS - World Alliance for Citizen Participation, European Centre for Law and Justice, Freedom House, Indian Council of South America (CISA), International Human Rights Association of American Minorities (IHRAAM), International Service for Human Rights.

102. At the 12th meeting, on 31 May 2013, the Special Rapporteur answered questions and made his concluding remarks.

103. At the 14th meeting, on the same day, a statement in the exercise of the right of reply was made by the representative of Ethiopia.

Special Rapporteur on the right to education

104. At the 13th meeting, on 31 May 2013, the Special Rapporteur on the right to education, Kishore Singh, presented his report (A/HRC/23/35 and Add.1–2).

105. At the same meeting, the representatives of Ecuador and Tunisia made statements as the countries concerned.

106. During the ensuing interactive dialogue, at the 13th and 14th meetings, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Costa Rica, Cuba⁴² (on behalf of the Group of Latin American and Caribbean States), Estonia, India, Indonesia, Kuwait, Malaysia, Maldives, Qatar, Republic of Moldova, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Bahrain, Bangladesh, Cuba, China, Egypt, Georgia, Greece, Mexico, Morocco, Norway, Paraguay, Portugal, Saudi Arabia, Slovenia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Togo;

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

(d) Observers for intergovernmental organizations: European Union, Organization of Islamic Cooperation;

(e) Observers for non-governmental organizations: Action Canada for Population and Development, Helsinki Foundation for Human Rights, Indian Council of South America (CISA) (also on behalf of the International Human Rights Association of American Minorities (IHRAAM)), Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco (also on behalf of Association Points-Coeur, Associazione Comunita Papa Giovanni XXIII, Dominicans for Justice and Peace – Order of Preachers, Edmund Rice International Limited, the International Catholic Child Bureau, the International Federation of University Women, the International Organization for the Right to Education and Freedom of Education (OIDEL), the International Volunteerism Organization for Women, Education and Development – VIDES, Mouvement contre le racisme et pour l'amitié entre les peuples, Soka Gakkai International, Teresian Association), Union of Arab Jurists, Worldwide Organization for Women.

107. At the 14th meeting, the Special Rapporteur answered questions and made his concluding remarks.

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

Independent Expert on human rights and international solidarity

109. At the 13th meeting, on 31 May 2013, the Independent Expert on human rights and international solidarity, Virginia Dandan, presented her report (A/HRC/23/45 and Add.1).

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

111. During the ensuing interactive dialogue, at the 13th and 14th meetings, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Costa Rica, Cuba⁴² (on behalf of the Group of Latin American and Caribbean States), Indonesia, Malaysia, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Bangladesh, China, Cuba, Djibouti, Egypt, Morocco, Saudi Arabia, Sri Lanka;

(c) Observers for intergovernmental organizations: European Union, Organization of Islamic Cooperation;

(d) Observer for a non-governmental organization: Associazione Comunita Papa Giovanni XXIII (also on behalf of the Company of the Daughters of Charity of St. Vincent de Paul, Dominicans for Justice and Peace – Order of Preachers, the International Organization for the Right to Education and Freedom of Education (OIDEL), the International Volunteerism Organization for Women, Education and Development – VIDES, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, New Humanity), Indian Council of South America (CISA) (also on behalf of the International Human Rights Association of American Minorities (IHRAAM)).

112. At the 14th meeting, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur in the field of cultural rights

113. At the 14th meeting, on 31 May 2013, the Special Rapporteur in the field of cultural rights, Farida Shaheed, presented her report (A/HRC/23/34 and Add.1–3).

114. At the same meeting, the representative of the Russian Federation made a statement as the country concerned.

115. During the ensuing interactive dialogue, at the 14th meeting, on the same day, and the 15th meeting, on 3 June 2013, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Austria, India, Indonesia, Malaysia, Maldives, Pakistan (on behalf of the Organization of Islamic Cooperation), Sierra Leone, Spain, United States of America, Uruguay⁴² (on behalf of the Group of Latin American and Caribbean States), Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, China, Cuba, Denmark, Egypt, Morocco, Norway, Sri Lanka;

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

(d) Observers for non-governmental organizations: Article 19 - International Centre Against Censorship, Asian Indigenous and Tribal Peoples Network (AITPN), Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit – COC Nederland, Freemuse – The World Forum on Music and Censorship, Indian Council of South America (CISA), International Humanist and Ethical Union.

116. At the 15th meeting, on 3 June 2013, the Special Rapporteur answered questions and made her concluding remarks.

117. At the 17th meeting, a statement in the exercise of the right of reply was made by the representative of China.

Working Group on the issue of discrimination against women in law and in practice

118. At the 14th meeting, on 31 May 2013, the Chairperson of the Working Group on the issue of discrimination against women in law and in practice, Kamala Chandrakirana, presented the report of the Working Group (A/HRC/23/50 and Add.1–2).

119. At the same meeting, the representatives of the Republic of Moldova and Tunisia made statements as the countries concerned.

120. During the ensuing interactive dialogue, at the 14th meeting, on the same day, and the 15th meeting, on 3 June 2013, the following made statements and asked the Chairperson of the Working Group questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Angola, Argentina, Austria, Botswana, India, Indonesia, Kuwait, Libya, Malaysia, Maldives, Pakistan (on behalf of the Organization of Islamic Cooperation), Sierra Leone, Spain, Switzerland, United Arab Emirates, United States of America, Uruguay⁴² (on behalf of the Group of Latin American and Caribbean States), Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Belgium, China, Colombia, Cuba, Denmark, Egypt, Finland, Iran (Islamic Republic of), Latvia, Mexico,

Morocco, New Zealand, Nigeria, Norway, Paraguay, Slovenia, South Africa, Sri Lanka, Syrian Arab Republic, Togo;

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

(d) Observers for non-governmental organizations: Indian Council of South America (CISA), International Humanist and Ethical Union, International Service for Human Rights, World Barua Organization (WBO), Worldwide Organization for Women.

121. At the 15th meeting, on 3 June 2013, the Chairperson of the Working Group answered questions and made her concluding remarks.

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

122. At the 15th meeting, on 3 June 2013, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue, presented his report (A/HRC/23/40, Corr.1, Add.1 and Add.3).

123. At the same meeting, the representative of Honduras made a statement as the country concerned.

124. During the ensuing interactive dialogue, at the 15th, 16th and 17th meetings, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Botswana, Brazil (on behalf of the Group of Latin American and Caribbean States), Czech Republic, Ecuador, Estonia, Germany, India, Indonesia, Malaysia, Maldives, Montenegro, Pakistan (on behalf of the Organization of Islamic Cooperation), Philippines, Poland, Qatar, Spain, Switzerland, Thailand, United States of America;

(b) Representatives of observer States: Algeria, Australia, Belarus, Belgium, Cuba, China, Denmark, Egypt, France, Iraq, Lebanon, Morocco, Netherlands, Norway, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, Togo, Tunisia, United Kingdom of Great Britain and Northern Ireland;

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

(d) Observers for non-governmental organizations: Aliran Kesedaran Negara National Consciousness Movement, Asian Forum for Human Rights and Development, Cairo Institute for Human Rights Studies, Center for Reproductive Rights, Inc. (also on behalf of Action Canada for Population and Development), European Centre for Law and Justice, Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit - COC Nederland, France Libertés: Fondation Danielle Mitterrand (also on behalf of Mouvement contre le racisme et pour l'amitié entre les peuples), Freedom House, Society for Threatened Peoples, Verein Sudwind Entwicklungspolitik.

125. At the 17th meeting, on 3 June 2013, the Special Rapporteur answered questions and made his concluding remarks.

126. At the same meeting, statements in the exercise of the right of reply were made by the representatives of Azerbaijan and China.

Special Rapporteur on violence against women, its causes and consequences

127. At the 15th meeting, on 3 June 2013, the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, presented her report (A/HRC/23/49 and Add.1-5).

128. At the same meeting, the representatives of Bosnia and Herzegovina, Croatia and Solomon Islands made statements as the countries concerned.

129. During the ensuing interactive dialogue, the 15th, 16th and 17th meetings, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Argentina, Austria, Botswana, Brazil (on behalf of the Group of Latin American and Caribbean States), Ethiopia, Gabon (on behalf of the Group of African States), Germany, India, Indonesia, Japan, Malaysia, Maldives, Montenegro, Pakistan (on behalf of the Organization of Islamic Cooperation), Philippines, Poland, Romania, Sierra Leone, Spain, Switzerland, Thailand, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Belgium, Bolivia (Plurinational State of), Canada, China, Colombia, Cuba, Denmark, Djibouti, Egypt, Finland, France, Lebanon, Morocco, Nepal, New Zealand, Norway, Paraguay, Saudi Arabia, Serbia, Singapore, Slovenia, South Africa, South Africa, Sri Lanka, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Tunisia, United Kingdom of Great Britain and Northern Ireland;

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

(d) Observers for non-governmental organizations: Cairo Institute for Human Rights Studies, Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit – COC Nederland, Permanent Assembly for Human Rights, Verein Sudwind Entwicklungspolitik.

130. At the 17th meeting, on the same day, the Special Rapporteur answered questions and made her concluding remarks.

B. Panels

Panel discussion on the role of the United Nations system in advancing the business and human rights agenda

131. At the 11th meeting, on 30 May 2013, pursuant to Human Rights Council resolution 21/5, the Council held a panel discussion on the role of the United Nations system in advancing the business and human rights agenda. The opening statement for the panel was delivered by the United Nations High Commissioner for Human Rights. The Permanent Representative of Poland to the United Nations Office at Geneva and President of the Human Rights Council, Remigiusz A. Henczel, moderated the discussion for the panel.

132. At the same meeting, the panellists Ursula Wynhoven, Kristin Hetle, Shireen Said, Leila Pakkala and Elisabeth Tuerk made statements. The Council divided the panel discussion into two slots.

133. During the ensuing panel discussion for the first slot, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Chile, Colombia⁴² (on behalf of the Group of Latin American and Caribbean States), Sierra Leone, Slovenia⁴² (also on behalf of Austria, Liechtenstein and Switzerland), Switzerland, United Arab Emirates;

(b) Representatives of observer States: Algeria, Kyrgyzstan, Norway, Russian Federation;

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

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

(e) Observers for non-governmental organizations: CIVICUS – World Alliance for Citizen Participation, International Service for Human Rights.

134. At the end of the first slot, at the same meeting, the panellists answered questions and made comments.

135. During the ensuing panel discussion for the second slot, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Germany, Maldives, Poland, Qatar, Spain, United States of America;

(b) Representatives of observer States: Australia, Bahrain, Cuba, China, Egypt, Iran (Islamic Republic of), Mexico, Morocco;

(c) Observers for non-governmental organizations: Franciscans International, Indian Council of South America (CISA).

136. At the same meeting, the panellists answered questions and made their concluding remarks.

Annual full-day discussion on women’s human rights

137. On 5 June 2013, at the 21st and 23rd meetings, the Human Rights Council held the annual full-day discussion on women’s human rights in accordance with Council resolution 6/30. The discussion was divided into two panels.

138. On 5 June 2013, at the 21st meeting, the Council held the first panel discussion entitled “Taking stock of efforts to eliminate violence against women, from the Vienna Declaration and Programme of Action to the fifty-seventh session of the Commission on the Status of Women”. The discussion was divided into two slots, which were held at the same meeting, on the same day.

139. The United Nations High Commissioner for Human Rights made an opening statement for the panel. The Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, moderated the discussion for the panel. At the same meeting, the panellists Patricia Schulz, Florence Butegwa, Simone Cusack, Fatma Khafagy and Juan Carlos Areán made statements.

140. During the ensuing panel discussion for the first slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Brazil, Chile (on behalf of the Group of Latin American and Caribbean States), Estonia, Sierra Leone, United States of America;

(b) Representatives of observer States: Canada, Greece, Iran (Islamic Republic of), Lithuania, Norway (on behalf of Denmark, Finland, Iceland and Sweden), South Africa;

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

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

(e) Observers for non-governmental organizations: Canners International Permanent Committee, Verein Sudwind Entwicklungspolitik.

141. During the discussion for the second slot, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Argentina, Austria, Indonesia, Malaysia, Maldives, Poland, Qatar, Switzerland;

(b) Representatives of observer States: Australia, Croatia, Iceland, Russian Federation, Saudi Arabia, Senegal, Slovenia, United Kingdom of Great Britain and Northern Ireland;

(c) Observers for non-governmental organizations: France Libertés: Fondation Danielle Mitterrand, International Humanist and Ethical Union, Minority Rights Group.

142. At the same meeting, the panellists answered questions and made concluding remarks.

143. The second panel discussion, held at the 23rd meeting, on 5 June 2013, was entitled “Setting Priorities for the Future: Strengthening the Work of the Human Rights Council and other Inter-governmental Bodies and Processes in the area of violence against women”. The discussion was divided into two slots, which were held at the same meeting, on the same day.

144. The Deputy United Nations High Commissioner for Human Rights made an opening statement for the panel. The Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, made a statement and moderated the discussion for the panel. At the same meeting, the panellists Zainab Bangura, Sandeep Chawla, Patience Stephens and Marilou McPhedran made statements.

145. During the ensuing panel discussion for the first slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Ethiopia, Gabon (on behalf of the Group of African States), Libya, Peru, Spain, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Belgium, Egypt;

(c) Observer for the International Committee of the Red Cross;

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

(e) Observers for non-governmental organizations: Action Canada for Population and Development, Femmes Afrique Solidarité.

146. During the discussion for the second slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Chile, Estonia, Germany, India, Kuwait, Maldives, Mauritania, Montenegro, Switzerland, Thailand, United Arab Emirates;

(b) Representatives of observer States: China, Finland, Morocco, Norway, Paraguay, Portugal, Russian Federation, Turkey;

(c) Observer for United Nations entities, specialized agencies and related organizations: International Labour Organization, Joint United Nations Programme on HIV/AIDS (UNAIDS);

(d) Observer for an intergovernmental organization: Organization of Islamic Cooperation;

(e) Observers for non-governmental organizations: Maarij Foundation for Peace and Development, World Young Women's Christian Association, Worldwide Organization for Women.

147. At the same meeting, the panellists answered questions and made concluding remarks.

Panel discussion on democracy and the rule of law from a human rights perspective

148. At its 35th meeting, on 11 June 2013, the Human Rights Council held a panel discussion on common challenges facing States in their efforts to secure democracy and the rule of law from a human rights perspective, and lessons learned and best practices in the engagement of the State with the international community to support such processes, in accordance with Council resolution 19/36. The opening statement for the panel was delivered by the United Nations High Commissioner for Human Rights. The BBC correspondent in Geneva, Imogen Foulkes, moderated the discussion for the panel.

149. At the same meeting, the panellists Radu Podgorean, Aisha Al-Mannai, Vidar Helgesen, Brigitte Balipou, Manuel Rodríguez Cuadros and Driss el-Yazami made statements. The Council divided the panel discussion into two slots.

150. During the ensuing panel discussion for the first slot, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Austria (also on behalf of Liechtenstein, Slovenia and Switzerland), Maldives, Morocco⁴² (on behalf of members and observers of the International Organization of la Francophonie), Peru, Romania (also on behalf of Morocco, Norway, Peru, Qatar and Tunisia), Thailand, United States of America, Uruguay⁴² (on behalf of the Group of Latin American and Caribbean States);

(b) Representatives of observer States: Bulgaria, Tunisia;

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

(d) Observer for non-governmental organizations: European Disability Forum, Indian Council of South America (CISA) (also on behalf of the International Human Rights Association of American Minorities (IHRAAM)).

151. During the discussion for the second slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Angola, Ethiopia, Indonesia, Poland, Sierra Leone;

(b) Representatives of observer States: Algeria, Australia, Bahrain, China, Cuba, Iran (Islamic Republic of), Norway, Sweden, United Kingdom of Great Britain and Northern Ireland;

(c) Observers for non-governmental organizations: Association of World Citizens, Maarij Foundation for Peace and Development.

152. At the same meeting, the panellists answered questions and made their concluding remarks.

C. General debate on agenda item 3

153. At its 17th meeting, on 3 June 2013, and the 18th meeting, on 4 June 2013, the Human Rights Council held a general debate on thematic reports under agenda items 2 and 3, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Algeria⁴² (on behalf of the Group of Arab States), Argentina, Austria (also on behalf of Croatia and Slovenia), Burkina Faso (also on behalf of the Group of African States, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay), Costa Rica, Ethiopia (also on behalf of the Group of African States, the European Union, Australia, Bangladesh, Bosnia and Herzegovina, Canada, Costa Rica, Croatia, Guatemala, Honduras, Iceland, Japan, Montenegro, Norway, the Republic of Korea, the Republic of Moldova, the Russian Federation, Serbia, Switzerland, Thailand, the United States of America, Uruguay and Viet Nam), Gabon (on behalf of the Group of African States), Iran (Islamic Republic of)⁴² (on behalf the Non-Aligned Movement), Ireland (on behalf of the European Union, Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Malaysia, Montenegro, Morocco⁴² (also on behalf of Austria, Brazil, Indonesia and Poland), Pakistan, Qatar, Republic of Korea, Romania (also on behalf of Algeria, Armenia, Australia, Botswana, Brazil, Bulgaria, Burkina Faso, Chile, Costa Rica, Croatia, Djibouti, Ecuador, Estonia, Ethiopia, Georgia, Germany, Greece, Hungary, Ireland, Italy, Maldives, Monaco, Montenegro, Morocco, Norway, Peru, Poland, Portugal, Qatar, the Republic of Moldova, Romania, Senegal, Sierra Leone, Slovakia, Slovenia, Somalia, Spain, Tunisia, Turkey, Ukraine and the Council of Europe), Sierra Leone, Spain, Thailand, United States of America;

(b) Representatives of observer States: Albania, Algeria, Croatia, Cuba, Denmark, Hungary, Iceland, Iran (Islamic Republic of), Iraq, Lebanon, Mexico, Namibia, Norway, Russian Federation, Singapore, Slovakia, Togo;

(c) Observer for United Nations entities, specialized agencies and related organizations: UNICEF (also on behalf of the World Health Organization);

(d) Observer for an intergovernmental organization: Council of Europe;

(e) Observers for non-governmental organizations: Action Canada for Population and Development, Action internationale pour la paix et le développement dans la région des Grands Lacs, Amnesty International, British Humanist Association, Canadian HIV/AIDS Legal Network, Canners International Permanent Committee, Center for Inquiry, Centre for Human Rights and Peace Advocacy, CIVICUS – World Alliance for Citizen Participation, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC), Commonwealth Human Rights Initiative, Equality Now, European Centre for Law and Justice, Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit – COC Nederland, France Libertés: Fondation Danielle Mitterrand (also on behalf of Mouvement contre le racisme et pour l'amitié entre les peuples), Franciscans International, Human Rights Watch, Indian Council of South America (CISA), International Association of Democratic Lawyers (IADL), International Buddhist Relief Organization, International Educational Development, Inc., International Fellowship of Reconciliation, International Human Rights Association of American Minorities (IHRAAM), International Humanist and Ethical Union, International

Movement Against All Forms of Discrimination and Racism (IMADR), International Muslim Women's Union, International Service for Human Rights, Liberation, Open Society Institute, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, Organization for Defending Victims of Violence, Presse Emblème Campagne, Society for Threatened Peoples, Union of Arab Jurists (also on behalf of the International Organization for the Elimination of All Forms of Racial Discrimination), Verein Sudwind Entwicklungspolitik, World Barua Organization (WBO), World Federation of Democratic Youth (WFDY), World Muslim Congress.

154. At the 17th meeting, on 3 June 2013, statements in exercise of the right of reply were made by the representatives of Japan and the Republic of Korea.

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

156. At the 18th meeting, on 4 June 2013, statements in exercise of the right of reply were made by the representatives of China, Egypt and Ethiopia.

D. Consideration of and action on draft proposals

The role of freedom of opinion and expression in women's empowerment

157. At the 38th meeting, on 13 June 2013, the representatives of Montenegro and the United States of America introduced draft resolution A/HRC/23/L.5, sponsored by Brazil, Egypt, Montenegro, Qatar, Romania, Sierra Leone, the United Kingdom of Great Britain and Northern Ireland and the United States of America and co-sponsored by Algeria (on behalf of the Group of Arab States), Angola, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Canada, Chile, Croatia, Denmark, Estonia, France, Georgia, Greece, Honduras, Hungary, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Maldives, Malta, Monaco, New Zealand, Norway, Peru, Poland, the Republic of Korea, San Marino, Serbia, Slovakia, Spain, Sri Lanka, Sweden, the former Yugoslav Republic of Macedonia and Turkey. Subsequently, Argentina, Costa Rica, Cyprus, the Czech Republic, Finland, Iceland, Indonesia, Ireland, Lithuania, Portugal, the Republic of Moldova, Senegal, Slovenia, Togo and Ukraine joined the sponsors.

158. The amendment A/HRC/23/L.36 to draft resolution A/HRC/23/L.5 had been withdrawn as notified to the Secretariat prior to the consideration of this draft resolution.

159. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/2).

160. At the 41st meeting, on 14 June 2013, the representative of Austria made a statement in explanation of vote after the vote.

Enhancement of international cooperation in the field of human rights

161. At the 38th meeting, on 13 June 2013, the representative of Iran (Islamic Republic of), on behalf of the Non-Aligned Movement, introduced draft resolution A/HRC/23/L.6, sponsored by Iran (Islamic Republic of), on behalf of the Non-Aligned Movement, and co-sponsored by Algeria, on behalf of the Group of Arab States. Subsequently, Bosnia and Herzegovina, Kazakhstan and the Russian Federation joined the sponsors.

162. At the same meeting, the representatives of Ireland, on behalf of States members of the European Union that are members of the Council, and the United States of America made general comments in relation to the draft resolution.

163. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/3).

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

164. At the 38th meeting, on 13 June 2013, the representative of Portugal introduced draft resolution A/HRC/23/L.7, sponsored by Portugal and co-sponsored by Angola, Argentina, Armenia, Austria, Belarus, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Ecuador, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Italy, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Mexico, Monaco, Morocco, Mozambique, Norway, Peru, Qatar, Slovakia, Slovenia, Spain, Sri Lanka, Timor-Leste, Uruguay and the State of Palestine. Subsequently, Algeria (on behalf of the Group of Arab States), Andorra, Belarus, Colombia, Denmark, Ethiopia, France, Ireland, Japan, Liechtenstein, Mauritius, Montenegro, Namibia, Nicaragua, Pakistan (on behalf of the Organization of Islamic Cooperation), Poland, the Republic of Moldova, Romania, Rwanda, San Marino, South Africa, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia and Ukraine joined the sponsors.

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

166. Also at the same meeting, the representative of the United States of America made general comments in relation to the draft resolution.

167. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/4).

Trafficking in persons, especially women and children: efforts to combat human trafficking in supply chains of businesses

168. At the 38th meeting, on 13 June 2013, the representatives of Germany and the Philippines introduced draft resolution A/HRC/23/L.8, sponsored by Germany and the Philippines and co-sponsored by Angola, Armenia, Austria, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Djibouti, El Salvador, Ethiopia, Finland, France, Georgia, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Montenegro, Morocco, the Netherlands, Norway, Paraguay, Peru, Portugal, the Republic of Moldova, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, Tunisia and the United States of America. Subsequently, Albania, Algeria, Andorra, Australia, Bolivia (Plurinational State of), Brazil, Burkina Faso, Cambodia, Canada, Egypt, Estonia, Indonesia, Japan, Kazakhstan, Maldives, Malta, Namibia, Nicaragua, Poland, Senegal, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Ukraine, Uruguay and Venezuela (Bolivarian Republic of) joined the sponsors.

169. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/5).

Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers

170. At the 38th meeting, on 13 June 2013, the representative of Hungary introduced draft resolution A/HRC/23/L.9, sponsored by Australia, Botswana, Hungary, Maldives, Mexico and Thailand and co-sponsored by Angola, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Iceland,

Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Morocco, the Netherlands, Norway, Peru, Poland, Portugal, the Republic of Moldova, Romania, the Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Andorra, Armenia, Benin, Brazil, Burkina Faso, Canada, Honduras, India, Japan, Kenya, Namibia, New Zealand, Nigeria, Paraguay, the Republic of Korea, Saint Kitts and Nevis, Serbia, Somalia, Turkey, Ukraine and the United States of America joined the sponsors.

171. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/6).

Elimination of discrimination against women

172. At the 38th meeting, on 13 June 2013, the representatives of Colombia and Mexico introduced draft resolution A/HRC/23/L.13, sponsored by Colombia and Mexico and co-sponsored by Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Burkina Faso, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Ethiopia, Finland, France, Germany, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Monaco, Morocco, the Netherlands, New Zealand, Norway, Paraguay, Peru, Portugal, the Republic of Moldova, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay, and Venezuela (Bolivarian Republic of). Subsequently, Andorra, Brazil, Bulgaria, Djibouti, Estonia, Georgia, Greece, Indonesia, Japan, Kazakhstan, Luxembourg, Maldives, Malta, Montenegro, Namibia, Philippines, Poland, the Republic of Korea, Rwanda, San Marino, Somalia, South Africa, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey and Ukraine joined the sponsors.

173. At the same meeting, the representatives of Colombia and Mexico orally revised the draft resolution.

174. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

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 23/7).

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

176. At the 38th meeting, on 13 June 2013, the representative of Austria introduced draft resolution A/HRC/23/L.14, sponsored by Austria and co-sponsored by Albania, Angola, Armenia, Australia, Azerbaijan, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Ethiopia, Finland, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Monaco, Morocco, Norway, Peru, Portugal, Romania, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Bosnia and Herzegovina, Burkina Faso, Canada, Djibouti, France, Honduras, Japan, Malta, Montenegro, the Netherlands, Nicaragua, Norway, Poland, the Republic of Korea, the Republic of Moldova, Somalia and Ukraine joined the sponsors.

177. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

178. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/8).

The negative impact of corruption on the enjoyment of human rights

179. At the 38th meeting, on 13 June 2013, the representative of Morocco introduced draft resolution A/HRC/23/L.19, sponsored by Austria, Indonesia, Morocco and Poland and co-sponsored by Angola, Bahrain, Benin, Bosnia and Herzegovina, Botswana, Burkina Faso, Chile, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Djibouti, Ecuador, Equatorial Guinea, Estonia, Ethiopia, Finland, Georgia, Greece, Guatemala, Hungary, Ireland, Italy, Jordan, Latvia, Lesotho, Lithuania, New Zealand, Norway, Peru, Portugal, Qatar, the Republic of Moldova, Romania, Saudi Arabia, Spain, Sri Lanka, Switzerland, Thailand, Timor-Leste, Tunisia and the State of Palestine. Subsequently, Algeria, Australia, Azerbaijan, Brazil, Bulgaria, Cambodia, Chad, Comoros, Cuba, Germany, Guinea, Honduras, Iceland, Libya, Liechtenstein, Maldives, Malta, Montenegro, Namibia, Niger, the Republic of Korea, Romania, the Russian Federation, Rwanda, Senegal, Singapore, Slovenia, Somalia, Togo, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela (Bolivarian Republic of), Yemen and Zimbabwe joined the sponsors.

180. At the same meeting, the representative of Morocco orally revised the draft resolution.

181. 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 23/9).

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

182. At the 38th meeting, on 13 June 2013, the representative of Cuba introduced draft resolution A/HRC/23/L.20, sponsored by Cuba and co-sponsored by Angola, Bangladesh, Belarus, Bolivia (Plurinational State of), China, Congo, the Democratic People's Republic of Korea, Djibouti, the Dominican Republic, Ecuador, Ethiopia, Guatemala, Mexico, Morocco, Nicaragua, Pakistan, Panama, Serbia, Sri Lanka, Venezuela (Bolivarian Republic of) and the State of Palestine. Subsequently, Algeria (on behalf of the Group of Arab States), Austria, Brazil, Burkina Faso, France, Indonesia, Ireland, Kazakhstan, Malaysia, Namibia, Norway, Philippines, Portugal, Senegal, South Africa, Uruguay and Viet Nam joined the sponsors.

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

184. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/10).

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

185. At the 38th meeting, on 13 June 2013, the representative of Cuba introduced draft resolution A/HRC/23/L.22, sponsored by Cuba and co-sponsored by Angola, Algeria (on behalf of the Group of Arab States), Bangladesh, Belarus, Bolivia (Plurinational State of), the Congo, the Democratic People's Republic of Korea, Ecuador, Ethiopia, Kyrgyzstan, Nicaragua, Pakistan, Sri Lanka and Venezuela (Bolivarian Republic of). Subsequently, Burkina Faso, Indonesia, Namibia, Senegal, South Africa, Togo and Uruguay joined the sponsors.

186. At the same meeting, the representative of Ireland, 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.

187. Also at the same meeting, at the request of the representative of Ireland, on behalf of States members of the European Union that are members of the Council, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 30 votes to 15, with 2 abstentions.

188. For the text as adopted and voting results, see part one, chapter I, resolution 23/11.

189. At the 41st meeting, on 14 June 2013, the representative of Sierra Leone made a statement in explanation of vote after the vote.

Human rights and international solidarity

190. At the 38th meeting, on 13 June 2013, the representative of Cuba introduced draft resolution A/HRC/23/L.23, sponsored by Cuba and co-sponsored by Algeria (on behalf of the Group of Arab States), Angola, Bangladesh, Belarus, Bolivia (Plurinational State of), the Congo, the Democratic People's Republic of Korea, the Dominican Republic, Ecuador, Ethiopia, Guatemala, Nicaragua, Pakistan, Sri Lanka, Timor-Leste and Venezuela (Bolivarian Republic of). Subsequently, Burkina Faso, China, Indonesia, Malaysia, Mauritius, Namibia, Nicaragua, the Philippines, Portugal, the Russian Federation, Senegal, South Africa, Togo, Uruguay and Viet Nam joined the sponsors.

191. At the same meeting, the representatives of Ireland, on behalf of States members of the European Union that are members of the Council, and the United States of America made a statement in explanation of vote before the vote.

192. Also at the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 32 votes to 15, with 0 abstentions.

193. For the text as adopted and voting results, see part one, chapter I, resolution 23/12.

194. At the 41st meeting, on 14 June 2013, the representative of Sierra Leone made a statement in explanation of vote after the vote.

Attacks and discrimination against persons with albinism

195. At the 38th meeting, on 13 June 2013, the representative of Gabon, on behalf of the Group of African States, introduced draft resolution A/HRC/23/L.25, sponsored by Gabon, on behalf of the Group of African States. Subsequently, Australia, Belgium, Canada, Chile, Croatia, the Czech Republic, Estonia, Germany, Greece, Hungary, Iceland, Indonesia, Ireland, Luxembourg, Montenegro, the Netherlands, Norway, Peru, Poland, Portugal, the Republic of Korea, Singapore, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and Uruguay joined the sponsors.

196. At the same meeting, the representative of Gabon, on behalf of the Group of African States, orally revised the draft resolution.

197. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

198. 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 23/13).

Access to medicines in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

199. At the 38th meeting, on 13 June 2013, the representative of Brazil introduced draft resolution A/HRC/23/L.10/Rev.1, sponsored by Brazil, Egypt, India, Indonesia, Senegal, South Africa and Thailand and co-sponsored by Argentina, Armenia, Bolivia (Plurinational State of), Chile, Costa Rica, Cuba, Ecuador, Gabon (on behalf of the Group of African States), Guatemala, Norway, Pakistan, Peru, the Philippines, Sri Lanka, Timor-Leste, Turkey, Uruguay, Venezuela (Bolivarian Republic of) and the State of Palestine. Subsequently, Algeria (on behalf of the Group of Arab States), Bosnia and Herzegovina, Honduras, Nicaragua, Pakistan (on behalf of the Organization of Islamic Cooperation) and Viet Nam joined the sponsors.

200. At the same meeting, the representatives of India, Thailand and the United States of America made general comments in relation to the draft resolution.

201. Also at the same meeting, the representatives of Ireland, 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.

202. At the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 31 votes to 0, with 16 abstentions.

203. For the text as adopted and voting results, see part one, chapter I, resolution 23/14.

204. At the 41st meeting, on 14 June 2013, the representative of Sierra Leone made a statement in explanation of vote after the vote.

Human rights of migrants

205. At the 40th meeting, on 14 June 2013, the representative of Mexico introduced draft resolution A/HRC/23/L.12, sponsored by Mexico and co-sponsored by Angola, Argentina, Belarus, Benin, Bolivia (Plurinational State of), Colombia, Costa Rica, Djibouti, Ecuador, El Salvador, Guatemala, Honduras, Kyrgyzstan, Mali, Morocco, Nigeria, Paraguay, Peru, Somalia, Uruguay and the State of Palestine. Subsequently, Armenia, Bosnia and Herzegovina, Brazil, Burkina Faso, Ethiopia, Indonesia, Kazakhstan, Nicaragua, the Philippines, Portugal, the Republic of Moldova, Senegal, Togo and Venezuela (Bolivarian Republic of) joined the sponsors.

206. At the same meeting, the representative of Mexico orally revised the draft resolution.

207. 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 23/20).

Accelerating efforts to eliminate all forms of violence against women: preventing and responding to rape and other forms of sexual violence

208. At the 40th meeting, on 14 June 2013, the representative of Canada introduced draft resolution A/HRC/23/L.28, sponsored by Canada and co-sponsored by Albania, Andorra, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bosnia and Herzegovina, Costa Rica, Côte d'Ivoire, Croatia, Denmark, Djibouti, Estonia, Finland, France, Georgia, Greece, Honduras, Hungary, Ireland, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Norway, Monaco, Montenegro, the Netherlands, New Zealand, Paraguay, Poland, Serbia, Slovakia, Slovenia, Somalia, Spain, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Angola, Argentina,

Botswana, Bulgaria, Burkina Faso, Cambodia, Colombia, the Congo, Cyprus, the Czech Republic, Ethiopia, Germany, Iceland, Japan, Malta, Mozambique, Nigeria, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Rwanda, San Marino, Sierra Leone, Sweden, Ukraine and Uruguay joined the sponsors.

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

210. Also at the same meeting, the representative of the Russian Federation withdrew its amendments A/HRC/23/L.30, A/HRC/23/L.31, A/HRC/23/L.32, A/HRC/23/L.33, A/HRC/23/L.34 and A/HRC/23/L.35 to this draft resolution.

211. At the same meeting, the representatives of Brazil (also on behalf of Argentina, Belgium, Colombia, Croatia, Cuba, the Czech Republic, Finland, France, Iceland, Ireland, Luxembourg, Mexico, Norway, Portugal, Slovenia, Sweden, Uruguay and Venezuela (Bolivarian Republic of)), Sierra Leone, Switzerland and the United States of America made general comments in relation to the draft resolution.

212. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

213. 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 23/25).

Human rights and climate change

214. At the 41st meeting, on 14 June 2013, the representative of the Philippines introduced draft resolution A/HRC/23/L.27, sponsored by Bangladesh and the Philippines and co-sponsored by Azerbaijan, Belarus, Bolivia (Plurinational State of), Cambodia, Cuba, Ecuador, Gabon (on behalf of the Group of African States), Lebanon, Monaco, Nepal, Qatar, Sri Lanka, Timor-Leste, Uruguay and the State of Palestine. Subsequently, Honduras and Thailand joined the sponsors.

215. At the same meeting, the representative of the Philippines stated that the sponsors and the co-sponsors decided to request the deferment of the consideration of this draft resolution.

216. Also at the same meeting, the Human Rights Council decided, without a vote, to defer the consideration of this draft resolution to its twenty-fourth session.

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

A. Interactive dialogue with the independent international commission of inquiry on the Syrian Arab Republic

217. At the 18th meeting, on 4 June 2013, the Chairperson of the independent international commission of inquiry on the Syrian Arab Republic, Paulo Sérgio Pinheiro, presented the report of the commission (A/HRC/23/58), pursuant to Human Rights Council resolution 22/24.

218. At the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

219. During the ensuing interactive dialogue, at the same meeting and at the 19th meeting, on the same day, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Argentina, Austria, Botswana, Brazil, Chile, Costa Rica, Czech Republic, Ecuador, Estonia, Germany, Indonesia, Italy, Japan, Kuwait, Libya, Malaysia, Maldives, Montenegro, Peru, Poland, Qatar, Republic of Korea, Spain, Switzerland, Thailand, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Australia, Belgium, Canada, China, Cuba, Democratic People's Republic of Korea, Denmark (also on behalf of Finland, Iceland, Norway and Sweden), Egypt, France, Iran (Islamic Republic of), Jordan, Mexico, Morocco, Netherlands, Nigeria, Portugal, Romania, Russian Federation, Saudi Arabia, Slovakia, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland;

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

(d) Observers for non-governmental organizations: Cairo Institute for Human Rights Studies, Defence for Children International, Human Rights Watch, International Fellowship of Reconciliation, Presse Emblème Campagne, Union of Arab Jurists, Women's International League for Peace and Freedom.

220. At the 19th meeting, on the same day, the Chairperson of the commission of inquiry answered questions and made his concluding remarks.

B. Interactive dialogue with special procedures mandate holders

Special Rapporteur on the situation of human rights in Belarus

221. At the 20th meeting, on 4 June 2013, the Special Rapporteur on the situation of human rights in Belarus, Miklós Haraszti, presented his report (A/HRC/23/52).

222. At the same meeting, the representative of Belarus made a statement as the country concerned.

223. During the ensuing interactive dialogue, at the same meeting, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Czech Republic, Estonia, Germany, Indonesia, Kazakhstan, Montenegro, Poland, Romania, Russian Federation⁴³ (also on behalf of Bangladesh, Bolivia (Plurinational State of), China, Cuba, the Democratic People's Republic of Korea, the Lao People's Democratic Republic, Iran (Islamic Republic of), Kazakhstan, Sri Lanka, Turkmenistan, Venezuela (Bolivarian Republic of) and Zimbabwe), Spain, Switzerland, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Azerbaijan, Bahrain, Belgium, China, Cuba, Democratic People's Republic of Korea, France, Hungary, Iran (Islamic Republic of), Lao People's Democratic Republic, Lebanon, Lithuania, Morocco, Myanmar, Norway, Russian Federation, Slovakia, Sri Lanka, Sweden, Syrian Arab Republic, Turkmenistan, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Viet Nam, Zimbabwe, State of Palestine;

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

(d) Observers for non-governmental organizations: Amnesty International, CIVICUS – World Alliance for Citizen Participation, Freedom House, Human Rights House Foundation, Human Rights Watch, International Federation for Human Rights Leagues, International Fellowship of Reconciliation, United Nations Watch.

224. At the same meeting the representative of Belarus made concluding remarks as the country concerned.

225. Also at the same meeting, the Special Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on the situation of human rights in Eritrea

226. At the 20th meeting, on 4 June 2013, the Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, presented her report (A/HRC/23/53).

227. At the same meeting, the representative of Eritrea made a statement as the country concerned.

228. During the ensuing interactive dialogue, at the same meeting, on the same day, and at the 22nd meeting, on 5 June 2013, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Botswana, Czech Republic, Estonia, Ethiopia, Germany, Switzerland, United States of America;

(b) Representatives of observer States: Australia, Cuba, Djibouti, Mexico, Norway, Slovakia, United Kingdom of Great Britain and Northern Ireland;

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

(d) Observers for non-governmental organizations: Amnesty International, Article 19 - International Centre Against Censorship, East and Horn of Africa Human Rights Defenders Project, Human Rights Watch, International Fellowship of Reconciliation, Jubilee Campaign.

⁴³ Observer of the Human Rights Council speaking on behalf of Member and observer States.

229. At the 22nd meeting, on 5 June 2013, the representative of Eritrea made concluding remarks as the country concerned.

230. At the same meeting, the Special Rapporteur answered questions and made her concluding remarks.

231. At the 28th meeting, on 7 June 2013, a statement in exercise of the right of reply was made by the representative of Ethiopia.

C. General debate on agenda item 4

232. At its 22nd meeting, on 5 June 2013, and at the 27th meeting, on 7 June 2013, the Human Rights Council held a general debate on agenda item 4, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Austria, Czech Republic, Ecuador, Iran (Islamic Republic of)⁴³ (on behalf of the Non-Aligned Movement), Ireland (on behalf of the European Union, Croatia, Iceland, Liechtenstein, Montenegro and the former Yugoslav Republic of Macedonia), Japan, Pakistan (on behalf of the Organization of Islamic Cooperation), Republic of Korea, Spain, Switzerland, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Australia, Azerbaijan, Belarus, Belgium, Canada, China, Cuba, Democratic People's Republic of Korea, Denmark, France, Iran (Islamic Republic of), Iraq, Myanmar, Netherlands, Norway, Slovakia, Sudan, Tunisia, United Kingdom of Great Britain and Northern Ireland, Viet Nam;

(c) Observers for non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Agence Internationale pour le Développement, Amnesty International, Baha'i International Community, British Humanist Association, Cairo Institute for Human Rights Studies, Center for Inquiry, Centre Europe - Tiers Monde – Europe-Third World Centre, Centre for Human Rights and Peace Advocacy, CIVICUS – World Alliance for Citizen Participation, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC), Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit – COC Nederland, France Libertés: Fondation Danielle Mitterrand (also on behalf of International Educational Development, Inc. and Mouvement contre le racisme et pour l'amitié entre les peuples), Helsinki Foundation for Human Rights, Human Rights House Foundation, Human Rights Watch (also on behalf of the Asian Forum for Human Rights and Development, Centro de Estudios Legales y Sociales (CELS) Asociación Civil, CIVICUS - World Alliance for Citizen Participation, Conectas Direitos Humanos, East and Horn of Africa Human Rights Defenders, the International Commission of Jurists and International Service for Human Rights), Il Cenacolo, Indian Council of South America (CISA), International Association of Democratic Lawyers (IADL), International Association of Jewish Lawyers and Jurists, International Buddhist Relief Organisation, International Educational Development, Inc., International Human Rights Association of American Minorities (IHRAAM), International Humanist and Ethical Union, International Organization for the Elimination of All Forms of Racial Discrimination, Jubilee Campaign, Liberation, Maarij Foundation for Peace and Development, Organization for Defending Victims of Violence, Pasumai Thaayagam Foundation, Presse Embleme Campagne, Society for Threatened Peoples, Union of Arab Jurists (also on behalf of the International Organization for the Elimination of All Forms of Racial Discrimination), United Towns Agency for North-South Cooperation, Verein Sudwind Entwicklungspolitik, Women's Human Rights International Association (also on behalf of France Libertés: Fondation Danielle Mitterrand, International Educational Development, Inc. and Mouvement contre le

racisme et pour l'amitié entre les peuples), World Barua Organization (WBO), World Federation of Democratic Youth (WFDY), World Muslim Congress.

233. At the 28th meeting, on 7 June 2013, statements in exercise of the right of reply were made by the representatives of Armenia, Azerbaijan, China, Cuba, Egypt, Ethiopia, Kuwait, Iran (Islamic Republic of), Iraq, Japan, the Republic of Korea, Sri Lanka, Turkmenistan, Uzbekistan and Venezuela (Bolivarian Republic of).

234. At the same meeting, statements in exercise of a second right of reply were made by the representatives of Armenia and Azerbaijan.

D. Consideration of and action on draft proposals

Situation of human rights in Belarus

235. At the 38th meeting, on 13 June 2013, the representative of Ireland, on behalf of the European Union, introduced draft resolution A/HRC/23/L.18, sponsored by Ireland, on behalf of the European Union, and co-sponsored by Albania, Croatia, Iceland, Japan, Liechtenstein, Monaco, Montenegro, Norway, the Republic of Korea, Switzerland, the former Yugoslav Republic of Macedonia and the United States of America. Subsequently, Bosnia and Herzegovina, Canada and New Zealand joined the sponsors.

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

237. Also at the same meeting, the representative of Belarus made a statement as the country concerned.

238. 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.

239. At the same meeting, the representatives of Ecuador and Venezuela (Bolivarian Republic of) made statements in explanation of vote before the vote.

240. Also at the same meeting, at the request of the representative of Venezuela (Bolivarian Republic of), a recorded vote was taken on the draft resolution. The draft resolution was adopted by 26 votes to 3, with 18 abstentions.

241. For the text as adopted and voting results, see part one, chapter I, resolution 23/15.

242. At the 41st meeting, on 14 June 2013, the representative of Switzerland, also on behalf of Iceland, Liechtenstein and Norway, made a statement in explanation of vote after the vote.

Situation of human rights in Eritrea

243. At the 40th meeting, on 14 June 2013, the representative of Djibouti introduced draft resolution A/HRC/23/L.17, sponsored by Djibouti, Nigeria and Somalia and co-sponsored by Belgium, Germany, Monaco, Portugal, Spain, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Djibouti, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, Poland, the Republic of Moldova, Romania, Slovakia, Slovenia, Somalia, Sweden and the United States of America joined the sponsors.

244. At the same meeting, the representative of Djibouti orally revised the draft resolution.

245. Also at the same meeting, the representative of Venezuela (Bolivarian Republic of) made general comments in relation to the draft resolution, disassociating the delegation from the consensus on the draft resolution as orally revised.

246. At the same meeting, the representative of Eritrea made a statement as the country concerned.

247. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution. The Chief of OHCHR Programme Support and Management Services made a statement in relation to the budgetary implications of the draft resolution as orally revised.

248. 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 23/21).

249. At the 41st meeting, on 14 June 2013, the representatives of Ethiopia and Venezuela (Bolivarian Republic of) made statements in explanation of vote after the vote. In its statement, the representative of Venezuela (Bolivarian Republic of) disassociated the delegation from the consensus on the resolution.

The deterioration of the situation of human rights in the Syrian Arab Republic, and the need to grant immediate access to the commission of inquiry

250. At the 41st meeting, on 14 June 2013, the representative of Qatar introduced draft resolution A/HRC/23/L.29, sponsored by Kuwait, Qatar, Saudi Arabia, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America and co-sponsored by the United Arab Emirates. Subsequently, Australia, Bahrain, Belgium, Bosnia and Herzegovina, Botswana, Canada, Côte d'Ivoire, Denmark, Finland, France, Georgia, Germany, Hungary, Iceland, Italy, Japan, Jordan, Luxembourg, Maldives, Mexico, Monaco, the Netherlands, New Zealand, Norway, Oman, Portugal, the Republic of Korea, the Republic of Moldova, Saint Kitts and Nevis, San Marino, Slovenia and Sweden joined the sponsors.

251. At the same meeting, the representative of Qatar orally revised the draft resolution.

252. Also at the same meeting, the representatives of Costa Rica, India, Ireland (on behalf of States members of the European Union that are members of the Council), Peru, Switzerland and the United States of America made general comments in relation to the draft resolution.

253. At the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

254. Also at the same meeting, the representatives of Angola, Brazil, Chile, Costa Rica, Ecuador, Indonesia, Pakistan, Peru, Thailand, Uganda, Venezuela (Bolivarian Republic of) made statements in explanation of vote before the vote.

255. At the same meeting, at the request of the representative of Venezuela (Bolivarian Republic of), a recorded vote was taken on the draft resolution as orally revised. The draft resolution, as orally revised, was adopted by 37 votes to 1, with 9 abstentions.

256. For the text as adopted and voting results, see part one, chapter I, resolution 23/26.

257. At the same meeting, on the same day, the representative of Argentina made a statement in explanation of vote after the vote.

V. Human rights bodies and mechanisms

A. Panel discussion on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review

258. At the 6th meeting, on 29 May 2013, pursuant to Human Rights Council resolution 22/15, the Council held a panel discussion on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review. Opening statements for the panel were delivered by the United Nations High Commissioner for Human Rights and the Secretary-General of the Inter-Parliamentary Union, Anders B. Johnsson. The Permanent Representative of Ecuador to the United Nations Office at Geneva and the Vice-President and Rapporteur of the Human Rights Council, Luis Gallegos Chiriboga, moderated the discussion for the panel.

259. At the same meeting, the panellists Eustace Lake, Juana Kweitel, László Borbély, Loretta Rosales and Jorge Villarino Marzo made statements. The Council divided the panel discussion into two slots.

260. During the ensuing panel discussion for the first slot, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Brazil, Chile, Ecuador (on behalf of the Group of Latin American and Caribbean States), Gabon (on behalf of the Group of African States), Indonesia, Maldives, Spain, Thailand, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Egypt;

(c) Observer for a non-governmental organization: UPR Info.

261. At the end of the first slot, at the same meeting, the panellists answered questions and made comments.

262. During the ensuing panel discussion for the second slot, at the same meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Ethiopia, Libya, Montenegro, Poland, United States of America;

(b) Representatives of observer States: Australia, Bahrain, Cuba, Iran (Islamic Republic of), Morocco, United Kingdom of Great Britain and Northern Ireland.

263. At the same meeting, the panellists answered questions and made their concluding remarks.

B. Social Forum

264. At the 28th meeting, on 7 June 2013, the Chairperson-Rapporteur of the 2012 Social Forum, Alya Al-Thani, presented the report of the 2012 Social Forum, held from 1 to 3 October 2012 (A/HRC/23/54).

C. Open-ended intergovernmental working group on the draft United Nations declaration on the right to peace

265. At the 28th meeting, on 7 June 2013, the Chairperson-Rapporteur of the open-ended inter-governmental working group on the draft United Nations declaration on the right to

peace, Christian Guillermet-Fernández, presented the report of the working group on its first session, held from 18 to 21 February 2013 (A/HRC/23/55 and A/HRC/WG.13/1/2).

D. Forum on Business and Human Rights

266. At the 28th meeting, on 7 June 2013, the Chief of the Human Rights and Economic and Social Issues Section of OHCHR presented, on behalf of the Chairperson-Rapporteur, the report containing a summary of discussions at the Forum on Business and Human Rights, held on 4 and 5 December 2012 (A/HRC/23/32 and A/HRC/FBHR/2012/4).

E. General debate on agenda item 5

267. At the 28th and 29th meeting, on 7 June 2013, the Human Rights Council held a general debate on agenda item 5, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Colombia⁴⁴ (on behalf of the Group of Latin American States), Cuba⁴⁴ (on behalf of the Community of Latin American and Caribbean States), Ecuador (also on behalf of Belarus, Bolivia (Plurinational State of), Cuba, Egypt, Sudan and Venezuela (Bolivarian Republic of)), Gabon (on behalf of the Group of African States), India (also on behalf of Algeria, Belarus, China, Cuba, Ecuador, India, Iran (Islamic Republic of), Pakistan, the Russian Federation, Sri Lanka and Thailand), Ireland (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Montenegro, the Republic of Moldova, the former Yugoslav Republic of Macedonia, Serbia and Ukraine), Maldives, Spain, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Bolivia (Plurinational State of), Cuba, China, Denmark, Morocco, Norway, Sri Lanka, Togo;

(c) Observer for the Holy See;

(d) Observers for intergovernmental organizations: Council of Europe, Organization of Islamic Cooperation;

(e) Observers for non-governmental organizations: Asian Forum for Human Rights and Development, East and Horn of Africa Human Rights Defenders Project, Indian Council of South America (CISA), International Association of Democratic Lawyers (IADL), International Association of Peace Messenger Cities, International Buddhist Relief Organisation, International Commission of Jurists, Japan Federation of Bar Associations, Japanese Workers' Committee for Human Rights, Liberation, Maarij Foundation for Peace and Development, World Barua Organization (WBO), World Federation of Democratic Youth (WFDY).

268. At the 29th meeting, on the same day, a statement in exercise of the right of reply was made by the representative of Nigeria.

F. Consideration of and action on draft proposals

Promotion of the right to peace

⁴⁴ Observer of the Human Rights Council speaking on behalf of Member and observer States.

269. At the 38th meeting, on 13 June 2013, the representative of Cuba, on behalf of the Community of Latin American and Caribbean States, introduced draft resolution A/HRC/23/L.21, sponsored by Cuba, on behalf of the Community of Latin American and Caribbean States, and co-sponsored by Algeria (on behalf of the Group of Arab States), Angola, Belarus, Bolivia (Plurinational State of), the Congo, the Democratic People's Republic of Korea, the Dominican Republic, Ethiopia, Nicaragua, Panama, Sri Lanka, Timor-Leste and Venezuela (Bolivarian Republic of). Subsequently, Burkina Faso, China, Indonesia, Malaysia, Namibia, Senegal, South Africa, Togo and Viet Nam joined the sponsors.

270. At the same meeting, the representative of Venezuela (Bolivarian Republic of) made general comments in relation to the draft resolution.

271. Also at the same meeting, the representatives of Ireland, 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.

272. At the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 30 votes to 9, with 8 abstentions.

273. For the text as adopted and voting results, see part one, chapter I, resolution 23/16.

VI. Universal periodic review

274. Pursuant to General Assembly resolution 60/251, Human Rights Council resolutions 5/1 and 16/21, Council decision 17/119 and President's statements 8/1 and 9/2 on modalities and practices for the universal periodic review process, the Council considered the outcome of the reviews conducted during the fifteenth session of the Working Group on the Universal Periodic Review held from 21 January to 1 February 2013.

A. Consideration of universal periodic review outcomes

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

France

276. The review of France was held on 21 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

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

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

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

277. At its 24th meeting, on 6 June 2013, the Council considered and adopted the outcome of the review of France (see section D below).

278. The outcome of the review of France comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/3), the views of France concerning the recommendations and/or conclusions, as well as 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/23/3/Add.1*).

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

279. The delegation was pleased to have participated in the second cycle of the UPR, a unique process which not only allowed Governments to present the measures taken to improve the human rights situation in its territory and assess the continuing difficulties, but also to share good practices and recommendations.

280. The delegation thanked the Governments and civil society for their questions, recommendations and contributions that had been carefully studied. The National Consultative Commission on Human Rights had also been consulted.

281. France had thoroughly reviewed the 165 recommendations it received during its second review, on 21 January 2013. The decision to accept, partially accept or turn down the recommendations had been a process of meticulous reflection.

282. France had accepted those recommendations with which it was in agreement with the sense and the text, as well as those that it considered already implemented. Thus, in some cases, the decision to accept a recommendation did not necessarily imply a commitment to take further action but to continue efforts underway or maintain measures already in place. France had rejected recommendations that could not be implemented, in particular due to legal or constitutional reasons, or that it did not approve its substance or formulation. France did not respond to recommendations on matters which did not fall within the scope of the UPR.

283. For the sake of transparency and clarity, the Government had prepared an appendix to the addendum 1. This appendix of over 100 pages explained the French position on each recommendation.

284. The Delegation made technical adjustments regarding the addendum 1 (A/HRC/23/3/Add.1):

- Paragraph 9 should read recommendation “120,143” and not recommendation “120.43”, in other words France did not accept recommendation “120,143” and did accept recommendation “120.43”, already contained in paragraph 10.

- Recommendations “120.25”, “120.26”, “120.27” and “120,114” should be deleted from paragraph 10 since they appear in the following paragraph. France therefore partially accepted these recommendations.

- Also in paragraph 10 there is a typographical inaccuracy: recommendation “210.44” should read recommendation “120.44.” And the last recommendation in that paragraph should read “120,165” instead of “120-65”. France did not accept recommendation “120.65”, which already appeared in paragraph 12.

285. The delegation noted that it did not have enough time to detail each of the responses to the recommendations but noted its position on some of the main issues.

286. Regarding recommendations that were not accepted, the delegation explained that the scope of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families fell partly within the European Union competence. Thus, Member States were not entitled to unilaterally become a Party. Also, the lack of distinction between migrant workers in regular and irregular situations was problematic under French law. France considered that these were two entirely different situations and that they fell under two separate systems of protection.

287. France did not accept recommendations that entailed the recognition of the concept of minority, indigenous people or ethnic group. The French law was based on two key principles enshrined in Article 1 of its Constitution: the equal rights of citizens "without distinction of origin, race or religion," and the unity and indivisibility of the nation. These principles were upheld by both the Council of State and the Constitutional Council, which recognized the indivisibility of the Republic and the impossibility that specific rights to "any section of the people" be recognized. The delegation noted, notwithstanding, that these principles did not negate cultural diversity. This is why France had adopted measures and policies that ensured that any person could exercise his/her rights and freedoms, while promoting the principle of equal treatment between persons irrespective of their origin, in practice.

288. Some recommendations referred to the law of 15 March 2004, concerning the principle of secularism, the wearing of symbols or clothing denoting religious affiliation in schools, colleges and public schools. As it was reported in 2008, the Government had no plans to review the law. Since 2005 the law had been peacefully enforced since 2005; the academies reported only a few isolated cases of students presenting with overt religious symbols in schools. All this evidenced that the vast majority of students and families

understood the meaning of the law. Moreover, the mediator of Education had reported to never have received an allegation on this regard. The European Court of Human Rights had also confirmed that the restrictions imposed by the law of 15 March 2004 were justified by the constitutional principle of secularism and, in the absence of discrimination, were consistent with the European Convention of human rights and fundamental freedoms.

289. For France, freedom to express a religion or belief was a priority. The law protected the freedom to express a religion against all forms of discrimination. And racist, anti-Semitic, xenophobic and anti-Muslim speech was repressed by the French law.

290. The delegation also referred to accepted recommendations regarding the respect and promotion of women's rights; the fight against racism and anti-Semitism; and the conditions of detention.

291. In concluding, the delegation reminded the role of human rights and civil liberties in the construction of the French Republic. These rights were deeply rooted in the French Institutions and were ardently defended by the French people. Freedom, openness, political pluralism, transparency, respect for the rule of law and the division of powers were the essence of the French democracy and guaranteed the respect for human rights.

292. However, the Government remained vigilant on the situation of human rights in its territory and considered outside views and criticisms as vital to help improve the human rights situation. France considered the UPR and the permanent follow-up of its recommendations as fundamental tools.

293. The delegation announced that it would present in 2015 a mid-term report on the effective implementation of the recommendations addressed in the UPR in January 2013.

294. France also remained committed to sharing with other Governments its experience with the UPR and actively promote this mechanism.

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

295. During the adoption of the outcome of the review of France, 15 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁴⁵ are posted on the extranet of the Human Rights Council, if available.

296. Togo commended the progress achieved in recent years in the respect of France's human rights international commitments. It noted the establishment in 2012 of the Ministry of Women's Rights and the adoption of a national plan of action against racism. Togo thanked France for accepting its recommendation calling for greater use of alternative sentences to detention. It praised France's renewed engagement with the UPR.

297. Viet Nam noted the good will showed by the Government in the implementation of the outcome of the review, including the acceptance of most of the received recommendations. It reiterated its encouragement to France to better fight discrimination against vulnerable groups in the context of the existing economic conjuncture. As a long-term partner of France it wished the Government to further consolidate its achievements in the area of human rights and to contribute with the dialogue and cooperation in this important domain.

⁴⁵ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/23rdSession/Pages/Calendar.aspx>.

298. Algeria commended the renewed commitment of France towards the UPR and the fact that it accepted one of the two recommendations it submitted, pertaining to the improvement of detention conditions. It hoped the Government could reconsider its position regarding the second recommendation submitted by Algeria regarding the accession to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It welcomed the French voluntary commitment to present a mid-term report in 2015.

299. Belarus noted that France had accepted most of the recommendations. It expected that France would invite the Special Rapporteurs on torture, modern forms of slavery and the human rights of migrants. It hoped that France would amend the law on same sex marriage in order to prohibit same sex couples to adopt children. Otherwise the law would contravene international law, including the Convention on the Rights of the Child. It called France to uphold the rights of Roma and avoid forced evictions.

300. Benin thanked the Government for the recommendations it accepted. This was another expression of the historic commitment of France to promote human rights and democracy, fight racism and anti-Semitism and promote and protect the rights of women. Benin encouraged France to redouble its efforts to overcome the existing problems of discrimination and immigration.

301. Burkina Faso congratulated France for the presentation of its national report during the 15th session of the UPR Working Group and noted the update presented during the adoption of the outcome regarding the dynamics of the implementation of the recommendations received. The delegation paid particular attention to the information received on the protection of immigrants and the fight against discriminations, especially racial discrimination.

302. Côte d'Ivoire reminded that it had encouraged the Government to continue improving the situation of migrant workers as well as to implement its anti-discrimination legislation. It noted that these concerns were reflected in the accepted recommendations. It remained confident that France would spare no effort in the effective implementation of the recommendations issued from the first review, including an engagement to cooperate with the human rights mechanisms. It renewed its appreciation for France's commitment with democratic values and encouraged the Government to pursue its combat against terrorism.

303. The Council of Europe noted the plan adopted against racism and anti-Semitism (2012-2014) and the strategy aimed at the inclusion of the Roma. It valued the cooperation between the Council of Europe and France. It associated itself to the recommendations pertaining to the discrimination against the Roma and a recommendation requesting the ratification of the European Charter for regional or minority languages. It regretted that this recommendation was not accepted. It expected the ratification of the Convention on preventing and combating violence against women and domestic violence.

304. Cuba recalled that during the review of France it was possible to see the progress achieved since the first UPR review. In particular it noted the improvement of the legal and institutional framework for human rights, the fight against racial discrimination, the protection of the rights of certain social groups and the promotion of equality and social diversity. It was also possible to realize the remaining challenges. Cuba was interested in the strategies to eliminate discrimination against the Roma. It acknowledged the fact that France accepted Cuba's recommendation.

305. Ecuador noted that France accepted a high number of recommendations and hoped that they would be promptly implemented. Ecuador remained concerned about the French position regarding issues such as the evictions of Roma, the lack of a clear policy for the elimination of racial discrimination and the denial of the existence of collective rights for minorities. It was also concerned by the rejection of recommendations requesting the

accession to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

306. Gabon praised the development of the cooperation between France and the international human rights procedures and mechanisms and saluted the French tradition of commitment to the promotion and protection of human rights. It noted progress in the fight against discrimination and intolerance and acknowledged the efforts of the Government to fight discrimination against women and reduce gender inequalities.

307. The Islamic Republic of Iran recalled that it submitted 5 recommendations to France that referred to the rights of the child; some difficulties faced by members of the minority groups including Muslims, Roma and the African community; and racist, xenophobic and Islamophobic acts and manifestations in France. All these recommendations were accepted. The Islamic Republic of Iran expected that the Government would take the necessary measures to implement them.

308. Kuwait valued France's efforts towards the implementation of the UPR recommendations. This would add to the achievement of France in the area of human rights. It commended that France had accepted the recommendations submitted by Kuwait regarding justice and equality, the combat of racism, and the protection of vulnerable groups.

309. The Lao People's Democratic Republic noted that France accepted a great number of recommendations which showed the commitment of the Government to pursue its activities in the domain of the promotion and protection of human rights. It recalled that France was party to numerous human rights international instruments and undertook several important initiatives aimed at guaranteeing the human rights.

310. Libya noted that France accepted most of the recommendations, including the three submitted by Libya. It commended the establishment of the Ministry of Women's Rights, and the measures adopted to combat xenophobia and racism, and the promotion of cultural and linguistic diversity.

3. General comments made by other relevant stakeholders

311. During the adoption of the outcome of the review of France, 8 other stakeholders made statements.

312. The National Consultative Commission on Human Rights acknowledged having worked in close cooperation with the Government in all the phases of the UPR second cycle. It regretted, however, that the decision on recommendations was not consulted with the civil society. Regarding prison's overcrowding, the Commission would have hoped the announcement of a greater use of alternative measures to detention. Also, the Commission recalled that training and awareness raising campaigns for law enforcement officers were the best tools to prevent racial profiling practices. Regarding the Roma, the Commission recommended lifting the transitory measures and stopping evictions, in the absence of alternative housing solutions. The Commission would also have hoped the announcement of a preparation and adoption of a national human rights plan of action. The Commission will follow the implementation of the accepted recommendations and for those not accepted but that seem pertinent, it will try to convince the authorities to accept and implement them.

313. The Open Society Institute welcomed the acceptance of 4 recommendations to end the use of ethnic profiling by the police. Despite several statements by high level officials, so far, the Government had only taken minor steps towards reform which fall short of what was needed to end the widespread ethnic profiling practices. France should amend article 82-2 of the Code of Criminal Procedure so that reasonable suspicion be required as a basis for all identity checks. Also, forms that provide persons stopped with information about the

legal basis for identity checks should be introduced. These reforms would also improve police relations with the population by rebuilding trust, promote accountability and allow for evaluation of identity check power.

314. Human Rights Watch welcomed that France accepted recommendations to stop the practice of ethnic profiling in identity checks by the police and urged France to swiftly introduce “stop forms” to serve as a record of a stop and a safeguard for the police and the public. It was also disappointed by the rejection of recommendations to reconsider the 2004 law banning students from wearing ostentatious religious symbols in public schools and the 2011 law prohibiting the concealment of one’s face in public. These bans violated the freedoms of religion and expression and were discriminatory in practice by having a disproportionate impact on Muslim women. It welcomed the acceptance of recommendations to address discrimination against Roma but was concerned that forced evictions of migrant Roma continued to be reported on a regular basis. Finally, it urged France to ensure that anyone held in police custody has access to a lawyer from the start of their detention.

315. The European Centre for Law and Justice noted that for months millions of French of all ages were peacefully demonstrating to defend the family and the rights of children, and against a law that establishes, for same sex couples, a right to adopt children and to marry. This movement was being repressed by the police and hundreds of cases of arbitrary detention had occurred. At no time the legality of these detentions had been controlled by an independent magistrate. Also, the data of the persons who participated in these demonstrations had been stored and filed by the police. This repression has to end and shows a serious shortcoming of the system of custody and identity control in France. The Centre invited the Council to consider these human rights violations which were particularly serious for a country that claimed to be exemplary in the respect for human rights.

316. OCAPROCE International noted the establishment of the Defender of Rights and the Ministry for Women’s Rights. It encouraged France to pursue its efforts to draw a comprehensive plan to fight discrimination against vulnerable groups with economic constraints. It was concerned regarding the economic, social and cultural rights of migrant women and their rights to education and employment. France should make an effort to protect women against violence, in particular abductions, and to punish the perpetrators. It acknowledged the announcement of plans to combat racism and anti-Semitism, and to promote equality between sexes.

317. Franciscans International acknowledged that France was a party to the main international instruments against trafficking in persons but noted that the Government had to strengthen the protection of the rights of the victims of trafficking. The identification and assistance of victims was conditioned to their cooperation with the authorities. It praised that France had accepted recommendations aimed at improving the protection of victims as well as to establish a national plan to combat trafficking. It recommended the Government to strengthen the implementation of the Palermo protocol.

318. Inclusion International (International League of Societies for Persons with Mental Handicaps) expressed its concern for the French rejection of a recommendation to lift the reservation to article 29 of the Convention on the Rights of Persons with Disabilities (CRPD). It also reminded that it was still possible in France to establish a legal or political restriction on the basis of a disability, against what was established by the CRPD. Persons with disabilities should have the same citizenship and participation rights enjoyed by all. France had improved the protection to the right to vote for persons under legal guardianship; however the Government should take further actions and proceed to a comprehensive review of the legal guardianship framework to harmonize it with the CRPD.

319. The World Association for the School as an Instrument of Peace recognized that in the French territory of New Caledonia there were significant levels of recognition of the system of customary institutions and laws that governed relations within and among the Kanak clans and communities. Nevertheless, continued efforts should be made to enhance the control that Kanak people had over their communities, territories and natural resources. It asked the French delegation on its position regarding the Noumea accords and recommended the Government to have a national plan of implementation regarding the United Nations Declaration on the Rights of Indigenous Peoples and furthermore, recognize the human rights violations experienced by the indigenous population of the Kanak people of New Caledonia.

4. Concluding remarks of the State under review

320. The delegation acknowledged the statements of national delegations and NGOs and added that all comments, questions and recommendations would be carefully considered and taken into account by the national various stakeholders.

Tonga

321. The review of Tonga was held on 21 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Tonga in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/TON/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/TON/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/TON/3).

322. At its 24th meeting, on 6 June 2013, the Council considered and adopted the outcome of the review of Tonga (see section D below).

323. The outcome of the review of Tonga comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/4), the views of Tonga concerning the recommendations and/or conclusions, as well as 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/23/4/Add.1*).

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

324. On behalf of His Majesty Tupou VI, the King of Tonga, and the Lord Prime Minister and the Government and the peoples of Tonga, the representative from Tonga thanked and congratulated the Human Rights Council in completing another review of Tonga's national human rights report, which recorded Tonga's human rights achievements and aspirations, since the last report was adopted in 2008.

325. Tonga had deferred 28 recommendations from the UPR Working Group that were set out in an Addendum. These recommendations were arranged thematically. They concerned the National Human Rights Institution; Sexual and Gender Equality; Capital and Corporal Punishment, Children and Prisoners.

326. The establishment of a National Human Rights Institution continued to be a difficult proposition for Tonga, given its very limited financial and human resources. The

compromise was that Tonga intended to establish a Human Rights desk at either the Attorney General's Office or the Ministry of Internal Affairs.

327. The desk officer will thus be responsible for monitoring and driving human rights issues in Government policy, development and decision-making, and also drive Tonga's efforts to meet its international human rights obligations. Tonga recognised that this arrangement may be challenged in the aspects of independence and effectiveness, however this was the best option for now, based on current resources. One other possible option was to multi-task an Ombudsman, to be also the Human Rights Commissioner. Tonga undertook to continue to consider setting up either a national human rights institution, or establishing something similar that will fit Tonga's context.

328. The main recommendations regarding gender equality in Tonga were to increase the participation of women in the legislature, eliminate all discriminatory treatment related to sexual orientation or gender identity, and the decriminalising of same-sex consensual sex. The representative from Tonga explained that the participation of women in the legislature was not prohibited by law, nor discouraged in any way by any national policy, practice or procedure. Women had always been encouraged to become candidates for the legislature, and in the past there have been a handful of women who were either elected representatives or appointed Cabinet Ministers who were in the legislature. In the last national elections in November 2010, there were a few women candidates, but unfortunately they were unsuccessful in the ballot box. Currently, there was one Non-Elected Representative in the Legislative Assembly who is a woman, and she is also a Cabinet Minister. The current Clerk of the Legislative Assembly was a woman, and the in-house legal counsel for the Legislative Assembly in Tonga was also a woman.

329. The lesbian, gay, bi-sexual and trans-gender community had established an association to advocate for their rights, and they had been active in ensuring its members participant in mainstream social, economic and cultural activities. The 'Tonga Leiti Association', as they were known, were a partner association for the Tongan Government and other civil society groups for public awareness and advocacy for promoting a healthy sexual life, and were also supported in entertainment, sporting and business activities. The de-criminalisation of consensual sex between same sex adults was an issue that Tonga still wished to consider further, through robust and comprehensive dialogue with a vast group of stakeholders.

330. Tonga was still considering the issue of access of women to land under Tonga's 138 year old land tenure system. Such a process was delicate and extensive, as it went to the core of the Tongan culture. Currently, women only have access to land if their husbands die leaving the surviving widow a life interest in the land, and also if a land holder dies leaving no surviving widow or sons, except unmarried daughters. Such widow and unmarried daughters hold the land only if they did not commit adultery or fornication or re-marry, and widows were not allowed to lease out their deceased husband's land. In its recent final report released in 2012, the Royal Land Commission recommended that women above the age of 21 years old should be entitled to be granted only a town allotment, but not a tax allotment, because in the Tongan culture, it was the men who conduct plantation work, not the women. The Royal Commission also recommended that married daughters should be granted the land if the male landholder died without leaving a surviving widow or sons. It also recommended that the statutory provision that forfeits the land inherited by a widow or unmarried daughter upon proof of adultery or fornication by the women should be repealed. Finally, the Royal Commission also recommended that widows be allowed to lease out their deceased husband's land, only with the consent of the next male heir, but where there were no sons, then no consent of the next male heir was required.

331. Tonga will continue to retain the death penalty as the ultimate criminal sanction under its criminal justice system for the crimes of murder and treason. Tongan Courts had

already set the guiding policy that death penalty will only be used, in the context of murder, “in the rarest of rare cases when the alternative option was unquestionably foreclosed”.

332. The Tongan Courts had also briefly considered corporal punishment in Tonga, its constitutionality and the stance of the international community and international law; however, the Tongan Courts had not yet expressly declared that corporal punishment under Tongan law was unlawful and unconstitutional.

333. Given Tonga’s stance on capital punishment, Tonga will not ratify the Second Optional Protocol to the International Convention on Civil and Political Rights, which required the abolishing of the death penalty. Tonga however will continue to advance the civil and political rights provided for in the ICCPR, and continue its efforts to ratify the ICCPR and other core international human rights conventions, in accordance with Tonga’s requirements, and balancing it with Tonga’s international human rights obligations.

334. Tonga accepted that the minimum age of 7 years old for criminal responsibility of a child was appropriate for Tonga. Under article 40 of the Convention of the Rights of the Child, States Parties must establish the minimum age below which children shall be presumed not to have capacity to infringe the criminal law. Tonga had established that minimum age as 7 years old.

335. Tonga believed that under Tongan law, abandoned children born in wedlock were offered the same rights and protections given to children born out of wedlock. If the child was abandoned at birth, regardless of being born in or out of wedlock, the child can be declared a ward of the Court under the Guardianship Act, and thus all the rights and protections of an adopted child can be given to the abandoned child. Tonga however recognised that a child born in wedlock may be put under the care and custody of another adult under guardianship arrangements until the child is 18 years old and still remained the registered child of the biological parents, but such children however could not be fully adopted as if a biological child of the new guardians. A guardianship child is born in wedlock, and such legal responsibility will always be with the biological parents, and is only delegated to the guardians with the consent of the biological parents.

336. Tonga will continue its efforts to incorporate and implement the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders in its prison regime established under its Prisons Act 2010. Currently, women prisoners were kept separate from male prisoners. Children born by women prisoners or who were still being breast fed, may be allowed to live with the mother in prison until circumstances do not permit, such as upon direction of the Courts, voluntary decision of the mother, inadequate facilities, the child starts attending school or security or good order issues. There were also rehabilitation programmes such as anger management, revival programmes and cultural and recreational programmes.

337. Tonga again wished to record its appreciation for this opportunity, to the Human Rights Council, the Working Group and the Troika of States of Angola, Costa Rica and Pakistan, in considering Tonga’s second universal periodic report, and also to Member States, observers and non-government organisations for the support, constructive and valued feedback and most of all their patience. Tonga noted a special appreciation to the Governments of Australia and New Zealand for their support for Tonga’s presentation in this second cycle.

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

338. During the adoption of the outcome of the review of Tonga four delegations made statements.

339. Morocco congratulated Tonga for its efforts through a national dialogue to introduce a human rights infrastructure. It also highlighted the efforts deployed by the Complaints Commission acting as a mediator between the general public and different administrations. By accepting the majority of its recommendations Tonga has demonstrated its willingness to cooperate with international human rights mechanisms. Morocco praised the report released in 2012 by the Royal Land Commission improving women's property rights.

340. New Zealand, also on behalf of the Solomon Islands, thanked Tonga for the detailed written response to the recommendations. It encouraged Tonga to consider reflecting on those recommendations not accepted particularly on the use of death penalty. It welcomed Tonga's acceptance of the recommendations on prioritising gender equality initiatives and strengthening efforts to combat violence against women. New Zealand reiterated its commitment to collaborating with and supporting Tongan authorities, particularly through the Tonga Police Development Programme to address the issue of violence against women. The Solomon Islands and New Zealand offered their continued support in the implementation of the UPR recommendations.

341. Viet Nam acknowledged the difficulties and challenges that Tonga as a small islands country was facing. Viet Nam commended Tonga for providing a detailed answer to the questions and recommendations. It noted that the majority of the recommendations were accepted including those relating to strengthening the democratization process and improving the human rights of its people.

342. Algeria noted the progress made in the area of fighting against poverty and improving the health system. It praised the commitment of Tonga to the promotion of all human rights despite the challenges induced by the lack of human and financial resources. Algeria appreciated the acceptance of the recommendations regarding the ratification of core international human rights instruments and the promotion of women participation in public life, particularly their representation in Parliament.

3. General comments made by other relevant stakeholders

343. During the adoption of the outcome of the review of Tonga two other stakeholders made statements.

344. The World Association for the School as an Instrument of Peace (WASIP) applauded the progress made by Tonga in providing human rights for its citizens despite their limited resources. WASIP praised the efforts to educate the police force, the promotion of freedom of the press and information as well as the advancement in the areas of women's and children's rights and the rights of disabled persons. However it raised concerns with regard to issues relating to gender equality, the right to safe drinking water, the abolition of death penalty and rights for women and members of the LGBT community in the employment sector. WASIP recommended the ratification of CEDAW, the ICCPR, the ICESCR, CAT as well as their Optional Protocols. They urged Tonga to accept an open invitation for Special Rapporteurs.

345. Amnesty International (AI) praised Tonga's high level engagement in the UPR and the substantive response of Tonga to the outstanding recommendations. AI regretted that Tonga had not supported recommendations aimed at the abolition of the death penalty and urged to remain abolitionist in practice. Similarly Tonga had not accepted to decriminalise consensual same-sex conduct among adults. AI however was pleased to see the support for ratification of the ICCPR, the Rome Statute and examine the ratification of the Optional Protocol to the ICESCR. Finally AI encouraged Tonga to proceed with the ratification of the CEDAW at the earliest.

4. Concluding remarks of the State under review

346. In conclusion Tonga thanked all the intervening States for their support and words of appreciation. It also took note of the recommendations and proposals made by other stakeholders namely Amnesty International.

Romania

347. The review of Romania was held on 22 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Romania in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/ROU/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/ROU/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/ROU/3).

348. At its 24th meeting, on 6 June 2013, the Council considered and adopted the outcome of the review of Romania (see section D below).

349. The outcome of the review of Romania comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/5), the views of Romania concerning the recommendations and/or conclusions, as well as 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/23/5/Add.1*).

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

350. The delegation stated that Romania has acknowledged a need for further actions to promote and protect human rights and reiterated the Government's determination to continue making efforts in this regard. After analysing recommendations received during the universal periodic review in January, 2013, the Government accepted 131 recommendations out of total 157 recommendations received and rejected 26 recommendations (nos. 109.2, 109.4, 109.5, 109.6, 109.7 and 109.8 regarding the ratification of ICRMW, as well as nos. 109.9, 109.10, 109.15, 109.21, 109.27, 109.31, 109.32, 109.33, 109.34, 109.73, 109.74, 109.81, 109.99, 109.100, 109.102, 109.144, 109.147, 109.151, 109.155 and 109.157). The delegation reported that most of the accepted recommendations had been in the process of implementation.

351. The delegation explained that recommendations were rejected in the majority of cases because they were already implemented. Thus, for example, the recommendation related to the adoption of the legal framework concerning the restitution of properties wrongfully acquired during the communist period was not accepted, as the Law on the measures for finalising the restitution process was adopted and published in May 2013. Since the Prosecutor General and the Chief Prosecutor of the National Anti-Corruption Directorate were appointed in May, 2013, the recommendation to appoint the aforementioned prosecutors was rejected. The recommendations concerning the adoption of legislation prohibiting corporal punishment of children were rejected as Romania had introduced a clear prohibition of all forms of corporal punishment on children in the national legislation. The recommendation concerning the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination was rejected as Romania has ratified it in 1970.

352. The recommendation regarding the competencies of the various institutions combating discrimination did not enjoy the support of Romania as the competences of those institutions had been clearly established by legal provisions. The legal and institutional system of the human rights protection has been complex and complimentary. The recommendation on the teaching of the Holocaust in schools was considered implemented as the history of the Holocaust had been taught as a part of the national history - the teaching of the Holocaust had been already included in the history subject of 7th, 8th, 9th and 10th grades. The high school had also included the subject entitled "The history of Jews" since 2004. Thus, the recommendation was rejected.

353. The recommendation 109.147, related to the rights of migrant workers and members of their families, was rejected because all migrant workers employed legally in Romania had effective access to courts or other mechanisms in case of disputes over their working conditions. Similarly, with regard to the recommendations 109.31, 109.32, 109.33 and 109.34, the National Strategy on children's rights for 2008-2013 was developed to bring in a range of issues regarding children rights in one single document. The monitoring of the implementation of the Strategy was coordinated by the relevant structures within the Ministry of Labor, Family, Social Protection and Elderly.

354. In respect to the recommendation on the adoption of a national strategy to protect the rights of children against all risks of violence, the delegation explained that a number of specific measures had been introduced in the legislation and national strategy on children rights. The legislation adopted a comprehensive approach to address those issues and emphasized a close cooperation between various institutions with competencies in this field. Besides the general law on children rights, several other legal and policy documents regarding anti-trafficking measures were approved by the Government that devoted significant attention to the protection of children. Romania also adopted a national strategy to address violence within the family, which included the issue of violence against children in the context of domestic violence.

355. With regard to the non-acceptance of recommendations 109.155 and 109.157 referring to the alleged existence of CIA detention centres, the delegation explained that a Parliamentary Inquiry Committee had carried out an investigation between 2005 and 2008. The Committee's conclusions became public and attested that the authorities had no information that CIA secret detention centres existed in Romania or that the country's airports could have been used by CIA for the transfer or detention of suspected terrorists. Furthermore, in response to the request of a detainee of Guantanamo, the judiciary has opened a criminal investigation. The investigation has been carried out in full compliance with the principles of the rule of law and human rights.

356. As Romania has not been planning to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, all recommendations requiring the ratification of the Convention were rejected. However, the Government remained fully committed to the protection of rights of members of all vulnerable groups, including migrants.

357. Given the importance attached by the Government to observations made by NGOs in the process of the universal periodic review, the delegation provided answers with regard to the documents distributed by the Centre for Legal Resources in respect to the situation of the Roma community of Baia Mare during Romania's review of 2013. The National Agency for Roma, a specialized institution of the central public administration, has been constantly dealing with the problems faced by Romanian citizens belonging to Roma minority and has been involved in finding solutions to solve those problems. The National Agency for Roma has been closely monitoring situation in Baia Mare.

358. With regard to the relocation of Roma families in the building of a chemical plant, the National Agency for Roma representatives made a series of visits in order to assess the situation referring to housing. The National Agency for Roma filled a complaint to the National Council for Combating Discrimination against the Mayor and the City Council of Baia Mare. The Municipality has initiated legal proceedings for buying a piece of land in order to facilitate the construction of social houses for the Roma community relocated from Craica and Pirta neighbourhoods.

359. As to the reference made by the Centre for Legal Resources to the wall built in Baia Mare, the National Council for Combating Discrimination issued a decision in November 2011, which found a violation of the right to dignity and the local authority of Baia Mare was sanctioned with a fine of 4.000 lei (1.000 EUR). The decision of the National Council for Combating Discrimination was appealed before the administrative court of the Court of Appeal, which annulled the decision by finding that local authority's actions did not constitute discrimination. The National Council for Combating Discrimination appealed this decision before the High Court of Cassation and Justice.

360. The delegation stated that several actions were also taken regarding the case of Pata Rat district of Cluj-Napoca. The National Agency for Roma has been working closely with UNDP representatives that provided assistance to Roma communities in Pata Rat, including counselling and community mediation. The agreement on strategic partnership has been reached between the National Agency for Roma and the City Hall of Cluj-Napoca Municipality to improve social inclusion of Roma at local level.

361. By decision of 15 November 2011, the National Council for Combating Discrimination decided that the act to evacuate the Roma community and their relocation near the chemical waste station of the city represented a differential and discriminatory treatment and violated the right to dignity. The mayor of Cluj Napoca was sanctioned with the amount of 2.000 lei (500 EUR).

362. Regarding the case of an ex-minister's declaration about Roma people, the National Council for Combating Discrimination established that it was not necessary to apply fine but requested the offender to refrain from future statements that could create discriminatory effects. The Bucharest Court of Appeal upheld this decision.

363. The delegation emphasized that the Government would continue to involve relevant stakeholders, including NGOs, in the assessment of the best ways to ensure the implementation of the recommendations received during the second cycle of the universal periodic review. The Government attached high importance to the universal periodic review process as an innovative mechanism of the Human Rights Council and a catalyst for improving the respect of human rights in the United Nations member states. Romania remained fully committed to the mechanism and to the promotion and protection of all human rights for all.

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

364. During the adoption of the outcome of the review of Romania, 10 delegations made statements.

365. Libya noted the commitment of Romania to strengthen its institutional and legislative framework for the promotion of human rights and to have constructive dialogue with the international human rights mechanisms and international community. It commended Romania for accepting the recommendations made by Libya during the review. Libya encouraged Romania to continue its efforts to implement recommendations it received during the review and to build human rights culture and to promote social and economic rights.

366. Morocco welcomed the acceptance of the majority of recommendations by Romania, including two recommendations put forward by Morocco. It noted with satisfaction the adoption of the law on freedom of religion as well as the efforts of Romania to incorporate human rights teaching in schools and to introduce human rights training for public officials. Morocco also welcomed the introduction of legislation and a relevant system to combat discrimination as well as the commitment of Romania to continue its cooperation with all stakeholders, including civil society in implementing the recommendations that it received during the review.

367. The Republic of Moldova commended Romania for its commitment to prevent and eliminate domestic violence against women and to protect and promote children's rights as well as acknowledged the Government's efforts and initiatives to develop policies for the promotion and protection of human rights and fundamental freedoms. It noted with satisfaction the opportunities created for minorities to interact with courts and local public administration in their mother tongue. The Republic of Moldova also noted with satisfaction the progress made by Romania in combating human trafficking, including trafficking of children.

368. Sri Lanka commended Romania for accepting over 80 per cent of the recommendations put forward during the review. It noted that the majority of the recommendations that were not accepted by Romania were considered implemented. Sri Lanka took note of the efforts of Romania to protect and promote human rights, including the rights of the national minorities.

369. Viet Nam noted with appreciation that Romania had accepted a high number of recommendations, including two recommendations put forward by Viet Nam. It expressed its belief that Romania would overcome challenges that the country have been facing in its efforts to guarantee human rights by investing appropriate resources and taking necessary measures.

370. Algeria commended Romania for accepting majority of the recommendations put forward during the review of January 2013. Algeria noted that Romania accepted the recommendation put forward by Algeria regarding the implementation of the Strategy for the period of 2012 and 2020 on integration of the Roma persons and encouraged Romania to continue the implementation of this strategy. Algeria also noted that its second recommendation was also accepted and it was considered implemented.

371. Belarus expressed hope that Romania would invite the Special Rapporteur on the trafficking in persons, especially in women and children who could provide independent assessment on anti-trafficking efforts of Romania. Belarus expressed regret that Romania did not accept the recommendations to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and also those calling for the investigation regarding secret detention places of CIA in the territory of Romania. Belarus noted that national minorities continued to being subject to discrimination despite the efforts undertaken to protect the rights of the national minorities. It invited Romania to pay an attention to the implementation of the recommendations that called for providing guarantees for the right to freedom of association.

372. Benin noted with the satisfaction the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It welcomed the Romania's commitment to respect the principles of equality and non-discrimination and encouraged Romania to continue its efforts to improve the situation of persons belonging to minorities, including Roma.

373. The Council of Europe noted with satisfaction the cooperation of Romania with various bodies of the Council of Europe, including on the issue of protection of minorities. Noting the existence of strategies in the several areas of human rights, it called on Romania

to never allow that the implementation of human rights were hindered by the lack of resources. In this respect, the Council of Europe supported the recommendation made by Romania calling on Romania to use the European financial resources in implementing human rights standards. It also expressed hope that Romania would ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence as soon as possible.

374. The Islamic Republic of Iran noted that 5 recommendations out of 6 put forward by Iran were accepted by Romania. Iran expected that the Government would take necessary measures to implement the accepted recommendations.

3. General comments made by other relevant stakeholders

375. During the adoption of the outcome of the review of Romania, 8 other stakeholders made statements.

376. Federatie van Nederlandse Verenigingen tot Integratie Van Homosessuliteit – COC Nederland commended Romania for accepting recommendations made by Austria, Belgium and the Netherlands regarding the rights of the lesbian, gay, bisexual, and transgender persons. It expressed concern that Romania had not undertaken specific actions and preventive measures to fight discrimination based on sexual orientation and gender identity. It noted several problems, including that recent violent attacks affecting the lesbian, gay, bisexual, and transgender community were not properly investigated. COC Nederland urged the Government to initiate public policies on the issues of lesbian, gay, bisexual, and transgender persons in order to integrate existing legislation against discrimination and to consider the need for systematic and permanent training for those working in state institutions and focusing on human rights aspects.

377. Save the Children International welcomed the acceptance by the Government the recommendations, in particular on the establishment of an independent Ombudsman for Children, the prevention of infant mortality, the access to quality education, the support for children lacking identity papers and the protection of children against violence and discrimination. In this regard, it called on the Government to develop a specific follow-up plan that sets clear, measurable and time-framed targets and to clearly indicate the financial and human resources to be allocated for the proper implementation of the recommendations. The Save the Children International also urged Romania to ensure the incorporation of the recommendations regarding the right of children in the upcoming policies to be drafted in the context of Europe 2020 strategy and allocate sufficient resources for their implementation. It called on Romania to appoint a national focal point in order to strengthen cooperation between public and civil society in the process of the implementation of the recommendations.

378. Associazione Comunita Papa Giovanni XXIII (APG23) recommended the Government to improve its response to prevention of HIV/AIDS, especially by strengthening its commitment to ensure universal access to prevention, treatment, care and effective interventions for people living with HIV/AIDS and raise awareness to fight against all forms of discrimination against people living with HIV/AIDS. It noted also that further efforts were necessary for the effective implementation of the provisions of the Convention on the Rights of Persons with Disabilities. Despite efforts to transfer children with disabilities from special schools to mainstream schools, the latter have not yet been adequately equipped to meet the needs of children with disabilities. Persons with disabilities continued to face challenges when looking for employment and had been often institutionalised. APG23 highlighted a need for eliminating barriers that hindered full, effective and equal participation of people with disabilities in the society.

379. Amnesty International welcomed the acceptance of the recommendations regarding access by Roma to adequate housing and it urged Romania to ensure the full implementation of those recommendations. It also called on the Government to adopt a legislative ban on forced evictions as a matter of urgency. Amnesty International expressed concern that gaps in legislation might allow local authorities to sweep away the Roma communities and to relocate them to inadequate housing in segregated areas. It referred to documented cases of forced evictions in Cluj-Napoca, Baia Mare and Piatra Neam. Amnesty International expressed disappointment that Romania had not accepted recommendations regarding effective investigations into Romania's involvement in the CIA rendition and secret detention programs. It called on Romania to undertake an independent investigation in this regard.

380. Action Canada for Population and Development welcomed the acceptance of the recommendations regarding sexual and reproductive rights. It noted that Romania has been postponing the adoption of a strategy on sexual and reproductive health and rights in the past 3 years. The Action Canada for Population and Development also welcomed the acceptance of the recommendation made by Slovenia on comprehensive sexuality education. It noted that similar recommendations were made during the 1st cycle of the review but they remained unimplemented. It urged Romania to adopt a national strategy on sexual and reproductive health and rights, and integrate sexuality education into the national school curricula as a mandatory discipline. The Action Canada for Population and Development also urged Romania to adopt and implement laws and policies that eliminate discrimination on the grounds of sexual orientation and gender identity.

381. Franciscans International welcomed Romania's acceptance of the recommendations related to combating human trafficking, in particular the recommendations to ensure effective implementation on anti-trafficking legislation, support services for victims and access to legal remedies and compensation for victims of trafficking. It expressed concern regarding the effective implementation of the National Strategy against Trafficking in Persons and asked the Government to allocate adequate financial resources to ensure the quality and the continuity of the assistance and protection services to the victims of human trafficking. It also encouraged Romania to effectively enforce existing measures and policies on trafficking and develop integrated assistance models for victims in collaborations with civil society.

382. The Federation for Women and Family Planning welcomed the acceptance of the recommendation on sexual education made by Slovenia. It recommended that Romania introduce mandatory comprehensive sexual education in all schools as well as policies regarding youth friendly and free of charge family planning services and access to subsidized contraceptives for youth. Federation for Women and Family Planning urged Romania to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence in order to ensure that violence against women has been addressed in an appropriate manner. Federation for Women and Family Planning also called on the Government to continue the policy of guaranteeing wide access to abortion services and to contraceptives, including subsidizing it from the state budget especially for young people and other vulnerable groups.

383. Romani CRISS – Roma Centre for Social Intervention and Studies reported about situation of the Roma community in Baia Mare city where the local authorities erected a wall separating the Roma from the rest in 2011 and relocated Roma from an informal settlement to the contaminated chemical labs of a former factory. It welcomed the plans of the local authorities to acquire a land in order to build housing for the Roma and expressed its hope that it would be in an environmentally safe area. Romani CRISS stated that no preventive mechanism had been established despite the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or

Punishment. It referred to information regarding the situation of young persons with severe mental disabilities held in a state centre and that the televised coverage of the centre showed images of severe underweight of patients and the existence of physical restraint.

4. Concluding remarks of the State under review

384. The delegation thanked for constructive discussions during the review and appreciated active participation of states and civil society representatives and their statements, comments and questions. It reassured that the Government would pay due attention to all comments during implementation of recommendations. In respect to the statement of Amnesty International, the delegation highlighted that as mentioned in the addendum document, Romania did not reject all three recommendations regarding effective investigations into Romania's involvement in the CIA rendition and secret detention programs, but the recommendation no. 109.156 has been partially accepted.

Mali

385. The review of Mali was held on 13 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Mali in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/MLI/15/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/MLI/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/MLI/3).

386. At its 25th meeting, on 6 June 2013, the Council considered and adopted the outcome of the review of Mali (see section D below).

387. The outcome of the review of Mali comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/6), the views of Mali concerning the recommendations and/or conclusions, as well as 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/23/6/Add.1*).

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

388. The delegation of Mali led by Mr Malik Coulibaly, Minister of Justice and Garde des Sceaux, declared that since the beginning of the UPR, Mali had demonstrated its commitment and enthusiasm. It added that Mali firmly adhered to the values for which the international community had established this mechanism.

389. The delegation extended to the international community the gratitude of the people and Government of Mali and stated that Mali had noted with great interest the comments formulated during the review.

390. The delegation recalled that Mali had received 125 recommendations which had been carefully examined. Of these 125 recommendations, Mali accepted 112, many of which have already been implemented or are in the process of being implemented. For the others, the delegation reiterated the commitment of the Government to take the measures necessary for their implementation.

391. However, the delegation underlined that due to the current situation, the transitional Government had to note 13 recommendations.

392. Regarding the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the delegation stated that Mali could not, given the present state of its resources, ensure the effectiveness of the rights enshrined in the Protocol.

393. With regards to the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the delegation noted that the current environment was not conducive to its ratification. It added that Mali had observed a de facto moratorium on the death penalty since the 80s and that all sentences had been commuted to imprisonment.

393. Concerning the recommendation on coming up with sustainable and comprehensive measures to ensure lasting peace among tribal groups, the delegation explained that it did not take into account the social realities of Mali and that there was no tribal war in the country.

394. On the issue of abolishing the death penalty, the delegation declared that the Government had passed a bill, but the review of this project by the National Assembly had been repeatedly postponed due to social tensions and the controversy that the issue had aroused. It added that intensive awareness campaigns were needed to facilitate its acceptance by the population.

395. The delegation stated that the Government did not accept the recommendation on the revision of the Personal and Family Code because what was desired by the international community would undermine the gains from the hard-won compromise between the different social groups. It also noted that there were societal reforms that could jeopardize the social cohesion necessary for the normalization of the country.

396. The delegation mentioned that the Government could not accept to issue a standing invitation to all mandate holders of special procedures.

397. Referring to the recommendation on taking measures to avoid collective and arbitrary punishments of presumed rebels' collaborators; of putting an end to the abuses committed by security forces and to the practice of enforced disappearances, particularly of minorities and journalists, the delegation replied that there was no case of disappearance of journalists or minorities in Mali.

398. With respect to investigating allegations of and bringing to trial the perpetrators of extrajudicial executions taking place as part of the struggle with the Tuaregs, the delegation declared that there was no fight against the Tuaregs.

399. The delegation explained that the Government did not accept the recommendation on carrying out effective investigations with all sectors of the community and ethnic groups in order for all to enjoy their human rights, since no group in Mali was ostracized or stigmatized.

400. Concerning studying the possibility of taking measures against religious discrimination and religious based violence, the delegation stated that there were no such discriminations in Mali.

401. Finally, the delegation mentioned that Mali accepted the recommendation formulated by Chad on ending the institutional crisis so that Malian political actors could speak with the same voice on resolving the political crisis and re-establishing the territorial integrity of the country.

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

402. During the adoption of the outcome of the review of Mali, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁴⁶ are posted on the extranet of the Human Rights Council, if available.

403. Morocco stated that Mali achieved substantial progress through the ongoing development of a national policy for the promotion and protection of human rights and the adoption of the draft law amending the constitution. It added that by accepting 80 per cent of the recommendations, the Malian Government demonstrated its full cooperation with the international mechanisms of human rights. Morocco also called on the international community to support Mali in this critical phase of its history.

404. Algeria appreciated the acceptance of the two recommendations that it had formulated on continuing the efforts aimed at holding free, credible and transparent elections, by adopting an inclusive approach bringing together all sectors of Malian society, and at implementing the Growth and Poverty Reduction Strategic Framework (2012–2017). Algeria also reiterated its appeal to the international community to provide the necessary technical assistance and capacity building to enable Mali to meet the challenges of the protection and promotion of human rights.

405. Togo welcomed Mali's ratification of regional and international instruments of promotion and protection of human rights; creation of a special department dedicated to the promotion of the family, children and women; establishment of a mandatory health assistance regime and health assistance system and development of a legislation to better serve justice and to improve access to public justice services. However, Togo noted with regret that the crisis in Mali had a negative impact on maintaining and consolidating the gains in terms of respect and enjoyment of human rights and called on the international community to assist Mali to deal with the socio-economic, political, institutional and humanitarian consequences of the crisis.

406. Burkina Faso noted with interest Mali's commitment to fully cooperate with the UPR despite the constraints that the country faced currently and welcomed Mali for updates made on the progress it had recorded in the implementation of recommendations.

407. China welcomed the efforts undertaken by Mali in eliminating poverty, protecting children's and women's rights and promoting health development. It also supported the efforts of the Malian Government and regional and international organisations, including the United Nations, in maintaining national sovereignty, territorial integrity and regional peace. China also supported the full implementation of the Security Council resolutions 2085(2012) and 2100(2013). Even though the current security and political situation in the country was improving, many challenges remained and China hoped that the international community will continue to help Mali to achieve early national reconciliation and restoration of peace and stability as well to protect all human rights.

408. Côte d'Ivoire urged Mali to make the promotion and protection of human rights a priority and a pillar that would support national reconciliation. It reiterated its commitment to the prompt return of constitutional order in the organization of general elections and welcomed the Government's commitment to this democratic requirement.

⁴⁶ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/23ndSession/Pages/Calendar.aspx>.

409. Cuba noted that after the outbreak of the conflict in northern Mali and the institutional crisis, the Malian authorities had made considerable efforts to find a sustainable solution. It reiterated its confidence in the wisdom of Africans to resolve the conflict in the country. Cuba welcomed Mali's acceptance of the recommendation that it had formulated to continue implementing existing projects and socio-economic development programmes, in particular those aimed at combating human poverty. It also stated that Mali required support for assistance, especially with regards to capacity building and technical assistance.

410. Gabon welcomed the cooperation of Mali with international procedures and mechanisms of protection and promotion of human rights. It acknowledged the efforts carried out by Mali to strengthen the promotion of women's rights on education and health and encouraged Mali to continue its efforts in the implementation of school programmes.

411. Kuwait commended Mali for its adoption of constitutional and legislative provisions with regards to human rights in addition to raising awareness of the society in the fields of peace, democracy and citizenship. It highlighted that Mali had systematically ratified international and regional instruments and had established a joint Ministerial Committee to that effect.

412. Libya noted that despite the security and humanitarian situation which remained very difficult, Mali had shown its ability to uphold its commitments under the UPR. It was pleased that Mali had accepted a large number of recommendations as well as its voluntary commitments contained in its national report which should enhance its ability to fulfil its international human rights commitments.

413. Mauritania acknowledged the constructive and inclusive steps taken by the Malian authorities to meet their commitments to the international community to hold free and transparent presidential elections. It noted that despite the will of Mali to cooperate with all UN mechanisms of promotion and protection of human rights, the country needed the support of all its partners to establish democracy and the rule of law, cultivate a spirit of tolerance, ensure the protection of its population as well as to ensure stability and national security.

414. Viet Nam believed that with the international and national support within the framework of the United Nations, Mali would spare no efforts and resources to restore the normalcy, stability and peace and undertake concrete measures for national reconciliation and dialogue. It also noted Mali's feedback on recommendations, the majority of which was accepted.

415. Romania hoped that as the situation normalised, Mali would be able to carry out the recommendations whose implementation required a long process, including legislative and awareness measures. It also hoped that the next election would be a first step towards the restoration of the rule of law, in order to be able to guarantee and protect human rights.

3. General comments made by other relevant stakeholders

416. During the adoption of the outcome of the review of Mali, four other stakeholders made statements.

417. Save the Children International (SC) welcomed the acceptance by Mali of the recommendations regarding the protection of children involved in armed conflicts, adequate access to health care and education for children. Underlining that 19 per cent of the Malian children died every year before reaching 5 years and that 660,000 children were at risk of malnutrition, SC exhorted Mali to swiftly implement the National Policy on Nutrition adopted in January 2013 and allocate 15 per cent of the budget to the health sector. It also noted that according to an UNICEF report from April 2013, 1,572 children were separated

from their family and 142 were unaccompanied. Furthermore, SC referred to a report issued by Amnesty International in February 2013, mentioning the presence of child soldiers in the armed groups. SC said that as a party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Mali had an obligation to protect children against recruitment and use in hostilities by armed non-state groups.

418. Amnesty International (AI) mentioned that it had documented extrajudicial executions and enforced disappearances committed by the Malian army since the beginning of the joint French and Malian military intervention in the north of the country in January 2013. It welcomed the fact that the authorities had opened investigations into some of these abuses. AI stated that it was critical that Mali took all necessary measures to hold accountable those responsible for human rights violations, whether members of Malian army or of the armed groups, in order to end impunity and to discourage further abuses. AI also noted that many persons detained in Bamako after being arrested in the north for alleged links with the armed groups, reported having been subject to torture and other ill-treatment by Malian security forces. It also declared that conditions of detention were dire and that at least five persons were known to have died in detention. Finally, AI was concerned that some children recruited as child soldiers by the armed groups remained unaccounted for and called on the Government to give urgent effect to the recommendations made during the UPR to ensure the full reintegration of demobilised children.

419. Maarjij Foundation for Peace and Development stated that the humanitarian situation had become much worse in the north of Mali, with an on-going food crisis in the country and thousands of Malians had to take refuge in neighbouring countries. It called on for putting an end to the war, restoring security and stability and carrying out investigation to ensure accountability for those involved in the operations in the north of the country.

420. Rencontre africaine pour la défense des droits de l'homme (RADDHO) welcomed the commitment undertaken by Mali through its cooperation with the International Criminal Court. This collaboration should be translated into the adoption of measures to bring to justice the civilian and military officials who committed crimes and massive violations of human rights in the north of the country and in Bamako. Noting that the occupation of the north of Mali had created a social divide between the different parts of the country, RADDHO urged the authorities to promote an inclusive dialogue for national reconciliation. It declared that the redeploying forces of the MINUSMA, which was planned for the month of July, should help the country to accelerate reforms of its army in its struggle against the proliferation of weapons and the establishment of a program of supervision and rehabilitation of child soldiers.

4. Concluding remarks of the State under review

421. The delegation of Mali thanked the member of the Council for their comments, observations and messages of support and reiterated Mali's commitment for the promotion and protection of human rights. It recalled that centuries before the Bill of Rights and the French Declaration of Human Rights, the Charter of Kouroukan Fouka, in the 13th century, had already mentioned most of human rights.

422. The delegation replied to Amnesty International that Mali remained committed to transparency and that AI had free access to all centres of detention, including those where alleged terrorists were detained. It added that Mali was opposed to all forms of impunity and was playing its role in the framework of the emergence of a strong and exemplary justice.

Botswana

423. The review of Botswana was held on 23 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Botswana in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/BWA/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/BWA/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/BWA/3).

424. At its 25th meeting, on 6 June 2013, the Council considered and adopted the outcome of the review of Botswana (see section D below).

425. The outcome of the review of Botswana comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/7; A/HRC/23/7/Corr.1), the views of Botswana concerning the recommendations and/or conclusions, as well as 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/23/7/Add.1*).

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

426. The delegation expressed Botswana's gratitude and appreciation to members of the Troika, as well as to the Secretariat for their facilitation, guidance and support during the review in January 2013.

427. The delegation stated that Botswana found the participation in its second review to be fulfilling. It affirmed the commitment of Botswana to the protection and promotion of human rights. Botswana viewed the UPR as a unique and effective tool that allowed for independent and objective review of the human rights situations of countries around the world, in a constructive, cooperative and equal manner.

428. The delegation stated that the comments, recommendations, questions and words of encouragement made by states during the review highlighted the significant progress made by Botswana in the promotion and protection of human rights since its first review in 2008. This acknowledgement and positive recognition of Botswana's efforts was greatly appreciated.

429. The delegation stated that the interactive dialogue also provided an opportunity for Botswana to take stock of the challenges faced in the full realisation of human rights and fundamental freedoms of its people. Many of the challenges identified will form part of Botswana's priorities over the next four years.

430. The delegation stated that it looked forward to hearing the views and comments of the civil society during the session, particularly as Botswana greatly valued the role played by the civil society in the promotion and protection of human rights.

431. The delegation recalled that during the review Botswana received 175 recommendations. Ninety three of those recommendations were immediately accepted; 39 recommendations did not enjoy the support of Botswana; and the remaining 43 recommendations were deferred for further consultations at home.

432. The delegation stated that following further consultations at home, and as already indicated in the Addendum, 18 of the 43 deferred recommendations were accepted; 3 recommendations were partially accepted; and the remaining 22 recommendations did not

enjoy the support of Botswana. Botswana has thus accepted a total of 111 recommendations.

433. The delegation clarified that recommendations 116.14, 116.15 and 116.21 did not enjoy the support of Botswana.

434. The delegation stated that public awareness of the review was promoted through several media interviews and the issuance of a series of press releases with many media houses.

435. The delegation stated that Botswana has started to make steady progress in the follow-up and implementation of the accepted recommendations. The development of a national human rights strategy and action plan has commenced. In this regard, a national consultative workshop was held in conjunction with the active support of one of the main civil society organizations, Ditshwanelo (Centre for Human Rights). This workshop attracted participation from stakeholders within Government, as well as representatives of civil society organizations across the country. The deliberations were open, transparent and widely inclusive, and revealed a great appetite to see this important project succeed. The delegation expressed confidence that this process will result in purposeful engagement and cooperation between both Government and civil society.

436. The delegation stated that more than half of the deferred recommendations related to ratification or accession to selected human rights treaties, as well as domestication of the Rome Statute. Ratification or accession of international instruments will depend on the general framework of the law, as well as the level of economic and social development.

437. The delegation stated that the drafting of a bill to domesticate the Rome Statute of the International Criminal Court Statute was at an advanced stage; and that in April 2013, Botswana became the first African country to ratify the Kampala Amendments to the Rome Statute on the Crime of Aggression.

438. The delegation stated that the recommendations that were accepted were those whose spirit Botswana supported and considered practicable. Some of these recommendations have been implemented while others were currently being implemented. Recommendations that required or suggested codification of customary laws and processes have not enjoyed the support of Botswana. Even if customary laws were to be codified, as suggested, Botswana was of diverse cultures and traditions that would make codification undesirable. Botswana has also not accepted any recommendation that was inconsistent with its Constitution and was socially repugnant. However, Botswana remained opened to dialogue on these issues.

439. The delegation reiterated that Botswana took all the recommendations that have been made very seriously, and will continue to reflect on some of the recommendations that have not enjoyed the support of Botswana.

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

440. During the adoption of the outcome of the review of Botswana, 15 delegations made statements. The statements of those delegations that could not be delivered due to time constraints⁴⁷ are posted on the extranet of the Human Rights Council, if available.

⁴⁷ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/23rdSession/Pages/Calendar.aspx>.

441. Sri Lanka thanked Botswana for its cooperative and straightforward approach in its engagement with the UPR process. It noted that Botswana accepted the majority of the recommendations including the two recommendations made by Sri Lanka. Sri Lanka recognised the measures taken by Botswana in promoting human rights, notwithstanding challenges.

442. The Sudan expressed appreciation for the steps taken by Botswana to promote and protect human rights of its citizens, which was apparent from the large number of recommendations it has accepted. It emphasised the need for focus on guaranteeing the rights of equality, including in areas of education and health for women. There should also be guarantees to enable the participation of all stakeholders.

443. Togo welcomed the actions taken by Botswana in relation to the empowerment of women, the importance granted to gender equality as well as the campaign to combat violence against women. It expressed appreciation for the efforts made by Botswana to ensure respect for the rights of children, minorities, persons with disabilities and the underprivileged groups. Togo expressed regret that Botswana rejected those recommendations on the abolition of the death penalty. Togo invited Botswana to reconsider its position and to launch a public debate on this issue. It also invited the international community to provide assistance and support to Botswana in its elaboration of a strategy and national plan of action on human rights.

444. The United Republic of Tanzania welcomed the achievements made by Botswana in the field of human rights since its first review and took note of the efforts made by Botswana to bring about positive change for all its citizens. Tanzania stated that the programme to promote social inclusion of communities in remote areas was commendable. It urged the international community to heed the call from Botswana for assistance in the development of a comprehensive strategy and pal of action on human rights.

445. The United States of America welcomed the efforts made by Botswana to respond to many of the recommendation that have been made. It was pleased with the willingness of Botswana to engage with civil society and the international community on some of the most sensitive human rights matters, and expressed the belief that such engagement represented an excellent opportunity to make progress on a number of important issues, including the rights of LGBT persons.

446. Viet Nam welcomed the remarkable efforts made by Botswana in furthering the enjoyment of human rights and fundamental freedoms for its people. It stated that the efforts made by Botswana to implement the recommendations from its first review were commendable, given its priorities and resource constraints. Viet Nam however recognised that more efforts by Botswana were needed to better serve its people.

447. Algeria stated that it followed with great interest the efforts that Botswana had made in achieving progress with policies and programmes aimed at promoting and protecting human rights. It expressed its appreciation to Botswana for accepting the two recommendations it had made. Algeria called on the international community to support Botswana by providing the requested technical assistance.

448. Benin noted with satisfaction the efforts made in implementing the recommendations. It welcomed the open and full collaboration by the authorities of Botswana with the Human Rights Council's mechanisms. Benin encouraged Botswana to continue its efforts to reform customary law.

449. Burkina Faso commended Botswana for its collaboration with the UPR mechanism. It encouraged Botswana to spare no effort to implement the recommendations that it had accepted.

450. Côte d'Ivoire expressed appreciation to Botswana for its acceptance of 93 recommendations. It noted with satisfaction the initiatives taken in favour of full enjoyment of human rights and dignity and encouraged Botswana to become a party to those international human rights instruments to which it was not a party. It also noted that Botswana has reiterated its commitment to promote and protect all human rights and its commitment to cooperate fully with related mechanisms. Côte d'Ivoire reiterated its encouragement to Botswana to request technical assistance to implement its international obligations.

451. Cuba welcomed the real progress made by Botswana in promoting and protecting human rights, particularly as Botswana has accepted the majority of the recommendations made during the review. The struggle to uphold the principles of equality, social harmony, tolerance and non-discrimination, and the efforts to guarantee the rights of children, women, minorities, people living with disabilities and disadvantaged groups was real evidence of Botswana's commitment to the promotion and protection of human rights. Cuba thanked Botswana for accepting most of the recommendations that it had made, aimed at ensuring that Botswana continue with the implementation of the national strategy for eradicating poverty, and continue to improve health care.

452. Gabon welcomed the full cooperation of Botswana with international mechanisms on the promotion and protection of human rights. It also welcomed the efforts to promote the rights of women, vulnerably people particularly the elderly, persons with disabilities and young girls. Gabon encouraged Botswana to continue its efforts to implementation its programmes on education and to continue to take measures to ensure that education was free both at primary and secondary levels.

453. Libya expressed appreciation for the efforts made by Botswana to implement the recommendations. It also welcomed the efforts made to eliminate poverty, improve socio-economic development of its citizens and to give greater importance to the rights of women and children; and the ratification of a large number of conventions. Libya urged Botswana to continue efforts to improve access to education.

454. Mauritania thanked Botswana for accepting the large number of recommendations that were made. The debates that took place showed Botswana's firm commitment to the universal path of promoting and protecting human rights. Mauritania emphasised the significant progress made by Botswana in the promotion and protection of human rights. It commended the efforts made by Botswana towards the implementation of accepted recommendations.

455. Morocco reiterated its appreciation for the efforts made by Botswana, as it continued to fulfill the obligations incumbent upon it as a democratic country. During its membership of the Human Rights Council, Botswana demonstrated its commitment to the principles of equality, harmony, tolerance and social non-discrimination. Morocco welcomed Botswana's positive and constructive interaction with the UPR mechanism. The acceptance of a large number of recommendations was an act of goodwill. Morocco encouraged Botswana to continue with its efforts in the promotion and protection of human rights.

3. General comments made by other relevant stakeholders

456. During the adoption of the outcome of the review of Botswana, 6 stakeholders made statements.

457. The International Lesbian and Gay Association (ILGA) on behalf of ILGA Botswana acknowledged the steps taken by Botswana to engage with LGBT persons. It stated that LEGABIBO, a group of LGBT persons has been denied registration thus making it difficult to support the community and raise awareness of the violations and human rights abuses faced by LGBT people. ILGA called on Botswana to continue to take concrete steps

to implement comprehensive discrimination laws. It expressed regret that Botswana has rejected recommendations to decriminalise same sex sexual relations between consenting adults. ILGA called on Botswana to strengthen engagement with civil society on issues of sexual orientation and gender identity.

458. Action Canada for Population Development (Action Canada), also on behalf of the International Service for Human Rights, Sexual Rights Initiative and Rainbow Identity Association-Botswana, stated that transgender people faced problems of obtaining documents reflecting their actual gender identity. It stated that the assignment of a sex to intersex babies denied them the choice and option of identifying and express their gender at a later state. Action Canada expressed disappointment that Botswana rejected the recommendation on sexual orientation and gender identity. It called on Botswana to establish policy that will end all sex assignment procedures on babies and children.

459. The Commonwealth Human Rights Initiative (CHRI) welcomed the undertaking made by Botswana to ratify various international human rights instruments. It expressed appreciation for the commitment to consider issuing a standing invitation to Special Procedures mandate holders and urged Botswana to extend such invitation at the earliest opportunity. CHRI expressed its dismay at Botswana's rejection of recommendations on the decriminalisation of same-sex conduct between consenting adults. It urged Botswana to issue a moratorium on the prosecution of consenting adults engaging in same-sex activity; to continue dialogue and cooperation with civil society actors on sexual orientation and gender identity and protect human rights defenders; and to implement programmes on sexual orientation and gender identity.

460. The Friedrich Ebert Stiftung (FES) on behalf of the Botswana Centre for Human Rights, The Botswana Council of Non-Governmental Organisations, Lesbians Gays and Bisexuals of Botswana and Rainbow Identity Association expressed appreciation to Botswana for the Comprehensive Human Rights Strategy and National Action Plan. It expressed regret over the rejection of the recommendations in relation to the handing over of bodies of executed prisoners for private burial, the reform of customary law to eliminate restrictions on women's access to property, and the engagement of dialogue concerning discrimination of consensual adult same-sex relations. FES encouraged Botswana to extend a standing invitation to all mandate holders of the Human Rights Council.

461. The World Association for the School as an Instrument of Peace (EIP) in association with Land is Life applauded the efforts by Botswana to provide women with easier access to education. It also drew attention to the achievements made in the area of children's rights. EIP expressed concern over the prominence of cultural norms that may prevent the realisation of policies meant to protect women from abuse and discrimination. It also called for an immediate stop of all forced evictions of the community of *Ranyane* and for the adoption of national law implementing the United Nations Declaration on the Rights of Indigenous Peoples.

462. Minority Rights Group (MRG) requested the assurance of Botswana that the rights of the San from Ranyane to traditional lands will be fully respected. It welcomed the commitment by Botswana to take appropriate measures to protect and promote the rights of disadvantaged groups, in accordance with the recommendation from Finland, and requested to know about the measures taken in this regard. MRG sought clarification from Botswana as to how it could adequately implement this recommendation, particularly in relation to tribal and ethnic minorities. MRG called on Botswana to consider the situation of people from non-Tswana heritage, particularly in relation to their right to mother-tongue schooling and the right to safe water.

4. Concluding remarks of the State under review

463. The delegation thanked those Delegations and other stakeholders that have offered their support and constructive comments.

464. The delegation stated that Botswana believed that the promotion and protection of human rights was both an obligation and a challenge for all countries. There was no doubt, therefore, that States can achieve more with the support and encouragement of the international community. In this connection, Botswana continued to appeal for assistance – technical and financial – including in the context of our ongoing efforts to put together a comprehensive national action plan on human rights, as well as the establishment of a national human rights institution.

465. The delegation stated that the Government was not forcefully removing people from Ranyane settlement. Those people who were willing to relocate were being relocated. Those people who did not express the wish to relocate were not forced to relocate.

466. The delegation reiterated that Botswana attached great importance to dialogue and cooperation in the field of human rights at all levels. Botswana looked forward to working with civil society as well as the international community in the implementation of accepted recommendations.

467. The delegation clarified that referring to the Basarwa or San people as Bushmen was derogatory, and appealed to the international community to refrain from the use of the word Bushman.

Bahamas

468. The review of Bahamas was held on 6 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Bahamas in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/BHS/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/BHS/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/BHS/3).

469. At its 25th meeting, on 6 June 2013, the Council considered and adopted the outcome of the review of the Bahamas (see section D below).

470. The outcome of the review of Bahamas comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/8), the views of the Bahamas concerning the recommendations and/or conclusions, as well as 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/23/8/Add.1*).

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

471. The Head of Delegation was pleased to address the Council again, on the occasion of its twenty-third regular session to provide responses to the recommendations emanating from States and the Working Group of the Second Universal Periodic Review conducted in January of this year, as the Bahamas completes this UPR cycle. Recognizing that the attainment of human rights is a progressive and iterative process, the Bahamas will

continue to be fully engaged with the Human Rights Council and the international community.

472. The Head of Delegation informed that the Bahamas is completing a yearlong celebration leading up to the 10 July 2013, when it will celebrate the 40th anniversary of the creation of an independent, sovereign, democratic State within the Commonwealth of Nations. This event has allowed them to cast the spotlight not only on their development and progress as a Nation State and their values as expressed in the Preamble to their Constitution, but more particularly on the quality of life and civil liberties enjoyed by citizens, and visitors.

473. The Head of Delegation recalled that when she spoke in January of this year, she advised that as part of the process of national introspection, the Prime Minister in August of last year appointed a Constitutional Commission to conduct a comprehensive review of the Bahamian Constitution and to produce a Report containing recommendations for reform. Part of the specific mandate of the Commission is to “pay particular attention to the need to strengthen the fundamental rights and freedoms of the individual, including the need to end gender-based discrimination against women consistent with United Nations Conventions and more enlightened views that have developed globally since the attainment of our Independence.” Most of the recommendations from the UPR are being considered by the Commission, which is expected to report to Government by the end of June 2013.

474. The Head of Delegation highlighted the direct dividends in the advancement of Human Rights, as well as other positive collateral benefits to be gained from the participation in the UPR process. For one, it has given further momentum and traction to existing efforts to institutionalize the involvement of Civil Society and NGOs in governance. It has also presented the opportunity for the Bahamas to seek technical assistance. Aligned with this is the establishment of reporting mechanisms to track their compliance with Treaty obligations related to human rights and to monitor the operation and efficacy of laws which implement such obligations domestically. Noting that the Bahamas reaffirms the UPR process as a significant democratic mechanism to engender accountability for and to seek to achieve human rights at the international, regional and domestic levels, she acknowledged and endorsed the value of having such a forum for dialogue and mutual evaluation and conveyed the Bahamas’ thanks and gratitude to Member States for their considered views, recommendations, and constructive criticisms.

475. The Head of Delegation informed that the first action taken following the UPR review was the establishment of a National UPR Working Group to examine the recommendations, as well as to design a roadmap for their effective implementation. This Working Group comprised a core group, which included all Delegates who participated in the Second Review, and Representatives from the Royal Bahamas Police Force, Her Majesty’s Prison Service, the Ministry of Education, The Department of Social Services, and, the Bureau of Women’s Affairs. The *modus operandi* of the Working Group included the conduct of bi-monthly meetings to review recommendations; the dissemination of all documentation relating to the Bahamas UPR process to relevant public and private entities; and regular consultation and updates from Civil Society and non-governmental organisations. This is an on-going process.

476. The Head of Delegation stated that the Prime Minister is the leading proponent for the involvement of Civil Society in the evolution of change in the Bahamas. Civil Society played and continues to play a very significant role in the lead-up to the UPR and in the follow-up sessions to consider the outcomes and their implementation.

477. The Head of Delegation stated that the Bahamas received a total of some 98 recommendations, (many of which were overlapping or dealing with the same subject area), and was pleased to report that 48 were supported and 50 were noted. She emphasized the

Bahamas' general commitment to strengthening Human Rights by acceding to additional conventions and improving domestic processes for implementation and monitoring as evidenced by the Bahamas either supporting or giving favourable consideration to 70 per cent of the 98 recommendations. Among the supported positions are those thematic recommendations dealing with women's rights, domestic violence, child protection, education equality, and the prevention of abuse by law enforcement authorities. She also stated that the Bahamas has taken initiatives domestically and internationally to enable it to fully join and implement important human rights regimes. An example was given of the Government's expectation of being able to ratify the Convention on the Rights of Persons with Disabilities before the end of 2013. The Disabilities Act is expected to be tabled in Parliament before the end of 2013.

478. The Government is cognizant that significant and costly infrastructural, specialized training and other changes will have to be made to effect meaningful implementation of the *Disabilities Act*. In its current annual budget tabled in Parliament on 29 May 2013, the Government announced its intention to construct a purpose-built facility to accommodate and promote the full development of the potential of children and adults with disabilities, including autism and similar syndromes.

479. The Government of the Bahamas is further aware that the eradication of discrimination is a slow process and that in addition to any formal legal changes there must also be commensurate changes in attitude and perception. To this end, the Government believes that public awareness and education are fundamental building blocks for assuring meaningful attitudinal changes toward gender discrimination. The Bahamas has agreed to consider two recommendations which speak directly to gender discrimination. The first is criminalizing marital rape. The Government is committed to having a second look at the proposed legislation in respect of this matter and to having a full and frank national discussion on the subject to attempt to build the necessary political and national consensus necessary to move forward with this legislation. The second is providing Bahamian women with the same rights as Bahamian men to confer citizenship on their children or spouses. This latter issue will require amendments to the Constitution, and will be addressed by the Constitutional Reform Commission in its said Report to Government. In respect of domestic violence, the Government has undertaken efforts to promote awareness of the avenues to seek redress and the protection available to victims of domestic violence under the relevant legislation. During the entire month of April, the Bureau of Women's Affairs conducted a mobile campaign throughout the Bahamas entitled "Domestic Violence is Everyone's Business", which provided public education on Protection Orders. The Bahamas at the fifty-seventh session of the United Nations Commission on the Status of Women reaffirmed its commitment to combat domestic violence. The Bahamas' National Gender Policy is almost complete. A Committee appointed by the Cabinet has been mandated to ensure its implementation. Further, the National Strategic Plan for the Management, Prevention and Elimination of Family Violence is in final draft stage and is expected to be implemented within the next year.

480. The Head of Delegation emphasised that the Bahamas continues to give special attention to vulnerable groups within its boundaries, and the National Committee and Taskforce for Trafficking in Persons (TIP) continues to take action to promote awareness, bring offenders to justice and protect victims. The Bahamas also collaborates with the International Organization for Migrants on TIP matters. The first TIP prosecution is now before the Bahamas' Courts.

481. The Head of Delegation underlined the Government commitment to use all available resources to address the issue of illegal migrants. The Government is currently drafting new Detention Centre Regulations and has developed a new policy of secondary level assessment to improve transparency, efficiency and the predictability of the asylum process.

The Bahamas does make non-custodial provisions for certain categories of irregular migrants, who are protected under the Government's Trafficking in Persons Legislation and regulatory guidelines.

482. The Head of Delegation informed that the Bahamas attended a migration seminar in April in Jakarta and hosted a regional seminar on mixed-migration in May to exchange best practices and deepen ties of collaboration. Both seminars were jointly sponsored by the International Organisation for Migrants (IOM) and the United Nations High Commissioner for Refugees (UNHCR).

483. The Head of Delegation stated that the Government continues to promote efforts to ensure accountability and transparency in the conduct of law enforcement officers. The processes available under the *Coroner's Act* have been used to investigate the deaths of persons while in police custody. One of two matters recently referred to the Coroner's Court resulted in a finding of "unlawful killing". The other continues. Turning to the Constitutional Commission, the Head of Delegation stated that in preparation for its Report, the Commission has engaged in unprecedented public consultation on constitutional reform. These consultations are not only evidence of a strong and vibrant participatory democracy, but are necessary to build public consensus on certain areas, as the fundamental rights provisions of the Constitution cannot be changed without the approval of the people in a referendum.

484. The Head of Delegation stressed that the Government for various reasons, is unable to support several of the recommendations relating to particular rights issues.

485. On death penalty the Head of Delegation stated that they are aware of the longstanding recommendation for the establishment of a moratorium on executions and/or the abolition of the death penalty in the Bahamas. The Bahamas informed, among other things that the imposition of the death penalty on a discretionary basis continues to be recognized as lawful, subject to the principles laid down by the country's highest court (Judicial Committee of the Privy Council), as a punishment for the crimes of murder and treason and that there is no international consensus on the abolition of the death penalty, especially in respect of murder and treason. She added that even so, the question of the death penalty is receiving consideration by the Constitutional Commission.

486. On corporal punishment, she mentioned that as indicated in January, it is legal in the Bahamas for a parent to physically discipline a child and for corporal punishment to be administered in schools in certain clearly defined and limited circumstances. The Department of Social Services continues to promote the National Parenting Programme, whose aim is to promote and provide information on alternative punishment measures for children. As part of the intended UPR Plan of Action, it is the Government's intention to undertake a study on the effects of corporal punishment. Strict procedures are in place, to ensure that the application of corporal punishment, particularly within the schooling system, is used only as a last resort to positively modify behaviour. Physical abuse of a child is punishable under the laws of the Bahamas.

487. The Head of Delegation repeated that there have been no reported cases where anyone has alleged discrimination on the basis of sexual orientation. She added that persons who are in a same sex relationship are able to avail themselves of the regular protection and remedies available under the Law in respect of violence or assault or property rights. She informed that the Government is committed to reviewing the Laws and the matter is being considered by the current Constitutional Commission as they scrutinize the adequacy of the non-discrimination clause in the Constitution.

488. On treatment of migrants the Head of Delegation explained that because of its limited resources and its vulnerability to illegal migration, the Bahamas is not in a position to accede to and give effect to all of the subject matter Conventions dealing with migrants

or statelessness. However, it continues to work very closely with the IOM to assess and evaluate persons who claim refugee status and to respect the principle of non-refoulement.

489. The Head of Delegation considered the Bahamas is privileged to be one of four Countries chosen for a pilot Case Study (from February 2013 to the present) by the Office of the High Commissioner for Human Rights.

490. Also, immediately following the Delegation's return from the UPR in January, they sought formal support from the Technical Assistance division of the Office of the High Commissioner for Human Right for the improvement in the area of statistical compilation and reporting.

491. The Head of Delegation reemphasized the Bahamas' commitment to the UPR process. That the Bahamas is using this process for self-evaluation and introspection is demonstrated by the Government's commitment to acceding to additional Conventions for the protection of Human Rights and its willingness to critically evaluate and revise its position with respect to others.

492. The Head of Delegation thanked the Agencies who have so readily responded to their request for assistance and capacity building in the area of reporting and Member States, the Working Group, the Bahamas' Troika and all those who rendered assistance to their delegation during this process. Special thanks were given to the Presiding Officers who so ably engendered the spirit of unity and fairness which reflect the ethos of the United Nations.

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

493. During the adoption of the outcome of the review of the Bahamas, seven delegations made statements.

494. Ecuador recognized the efforts made by the Bahamas to comply with the second cycle of the UPR and in meeting the challenges raised at the UPR and were satisfaction that the relevant public entities of the country under review were currently reviewing the possibility of raising the age of criminal responsibility for children and eliminating from their domestic legislation the corporal punishment for children. It regretted that the recommendation on the abolition of the death penalty had not been accepted and hoped that it can be considered in the near future.

495. Jamaica took note of the addendum to the UPR Working Group's report and thanked the delegation for responding to the 98 recommendations by accepting 48 recommendations, including in particular those related to strengthening the legislative and policy framework to ensure protection of women's rights as a national priority. It underlined the importance of ensuring that countries are afforded the required time and space to implement measures recommended for the strengthening of human rights protection on the ground, which should be complemented with necessary support and assistance for the implementation of relevant recommendations. It encouraged OHCHR and Member States to extend its support.

496. Malaysia appreciated the commitment, transparency and firth coming engagement during the interactive dialogue session, particularly on its efforts to strengthen its legal and institutional framework related to human rights standards and practises. It lauded the Bahamas for the re-launch of its Constitutional reform Commission to conduct a comprehensive review on its Constitution. Malaysia was pleased that its recommendation on building the capacity and increasing awareness on human rights as well as establishing a national human rights institution was accepted.

497. Morocco encouraged the efforts made by the Bahamas for the harmonization of national legislation with the obligations under international instruments through the establishment of an inter-institutional committee responsible for ensuring the respect of its commitments as well as the implementation of the recommendations. In particular, with regard to administration of justice, protection of children, education, national health insurance, protection of persons with disabilities and migration. Finally, Morocco encouraged the Bahamas to continue its efforts to advance the consolidation and strengthening of human rights.

498. The Bolivarian Republic of Venezuela stressed that the Bahamas have the second higher human development index of the Caribbean region due to its sustained social policies in favour of the population, and encouraged it to continue in this right direction. It emphasized the great significance the process initiated by the Government with the reactivation of the Constitutional Reform Commission to develop a comprehensive review of the Constitution that will raise the recommendations they deem appropriate such as discrimination and gender equality and the aspects referred to citizenship and nationality, among others, has for the country.

499. Viet Nam welcomed the update given to the development of the human rights protection and promotion in the country since January. It took note of Bahamas' openness and engagement in the UPR process and noted the comprehensive answers to the questions and recommendations raised during the meeting of the Working Group in January. It took note of the three accepted recommendations from Viet Nam in the field of combating human trafficking, strengthening the rule of law and the ratification of international human rights instruments

500. Algeria noted with satisfaction the engagement of the Bahamas in the UPR process and welcomed their intention to ratify the Convention on the rights of persons with disabilities and was encouraged with the socio-economic development strategies initiated in the country. Algeria noted with appreciation the acceptance of its two recommendations on combating violence against women and girls and seeking assistance from OHCHR as well as its willingness to step up its efforts in the field of promotion of human rights.

3. General comments made by other relevant stakeholders

501. During the adoption of the outcome of the review of the Bahamas, one stakeholder made a statement.

502. Amnesty International (AI) welcomed the Bahamas' commitment to ratify the Convention against Torture. It was disappointed that they rejected the recommendation to ratify the International Convention on the Protection of the Rights of All Migrant Workers, having stated it would consider doing so during its first UPR in 2008. AI welcomed the support of a recommendation to establish a fully independent oversight body to investigate complaints of police misconduct and underlined the urgent need for greater accountability for police abuses and for investigations to be carried out in a thorough, independent, and timely manner. It deeply regretted that the Bahamas has rejected recommendations from 12 states regarding the death penalty. It also rejected the government's view that there is "no international consensus on the issue of the death penalty", and stressed that a more effective strategy would be to enhance the criminal justice system and tackling the root causes of crime and violence more effectively. It urged establishing an official moratorium on executions, to commute all death sentences to prison sentences, and to abolish the death penalty in law. AI welcomed the Bahamas' support to consider recommendations to criminalize marital rape, having previously rejected these during its 2008 UPR.

4. Concluding remarks of the State under review

503. The head of delegation restated the importance of this UPR process and believed that it very well indicates and celebrates the principles and ethos of the United Nations relating to the equality and sovereignty of Member States. She thanked those who supported the Bahamas upon its request in data gathering, reporting and statistical analyses. She thanked Member States for their considered views and thoughts and restated that there was a spirit of unity and fairness of this entire process represented the President of the Council in January and the vice president the Chair in this session. She was looking forward to the technical assistance which is necessary to support the implementation of the recommendations.

504. The Head of Delegation concluded by noting that the Bahamas' UPR process and preparatory events to mark the Bahamas' 40th anniversary of Independence (including the appointment of the Constitutional Commission), presented an opportunity to reflect on national development and the progress of the Bahamian people, not only materially, but in terms of the progress of Human Rights. The Government is fully cognizant of its role to ensure that, with the support of the international community, it creates the legal environment and puts the social and other mechanisms in place that would allow every man, woman and child to pursue natural justice and develop fully their God given potential.

Burundi

505. The review of Burundi was held on 24 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Burundi in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/BDI/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/BDI/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/BDI/3).

506. At its 26th meeting, on 6 June 2013, the Council considered and adopted the outcome of the review of Burundi (see section D below).

507. The outcome of the review of Burundi comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/9), the views of Burundi concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

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

508. The delegation of Burundi thanked States for the recommendations made during the working group session of the universal periodic review. Burundi was aware that this review is a significant tool which contributes to strengthening the promotion of human rights in the world.

509. The delegation reaffirmed Burundi's commitment to eradicate all human rights violations. Burundi decided to take the necessary time to review in detail all the recommendations. The delegation explained that the decision of accepting or refusing a recommendation was taken after analysing whether the Government had initiated policies

aiming at meeting the recommendation or whether Burundi was in a position to implement it.

510. The delegation stated that Burundi did not accept 39 of the 174 recommendations received. It indicated that the Government did not want to commit to recommendations that it was unable to implement.

511. The delegation declared that Burundi could not commit to recommendations that clash with customs of the population. In that respect, it added that all recommendations made on decriminalizing sexual relations between consenting adults of the same sex and abolition of all rules on discrimination based on sexual orientation did not enjoy the approval of the Government. The delegation stated that the 11 recommendations on homosexuality were not accepted.

512. The delegation referred to another set of recommendations that called upon Burundi to draw up laws on freedom of union, association and expression, based on a predefined meaning. However, it stated that a law had entered into force, following discussions and decisions taken between the Government and the Parliament. Burundi noted that it was not the time to accept recommendations on this issue. Furthermore, the delegation noted that those recommendations implied that freedom of expression, association and assembly were not guaranteed in Burundi. However, it added that Burundi was amongst the first countries on the continent which fully guarantee the free exercise of these freedoms to its citizens. The delegation declared that the new press law recently enacted by the President of the Republic had raised controversy, considering the interpretation from certain groups. It added that the law constituted a significant progress as it decriminalizes press crimes. In that respect, Burundi did not accept 14 recommendations received on this issue.

513. The delegation stated that a good number of recommendations referred to extra-judicial executions. It noted that investigations on alleged cases of “extra-judicial executions”, carried out by the Commission put in place by the Public Prosecutor had concluded that no case met the internationally common definition of this crime. The delegation further noted that no international instrument defined extra-judicial executions.

514. The delegation declared that cases of human rights violations took place. It indicated however, that these violations could not be described as extra-judicial executions, given the international common definition, for the simple reason that the perpetrator was a state agent. The delegation reiterated that perpetrators of killings were individually brought to justice and convicted without considering their professional status. It added that according to the international standard, criminal responsibility was individual. Consequently, Burundi did not accept 14 recommendations on this issue.

515. The delegation stated that most of the recommendations were accepted by Burundi and it would undertake further efforts so as to implement them. The delegation noted that of 174 recommendations received, Burundi accepted 135 recommendations regarding the following issues: i) ratifying various international instruments; ii) fighting violence against women and girls and the promotion of gender; iii) equality of rights to all citizens and no discrimination of vulnerable groups such as ethnic minorities, children and persons with disabilities; iv) implementing the strategic framework for growth and poverty; v) improving maternal and child health; vi) improving policies and education and programmes for everyone; vii) reforming the Code of the Person and Family aiming to achieve non sex discrimination, viii) improving living conditions in prison, ix) strengthening the Independent National Human Rights Commission; x) strengthening training in the field of human rights and peace consolidation; xi) strengthening capacity of the judiciary; xii) standing invitation for the special procedures holders; xiii) cooperating with the United Nations High Commissioner for Human Rights and the Human Rights Council and; xiv) setting up of the transitional justice mechanisms and the strengthening of the rule of law.

516. The delegation welcomed the fact that the majority of the recommendations were in line with its programmes and priorities. It added that the implementation of most of these recommendations had already been initiated, some had been reviewed and, some would be implemented in the near future. The delegation underlined that the commitment of the Government would not be sufficient to ensure the implementation of the recommendations without the technical and financial support of the international community. It called on the international community to accompany the people of Burundi who aspire to achieve social cohesion and respect for human rights.

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

517. During the adoption of the outcome of the review of Burundi, 12 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁴⁸ are posted on the extranet of the Human Rights Council, if available.

518. The United Republic of Tanzania welcomed progress made by Burundi on the implementation of the agreed recommendations during the first cycle, despite some challenges that the country continued to encounter such as insecurity and land scarcity in relation to population growth. It commended Burundi's efforts to integrate refugees, who opted to return in the country. The United Republic of Tanzania commended Burundi for embarking on a number of initiatives and reforms aimed at safeguarding the rights of its citizens, including among others, the establishment of the National Commission on Land and Other Properties. It encouraged Burundi to consider acceding to other key international human rights instruments, including the Convention of Persons with Disabilities. It urged the international community to continue providing technical and financial support to Burundi in its endeavours.

519. The Bolivarian Republic of Venezuela appreciated the cooperation with the universal periodic review mechanism as well as the efforts of Burundi on preparing the national report in consultation with different actors. It was satisfied with the steps taken to consolidate the Independent National Human Rights Commission, in accordance with Paris principle; abolish the death penalty and; increase the age of criminal responsibility to fifteenth. Despite the challenges in the field of health care and education, it underscored the progress made in accessing the population to basic social services. It welcomed efforts made by Burundi to comply with accepted recommendations during the first cycle of the universal periodic review. It encouraged Burundi to continue strengthening the social policies with the assistance of the international community.

520. Viet Nam welcomed Burundi's efforts in promotion and protection of human rights and fundamental freedoms. It was happy to see that, since January 2013, Burundi had made efforts in implementing the accepted recommendations from the international community, including two made by Viet Nam on strengthening the social coherence, rules of laws and creating favourable conditions for vulnerable groups in the country. Despite challenges, Viet Nam appreciated Burundi's commitment, determination and enjoyment of the universal periodic review process.

521. Algeria noted that Burundi had not spared efforts to promote and protect human rights, despite the difficulties confronted in recent years. Algeria welcomed the fact that Burundi had been able to find social cohesion again. I also welcomed that Burundi had

⁴⁸ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/23rdSession/Pages/Calendar.aspx>.

undertaken a number of reforms since its first review. Algeria made two recommendations to Burundi on the continuation of the implementation of the National Health Development Plan 2011– 2015 and the adoption of the draft National Policy on Children Protection. Algeria made a call to the international community to provide the necessary technical assistance to allow Burundi to meet the challenge of protection human rights.

522. Benin noticed with satisfaction the abolition of the death penalty and the free health care for children and during maternity. Benin encouraged Burundi to continue its efforts in the area of gender equality and respect of women's rights as well as strengthening the protection of children and reduce girl's school dropout.

523. Burkina Faso thanked for the presentation which highlighted the work made by Burundi to implement the recommendations since the submission of the second report of the universal periodic review. Burkina Faso encouraged Burundi to continue its efforts in this sense.

524. Côte d'Ivoire expressed its appreciation for actions made by Burundi, particularly the reform of legal and institutional framework, to bring it into accordance with international standards. It also welcomed the fact that the Burundi authorities had begun the procedure to signing a number of human rights international instruments. Côte d'Ivoire reiterated its appeal made to the international community to provide the technical material and financial assistance necessary with the view to the implementation of endorsed recommendations, as well as to support initiatives aimed at establishing food security and combatting poverty.

525. Cuba applauded that Burundi was implementing a comprehensive strategic planning document giving particular attention to strengthening the rule of law, consolidating the good governance, and promoting gender equality. Cuba also stated that Burundi was also transforming its economy into an economy of sustainable growth, improving access and equality of basic services as well as strengthening the minimum level of social protection. Cuba welcomed that Burundi accepted its recommendation which aims to continue to implement comprehensive development plans in the country, in particular plans aimed at ensuring equitable access and improving the quality of education and health services.

526. Gabon welcomed the cooperation of Burundi with the United Nations mechanisms for the promotion and protection of human rights. Gabon recognized efforts of Burundi to strengthen the promotion and protection of human rights, in particular by strengthening capacities of National Institutions and bringing it into conformity with the Paris Principles. Gabon encouraged Burundi to continue to take steps to protect the rights of women. Gabon requested the support of the international community in supporting Burundi to implement the recommendations made in January 2013.

527. Libya commended efforts made by Burundi despite challenges and constraints. It welcomed, in particular, the adoption of the second Strategic Framework for Growth and Poverty Reduction, the creation of National Institutions to promote human rights such as the ombudsman and the Independent National Human Rights Commission, and the strengthening of civil and political rights. Libya further noted that the new criminal law criminalized rape, torture, wars crimes, and crimes against humanity and genocide, crimes which are not subject to amnesty. Libya stated that this is an important step to ensure that perpetrators of these crimes would be punished.

528. Mauritania commended Burundi for the progress made in the area of promotion and protection of human rights. Mauritania welcomed the cooperation by Burundi with the universal periodic review mechanism which is an effective instrument for follow-up to the human rights situation in all countries in the world. Mauritania welcomed the efforts of Burundi in the strengthening and consolidating the rule of law, including the implementation of the human rights training programme for the police.

529. Morocco noted with satisfaction that Burundi had taken important steps such as the establishment of an Independent National Human Rights Commission, in accordance with the Paris Principles and the institution of the Ombudsman. Morocco also welcomed Burundi for the cooperation with the United Nations Independent Expert on the human rights situation in Burundi. Morocco also noted that Burundi had reiterated its firm commitment and its full cooperation with the international human rights mechanisms. It commended the will of Burundi to establish human rights as a priority axe of its domestic policy and its implementation of laws and programmes, which had had positive influence in the quality life of Burundians. Morocco encouraged Burundi for its new initiatives aiming at complying with its international obligations.

3. General comments made by other relevant stakeholders

530. During the adoption of the outcome of the review of Burundi, six other stakeholders made statements.

531. Human Rights Watch (HRW) stated that Burundi adopted positive measures to establish the Independent National Human Rights Commission; avoid prisons overcrowding and achieve the Truth Reconciliation Commission. Regarding the latter, HRW noted that the progress was slow and the draft bill did not allow for the setting of the Special Tribunal. HRW regretted that Burundi did not accept the recommendations on fight against impunity regarding extrajudicial executions cases. It added that even though the number of extrajudicial executions decreased in 2012, few individuals were arrested and the vast majority of political assassinations committed in 2010-2011 were not deep investigated. HRW noted that the Commission of Inquiry recognized that murders were committed, however did not admit that they were extrajudicial executions. HRW requested the Government to intensify efforts to bring the perpetrators of those crimes to justice. It further indicated that the new law on the press enacted in June 2013, contained serious restrictions. HRW also indicated that civil society activists and journalists had received threats and requested Burundi to stop them. HRW noted with concern that the National Communication Council suspended the online forum of the IWACU on May 2013. Finally, HRW urged Burundi to implement the recommendations on preventing discrimination on the basis of sexual orientation and on decriminalising homosexuality. HRW regretted that these recommendations were not accepted.

532. International Lesbian and Gay Association (ILGA), also on behalf of the Mouvement pour les Libertés Individuelles (MOLI), thanked Burundi for having taken an active part in the universal periodic review mechanism. It draws the attention of human rights abuses against sexual minorities and indicated that in 2009 the revision of the criminal code enshrined discrimination against sexual minorities by criminalizing homosexuality. ILGA indicated that MOLI had recorded cases of discrimination; verbally and physical violence; ill-treatment; family and social exclusion; threats and harassment by private persons and; extortion by the police. It regretted that Burundi did not accept the recommendations linked to the principles of equality, non-discrimination, and protection of all citizens. ILGA requested Burundi to ensure the protection against all forms of discrimination, physical and verbal violence based on sexual orientation and gender identity. It also urged Burundi to continue to set initiatives in the field of reproductive and sexual health. It asked Burundi to address issues related to LGBTI persons in conformity with national, regional and international obligations.

533. East and Horn of Africa Human Rights Defenders Project, on behalf of the UPR Burundi Coalition (The Coalition), thanked Burundi for the recommendations accepted. It also asked to reconsider the recommendations that were not accepted, particularly those on extrajudicial executions and decriminalization of homosexuality. The Coalition regretted the enactment of the press law, which violates democratic and journalistic ethic principles,

and requested to review it. It also requested to put an end to extrajudicial executions; arbitrary detentions and harassments, of human rights defenders. The Coalition called on Burundi to set-up a Truth Reconciliation Commission and a Special Tribunal in line with international principles. The Coalition urged Burundi to implement recommendations to ensure an independent justice, accessible to all, gender sensitive and respectful of human rights. It also asked Burundi to implement the recommendations on fighting discrimination through a law that guarantee women's rights to heritance. Finally, the Coalition noted with interest the standing invitation made by Burundi to the Special Procedures.

534. Franciscans International (FI) took note of the efforts made by Burundi in promoting and protecting human rights. However, FI regretted the lack of a Truth and Reconciliation Commission, initially foreseen before the end of 2012 according to the national report. FI recommended Burundi to act quickly in the establishment of this Commission. Furthermore, FI encouraged Burundi to take the appropriate legislative measures to set the Special Tribunal, which will be competent to trial war crimes, war against humanity and genocide. FI remained concern by the fact that several refugees and displaced persons were still seeking to recover their land. It added that in 2011-2012, United Nations High Commissioner for Refugees (UNHCR) conducted activities to reintegrate over 38500 Burundians. FI noted that disagreement regarding restitution of land persisted, particularly in Buriri and Makamba. FI stated that 80 per cent of legal cases are land cases. FI regretted that no recommendation was addressed to solve this problem. FI recommended Burundi to implement measures to ensure the reintegration of Burundi refugees.

535. CIVICUS – World Alliance for Citizen Participation regretted that Burundi did not submit earlier responses to the recommendations made during its universal periodic review. CIVICUS stated that the adoption of the report took place while a drastically restrictive media law was enacted, despite several calls and concerns raised during the review. It further noted that the law promulgated in June 2013 was an attack to press freedom and amounts to a very serious step backwards for democracy in the country. The implementation of this law will curtail free speech as it forces journalists to reveal sources, threatens reporters with high financial penalties for press offences and restrict news coverage. CIVICUS welcomed the fast-track trial procedure of a police officer for shooting a journalist. It added, however that impunity still prevailed, particularly regarding cases of extra-judiciary killings. CIVICUS was concerned by harassment and intimidation of civil society members and journalists. CIVICUS urged Burundi to not implement the media law and investigate and punish perpetrators of human rights abuses.

536. Association pour l'Intégration et le Développement Durable au Burundi (AIDB) thanked Burundi for steps taken in the promotion of Batwa's rights. It noted in particular, the co-optation of Batwa in the Parliament and the measures taken for protecting children's rights to education. Although, AIDB encouraged Burundi to grant land to the Batwa and support their education, from basic up to higher education. Regarding equitable justice, AIDB stressed that it was essential to apply the law in order to penalize perpetrators of violations of the rights of the Batwa. AIDB also indicated that, to promote the right of Batwa to participate in decision making, is important to review the quota in the Constitution. It applauded that during the interactive dialogue the situation of the rights of Batwa was raised. However, it regretted that no recommendation on the International Labour Organization (ILO) Convention No. 169 concerning Indigenous Peoples was made.

4. Concluding remarks of the State under review

537. The delegation of Burundi thanked for the guidance provided by the Vice-President of the Human Rights Council, the members of the Troika, and all delegations that formulated recommendations to Burundi. It reiterated its commitment to implement the

accepted recommendations and was aware that Burundi would be supported by the international community as it had always been the case.

Luxembourg

538. The review of Luxembourg was held on 24 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Luxembourg in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/LUX/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/LUX/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/LUX/3).

539. At its 26th meeting, on 6 June 2013, the Council considered and adopted the outcome of the review of Luxembourg (see section D below).

540. The outcome of the review of Luxembourg comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/10), the views of Luxembourg concerning the recommendations and/or conclusions, as well as 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/23/10/Add.1*).

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

541. Luxembourg reaffirmed its commitment with the UPR mechanism, which, in its view, is an essential tool for sharing best practices in the area of human rights around the world, and to promote improvement of human rights in the field. Implementation is a major key for the efficiency and credibility of UPR.

542. Luxembourg received 121 recommendations during its 2nd UPR. At the adoption of the report of the working group, Luxembourg accepted 41 recommendations, considering that 21 were already or were being implemented. Four recommendations were then not supported by Luxembourg.

543. Luxembourg has taken a position regarding the 76 pending recommendations, which were subject to a broad consultative process, held between February and May 2013. The concerned administration offices and the Consultative Commission for Human Rights were again consulted. Further to this consultation process, Luxembourg decided to accept 71 recommendations and to note five recommendations. In total, Luxembourg accepted 112 recommendations among 121 that it had received. Luxembourg's detailed positions were elaborated in the addendum to the report of the working group.

544. Regarding the recommendations which did not receive its support, Luxembourg recognized that many recommendations refer to important human rights issues and stress concerns shared by the authorities and civil society, such as those related to the issue of detention of non-accompanied minors awaiting a decision to return. Luxembourg considered those recommendations as not timely, taking into account the rarity of such an event. In general, a decision to return cannot be taken against a non-accompanied minor. A refoulement only takes place exceptionally, for serious public security reasons or in the best interest of the unaccompanied minor. In such circumstances, the law establishes that the minor "can be placed in detention in an appropriate facility adapted to the necessities of

his/her age". In case of serious public security reasons, detention cannot be excluded. However, when the refoulement is in the best interest of the child, he/she will be placed in an adapted facility outside of the Detention Centre.

545. Luxembourg cannot accept the recommendation to withdraw its reservations to the Convention on the Rights of the Child. The reservations were based on a consensus resulted from an in depth political debate among the executive and legislative powers, and at this stage, it was not envisaged to withdraw them. In autumn 2013, Luxembourg will submit its 3rd and 4th periodic reports to the Committee on the Rights of the Child and, if required, will then elaborate on its position on this issue.

546. Regarding the recommendation to provide a compulsory human rights training programme to all the civil servants and public employees, S.E.M Jean-Marc Hoscheit stated that such training was already part of the curricula for the police officers and prison personnel. In addition, the majority of the civil servants, including the senior officials, follow a compulsory training on "protection of the citizen vis-à-vis administrative decisions", where fundamental rights and freedoms are a substantive component.

547. Concerning asylum seekers applications, Luxembourg recalled its initial position, namely, a person regardless his/her origin, receives international protection when the legal requirements are met.

548. Regarding the recommendations to ratify the International Convention on the Rights of Migrant Workers, S.E.M Jean-Marc Hoscheit indicated that Luxembourg pays attention to the rights of migrants, such as their right to receive urgent medical care and the right to education. However, the Convention establishes principles already set out on other human rights instruments that Luxembourg has ratified and implemented. Thus, foreigners in regular situation in Luxembourg benefit from the same rights as Luxembourg citizens in the area of employment and social security. As indicated during its 1st UPR, there are major legal obstacles linked to the fact that Luxembourg forms part of the European Union. Measures related to immigration and protection of the rights of third country nationals, including stay conditions, are under the scope of the European Union and are decided by the member states as a whole.

549. Luxembourg accepted those recommendations considered as implementable until the next UPR cycle. It also accepted the recommendations concerning measures already implemented. Thus, Luxembourg accepted recommendations regarding integration, and fighting against all forms of discrimination. Luxembourg counts with comprehensive legislative measures, effective, proportionated and dissuasive to combat acts of racism, xenophobia, anti-Semitism, and Islamophobia. The legislation of Luxembourg prohibits all forms of discrimination, direct or indirect, based on their – actual or assumed – membership or non-membership of a race or ethnic group, gender, sexual orientation, religion or convictions, disabilities or age. To this effect, the Center for equal treatment was put in place, which is an independent competent body aimed at promoting, analyzing and monitoring equality of treatment. Luxembourg will continue its efforts to combat all forms of discrimination by implementing its national action plan of integration and fight against discriminations 2010-2014, as well as its awareness-raising actions and partnership with civil society.

550. Regarding equality among men and women, in 2009, Luxembourg adopted the five-year plan of national action for equality among women and men 2009-2014, which incorporates a programme of positive actions addressed to private business, ministerial departments, and public administration. The plan allows taking adequate measures to combat potential discrimination and reducing the gap on wages among men and women.

551. Luxembourg accepted several recommendations related to the fight against trafficking in persons, taking into account its extensive and effective legislation on this

issue. Partnerships with associations that ensure the reestablishment, reinforcement, empowerment and integration of victims of trafficking has been put in place and adapted to their specific needs.

552. The Ministry of Equal Opportunities and the Ministry of Family Affairs and Integration ensure the coordination of assistance, protection and security of victims, in partnership with the criminal investigation police officer (Police judiciaire) and above-mentioned associations.

553. Victims of trafficking have the right to legal and translation assistance, and, under certain conditions, they are enabled to incorporate the labour market.

554. Finally, a draft law reinforcing the rights of victims of trafficking has been presented to Parliament. Taking into account all the measures already taken, Luxembourg accepted the recommendations related to trafficking in persons, as an encouragement to continue intensifying its efforts in this regard.

555. The second UPR offered to Luxembourg the possibility to intensify the human rights debate. S.E.M Jean-Marc Hoscheit noted with satisfaction the good operation of the inter-ministerial committee created for this purpose.

556. According to the Representative of Luxembourg, the implementation of recommendations accepted will be ensured in consultation with civil society, and will be at the heart of a national plan of action aimed at improving all its actions, and at adopting a further strategic approach in the area of human rights.

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

557. During the adoption of the outcome of the review of Luxembourg, ten delegations made statements.

558. Morocco noted that Luxembourg was considered as an exemplary country, in terms of respect of human rights, and that actions and measures taken by Luxembourg could be considered as example of good practices. Morocco highlighted efforts deployed by Luxembourg in the area of integration of foreigners and fight against discrimination. It also noted with satisfaction that Luxembourg accepted the two recommendations made by Morocco.

559. Romania noted with satisfaction the positive approach of Luxembourg to the UPR, which has been demonstrated by the fact that Luxembourg accepted the majority of the recommendations received. Romania was convinced that the authorities of Luxembourg will take all the necessary measures to implement the recommendations accepted. Romania will await with interest the Luxembourg's mid-term report on the implementation of the recommendations.

560. Togo congratulated Luxembourg for its contribution to reinforcing the UPR mechanism. It welcomed the efforts deployed by Luxembourg to promoting equality among men and women and fighting against racial discrimination, as well as benefits granted to low-income persons.

561. Viet Nam noted with satisfaction Luxembourg's commitment with UPR, as demonstrated by its detailed responses to the recommendations received. Viet Nam noted that Luxembourg accepted an important number of recommendations, including the recommendations made by Viet Nam related to fighting against discrimination and trafficking in persons. Viet Nam expected that Luxembourg will take concrete measures soon to implement the outcome of its 2nd UPR.

562. Algeria congratulated Luxembourg for having accepted most of the recommendations received during its 2nd UPR. It noted with satisfaction that Luxembourg accepted two recommendations made by Algeria, related to combating discrimination against women and children, as well as racial discrimination and related xenophobia and intolerance.

563. Benin welcomed the efforts deployed by Luxembourg to promote equality among men and women and to combat racial discrimination, by increasing budget allocation to education and public health. Benin also welcomed the ratification by Luxembourg of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatments.

564. The Council of Europe noted with satisfaction the adoption of the Council of Europe Convention on Action against Trafficking of Human Beings, the Action Plan in favour of persons with disabilities, the National Plan of integration and fighting against discrimination, measures taken against domestic violence as well as the legislative opening vis-à-vis nationality issues. The Council of Europe welcomed the good collaboration between Luxembourg and its bodies, in particular the European Commission against Racism and Intolerance, and the Experts Group on the issue of trafficking in persons. The Council of Europe endorsed the recommendations made by other delegations aimed at strengthening legislation and action against sexual exploitation of children. It expected the ratification by Luxembourg of the Convention on preventing and combating violence against women and domestic violence.

565. The Islamic Republic of Iran recalled that it made five recommendations to Luxembourg, namely, combating racist, xenophobia and Islamophobia acts and implement the related national plan of action, adopted in 1996; combating and preventing child prostitution, child pornography, and trafficking in children for commercial sexual exploitation; implementing the national action plan for persons with disabilities; and providing basic rights for migrants and asylum seekers. It noted that the five recommendations were accepted by Luxembourg. The Islamic Republic of Iran anticipated that Luxembourg will take the necessary measures to implement the accepted recommendations.

566. The Lao People's Democratic Republic noted with satisfaction that Luxembourg accepted an important number of recommendations received during its UPR and has taken the necessary measures to implement the protection and promotion of human rights. It also noted that Luxembourg was taking the necessary measures to ratify the international instruments already signed.

567. Libya commended the efforts deployed by Luxembourg towards the implementation of the recommendations received during the UPR, aimed at promoting and protecting human rights. Libya also welcomed the positive responses done by Luxembourg to the queries from other delegations and commended the Luxembourg's acceptance of recommendations. Libya expected that follow up will be positively made.

3. General comments made by other relevant stakeholders

568. During the adoption of the outcome of the review of Luxembourg, one other stakeholder made a statement.

569. The Consultative Commission on Human Rights of the Grand Duchy of Luxembourg (CCHR) (by video message) welcomed progress made Luxembourg since the 1st cycle as well as the dialogue initiated with the CCHR and the civil society. The CCHR recalled its recommendation to create an institutional mechanism which regularly brings together the above-mentioned institutions. It regretted that some recommendations made during the 1st cycle had to be repeated. CCHR expected the ratification of the CPED, and

deplore that the recommendation to ratify the ICRMW was not accepted. It hoped that Congress will adopt soon the draft law which incorporates the European guidelines on prevention in human trafficking. While welcoming the creation of a security unit to received minors deprived of liberty, the CCHR expressed concerns related to the educational concept of this unit. It reiterated its position that no minor should be incarcerated with adults, and recommended once again not to place unaccompanied minors in detention facilities. The CCHR noted that measures undertaken regarding inclusion, participation, autonomy and empowerment of persons with disabilities must be strengthen and not limited to the specialized institutions.

4. Concluding remarks of the State under review

570. Once again, Luxembourg expressed its gratitude to the members of the troika, the delegations and the civil society for their cooperation during the UPR. The substantive remarks from the delegations were highly appreciated by Luxembourg.

Barbados

571. The review of Barbados was held on 25 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Barbados in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/BRB/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/BRB/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15BRB/3).

572. At its 26th meeting, on 6 June 2013, the Council considered and adopted the outcome of the review of Barbados (see section D below).

573. The outcome of the review of Barbados comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/11), the views of Barbados concerning the recommendations and/or conclusions, as well as 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/23/11/Add.1*).

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

574. Her Excellency, Dr. Marion Williams, Permanent Representative of Barbados to the United Nations and other International Organizations in Geneva, presented Barbados' responses to the recommendations made under the Universal Periodic Review. Barbados recalled that it had provided written replies to the 115 recommendations received, contained in document A/HRC/23/11/Add.1. It noted that in paragraph 23 of its addendum, the recommendation numbered 102 should read 102.74. It was indicated that the substance of each recommendation had been considered and that Barbados had sought to provide responses in a constructive spirit.

575. It was reiterated that Barbados remains committed to the UPR process. Despite the constraints faced as a Small Island Developing State, Barbados is committed to a human rights based approach to development, to the principles of good governance, the rule of law and ensuring that its people have the highest levels of civil, political, economic, social and cultural rights.

576. Barbados indicated that the follow up process of the second UPR and the consideration of the 115 recommendations received had reinforced this principle. This exercise has been a valuable tool for Barbados to collectively examine its domestic system for the protection of human rights and its international obligations. It has provided opportunities, to take stock of advances made and where necessary and practicable to enhance and improve certain areas of its human rights architecture. The exercise had also made clear the very real capacity constraints faced by Barbados and the need for international financial support and technical assistance in order to establish and maintain certain aspects of the recommendations received. In this regard, Barbados called on the international community to support capacity constrained states in meeting the ever-increasing demands and obligations placed on them.

577. Barbados then made some general remarks on the recommendations received.

578. It noted that recommendations to establish a National Human Rights Institution had been accepted and that the Government has taken steps to transform the scope of the Office of the Ombudsman to include responsibility for the promotion and protection of human rights. The necessary pieces of legislation to facilitate this measure are currently under review and discussion at the national level continue to take place in order to determine the structure, operational modalities and funding possibilities for this additional area of responsibility for the Ombudsman's office. Barbados added that it was aware that there is some support from the international community to assist with the establishment of such an institutional framework and that it looked forward to collaborating with partner countries and organizations that have expertise in this area.

579. Barbados then observed that several delegations had recommended that it ratify a number of conventions. It stated that while taking note of these recommendations it was important to approach this issue in a realistic and pragmatic manner. As a matter of policy, Barbados will only sign and ratify treaties once a determination has been made that it can adhere to all its obligations and reporting commitments. As such, Barbados indicated that it cannot accept recommendations to sign new treaties without undertaking a thorough assessment of the nature of the responsibilities associated with individual Conventions. Barbados noted that it will, however, continue to give thoughtful consideration to signing and ratifying those treaties and optional protocols that are within the limits of its capacity and where reporting obligations are not onerous.

580. It was added that despite the capacity constraints faced, Barbados will continue to take proactive steps to amend or prepare new pieces of legislation that could pave the way for ratification of some international treaties in the future and ensure that its laws are in full conformity with human rights expectations and obligations. In this vein, Barbados announced that it had accepted the recommendation to ratify the Convention on the Rights of Persons with Disabilities and that, following the review in January, the instrument of ratification had been deposited with the UN Secretary General.

581. Barbados noted that it had accepted recommendations made by several delegations that it strengthen efforts to combat trafficking in persons. While incidences of such acts remained rare in the country, it reported that great strides have been taken to develop mechanisms to prevent and prosecute trafficking in persons, while at the same time providing protection to victims. Barbados supports the global fights against trafficking in persons and efforts are being made to raise awareness of the issue. Additionally, the possibility is being explored of amending the Transnational Organized Crime Act to remove the migration criterion and increase penalties for this most serious criminal offence.

582. On the matter of instituting a *de jure* moratorium or abolishing the death penalty, Barbados reiterated, as already reflected in its written response, that it cannot accept these recommendations at this time. It noted that opinion polls and surveys show that public

sentiment strongly favours the retention of the death penalty and as such, it remains a sentencing option under the laws of Barbados. However, the Government is open to facilitating and supporting public and open debates on the death penalty. Furthermore, the Cabinet of Barbados has agreed to the abolition of the mandatory application of the death penalty and is in the process of finalizing amendments to the relevant legislation in order to reflect this.

583. Barbados reiterated that the Government is consistently engaged in a process which seeks to enhance the human rights of all citizens. Longstanding policies on free access to education up to the tertiary level, free access to primary and secondary health care, free and fair elections, the country's system of good governance, its social partnership and respect for labour laws and the framework of domestic institutions which protect the rights of the child, women, of the disabled and of the most vulnerable, are a testament to this commitment to the rights of the person. Barbados expressed the belief that the recommendations it had accepted will help its efforts at expanding its rights based approach to development.

584. In conclusion, Barbados expressed its appreciation to States that had submitted constructive recommendations. It noted that in the short space of time between its review in January and the adoption of the outcome, the Government had made a commitment to adopt, where possible, some of the recommendations received. Although some recommendations could not be supported at this time, Barbados assured the Human Rights Council that serious note has been taken of these.

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

585. During the adoption of the outcome of the review of Barbados, seven delegations made statements.

586. Cuba highlighted Barbados' notable progress in preserving its policies in support of economic, social and cultural rights despite the fact that, as a small island developing state it has suffered the impact of the international financial crisis. It recognized Barbados' continuing commitment to the improvement of the human rights of its citizens and its resolve to confront and solve sensitive issues affecting its population. Cuba thanked Barbados for accepting the recommendations it had made aimed to continuing its work for the promotion and protection of human rights and fundamental freedoms and to advance the implementation of measures and policies in this regard.

587. Ecuador underscored the spirit of full cooperation with which Barbados, a distinguished member of GRULAC, engaged with the UPR and its commitment to improving the human rights situation in the country. It expressed the hope that the recommendations accepted by Barbados will be implemented as soon as possible to the benefit of the human rights and its people. Ecuador respectfully expressed the request that Barbados reconsider its position regard ratification of CAT and the OP-CEDAW.

588. Jamaica welcomed the delegation's responses and engagement of all the recommendations including those that did not enjoy the support of the Government of Barbados. It further welcomed efforts already undertaken with regard to the 115 recommendations received during the UPR Working Group and particularly the 71 recommendations which received the support of the Government. Jamaica underlined the importance of ensuring that countries are afforded the required time and space to implement measures recommended for the strengthening of human rights protection on the ground. In this context, it called on Member and Observer states as well as on OHCHR to stand ready to assist small island developing states, such as Barbados, in the effective implementation of their human rights obligations based on their specific needs.

589. UNICEF welcomed initiatives by the Government to examine the Family Law Act and all legislation relating to children to bring these in line with the UN Convention on the Rights of the Child and internationally accepted protocols and standards. It also noted efforts to introduce alternative disciplinary programmes in all primary and secondary schools in the country to begin the process of removing corporal punishment. To further strengthen these efforts, UNICEF called on the Government to prioritize current work to overhaul the legislative framework governing children such as the Reformatory and Industrial Schools Act. It also called in particular for the urgent approval of the draft Mandatory Reporting Protocol for Child Abuse. UNICEF urged the Government to submit overdue report to the Committee on the Rights of the Child and to ratify the three optional protocols to the Convention on the Rights of the Child.

590. The Bolivarian Republic of Venezuela expressed appreciation for Barbados' great efforts in the field of the rights of older persons and youth as well as its accomplishments in attaining gender equality and the rights of persons with disabilities. It also highlighted that Barbados invests two thirds of its national budget in education and social services, and that it has the highest human development index of the Caribbean region. It also noted the implementation of programmes to combat extreme poverty. It highly appreciated the open manner in which Barbados participated in its review, which confirms its commitment to the ensuring the full enjoyment of fundamental rights by its people.

591. Viet Nam commended Barbados' seriousness in fully engaging with the UPR process noting the detailed replies on questions and recommendations made during its review in January 2013. It noted in particular, the high number of accepted recommendations, including the recommendation by Viet Nam to consider launching a comprehensive national plan to ensure job creation, public services and social welfare in favour of its people without any discrimination. It noted further that Barbados has acted in an open and responsible manner during the UPR process.

592. Morocco congratulated the Government for its acceptance of a large number of recommendations. It also praised efforts and progress achieved, in particular in the field of the realisation of economic, social and cultural rights. It noted with satisfaction the creation of the Office of the Ombudsman and progress made in the fields of social protection, health, education, employment, the rights of the elderly, combating gender based discrimination and the promotion of the political, economic and social empowerment by women. Additionally, Morocco drew attention to a mistake introduced in paragraph 72 of the Working Group Report on the review of Barbados. It highlighted that this paragraph does not reflect the declaration made by Barbados in January 2013 during the review and requested that the Secretariat correct this error.

3. General comments made by other relevant stakeholders

593. During the adoption of the outcome of the review of Barbados, one other stakeholder made a statement.

594. Amnesty International (AI) noted that twelve states had made recommendations related to the death penalty. While recognizing that no executions have been carried out in Barbados for the last 29 years, AI was nonetheless concerned that death sentences continue to be handed down and that six people were on death row at the end of 2012. It welcomed that new legislation has been drafted to provide for the abolition of mandatory death sentences. AI urged Barbados to commute all death sentences to prison terms, and declare a formal moratorium of the death penalty. AI noted Barbados' statement that no one was, in fact, prosecuted for their sexual preferences in the country. It was, however, concerned that the continued existence of legislation that criminalizes consensual same-sex relationships between adults may contribute to a discriminatory environment and urged the government to repeal this legislation.

4. Concluding remarks of the State under review

595. Barbados thanked all who spoke and assured them that along with the recommendations made they would be given close attention. It was noted that Barbados has a highly valued reputation of respect for human rights and protection of the vulnerable and that its institutions have been developed on the base of respect for the rule of law. Barbados will continue to honour and nurture these practices and standards and will use every opportunity to improve its record. In closing, Barbados thanked the staff of the OHCHR for their assistance and the members of the troika, Brazil, Libya and Spain, for their active contribution as well as all who had participated in support of a very productive UPR.

Montenegro

596. The review of Montenegro was held on 28 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Montenegro in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/MNE/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/MNE/2 and Corr.1);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/MNE/3).

597. At its 27th meeting, on 7 June 2013, the Council considered and adopted the outcome of the review of Montenegro (see section D below).

598. The outcome of the review of Montenegro comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/12), the views of Montenegro concerning the recommendations and/or conclusions, as well as 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/23/12/Add.1*).

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

599. H.E. Suad Numanović, Minister for Human and Minority Rights, highlighted that Montenegro had fully endorsed 120 recommendations, partially endorsed 1 recommendation and rejected 3 out of the 124 recommendations made to it during the second cycle of the UPR. This information was provided in the addendum to the Working Group report, which had been developed as the result of common work by governmental institutions, members of the judiciary and prosecutor's office, the Protector of Human Rights Office and non-governmental organisations. Montenegro would continue its cooperation with treaty bodies and drafting was underway for the initial reports under the Convention on the Rights of Persons with Disabilities (CRPD) and the Convention for the Protection of All Persons from Enforced Disappearance (CPED). Montenegro had a standing invitation to special procedures. In confirmation of its openness and cooperation, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and belief would visit Montenegro from 12 to 17 June 2013. This would be the first visit by a Special Rapporteur since Montenegro gained its independence in 2006. Montenegro considered that this visit would contribute to the implementation of recommendations endorsed through the UPR regarding media freedom and the protection of journalists.

600. Montenegro would continue intensive reforms of the judiciary aimed at strengthening its independence and impartiality. Amendments to the Criminal Code had

increased the legal security of citizens and the protection of their rights in harmony with the relevant *acquis communautaire*, Conventions of the Council of Europe and the United Nations, including in providing for the crime of hatred as an aggravated criminal offence.

601. Montenegro has completed legislation related to combating the corruption. A new two-year Action Plan for Combating Corruption and Organised Crime was adopted in May. In December 2012, GRECO noted that all five recommendations given to Montenegro, by that body of the Council of Europe, with regard to incrimination, had been implemented.

602. The Strategy for Combating Trafficking in Human Beings had resulted in activities towards strengthening professional capacities of the authorities competent in combating human trafficking in Montenegro, aiming at a higher-quality identification of trafficked persons, as well as their adequate protection and (re)integration.

603. Having regard to the obligation of finding a durable and sustainable solution to the matter of displaced and internally displaced persons, a task which the Government was absolutely committed to tackle successfully, a legal deadline for submitting applications to regulate the legal status of those persons in Montenegro has been extended till the end of this year. At present, about 7,300 of those persons had already settled their status, in line with relevant national regulations.

604. The Proposal for the law on ratification of the 1961 Convention on the Reduction of Statelessness had been drafted, and would enter the Government procedure for its ratification in June 2013, after which it would be submitted for the Parliamentary procedure.

605. Amendments were underway to the Laws on Prohibition of Discrimination and on the Protector of Human Rights and Freedoms, with a view to their full harmonisation with European standards and the full protection of all victims of discrimination. Montenegro would work towards increasing the capacities of the Ombudsman to secure full implementation of the normative framework related to protection against discrimination and the prevention of torture.

606. In May 2013, the Government adopted the Strategy for Improving the Quality of Life of LGBT Persons 2013-2018, aimed at eliminating any direct or indirect discrimination on the grounds of sexual orientation or gender identity. The Government was committed to working actively to secure the promotion and effective implementation of legal and other measures, was decisive in its stance against stereotypes and prejudice faced by lesbian, gay, bi-sexual and transgender persons; and was dedicated to activities such as awareness campaigns, trainings on protecting LGBT rights.

607. Montenegro remained committed to preserving multi-ethnic harmony in the country and to upgrading respect for minority rights. The Government had created new legal prerequisites and initiated processes for electing members to minority councils, as important and representative minority bodies.

608. Regarding the Roma and Egyptian population, Montenegro was actively working on implementing the Strategy for Improving the Status of Roma and Egyptian Population. It worked intensively on preparing Roma children for school and monitoring their regular attendance at lectures, aimed at their desegregation within the Montenegrin education system. Montenegro was to take over the presidency of the regional initiative - the Decade of Roma Inclusion 2005-2015.

609. Regarding the promotion of women's rights and achieving gender equality, special attention would be paid to economic empowerment of women, increasing the participation of women in public and political life, and combating violence against women. Montenegro remained dedicated to combating violence against women and domestic violence through

strengthening inter-ministry cooperation and ongoing education and awareness-raising campaigns.

610. On social and child protection, the delegation emphasised the public debate on the Draft Strategy for the Development of Social and Child Care System and the Strategy for the Development of Elderly Social Care, which would enable the implementation of the new Law on Social and Child Care adopted in May 2013. The Law introduced new social and child care services in the community and provided for minimum standards in the provision of such services.

611. Concerning children with disabilities, day care centres had been established as public institutions of social and child care in six municipalities. Establishment of such centres in another four municipalities was planned for 2013. The aim was to open such centres in all municipalities.

612. As for the position of religious communities, the Government proposed the adoption of the law on Legal Status of Religious Communities by the end of 2013. The law would regulate matters important to religious communities, in line with new social and political circumstances.

613. The Government confirmed its commitment to the policy of continuously upgrading human rights and freedoms, and its determination to actively contribute, along with other society stakeholders, to the sustainable building of a society fostering a culture of respect for human rights.

614. As a member State of the Human Rights Council, Montenegro will put in its maximum efforts to enhance credibility and efficiency of its human rights protection system. It would work on the efficiency of the UPR mechanism to contribute to its becoming an efficient instrument for a transparent and objective evaluation of human rights in each and any UN Member State. To that extent, the cooperation of all relevant entities was extremely important - namely, of the Human Rights Council, special procedures, NGOs, and other observers.

615. The delegation highlighted that the Government, in cooperation with the NGOs and all parties involved in drafting the UPR report, would launch the next phase, namely the important application and monitoring of the implementation of the UPR Second Cycle recommendations. Montenegro would develop a plan of implementation of the recommendations, in cooperation with civil society. It also planned for the more active involvement of the Parliament in the UPR process.

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

616. During the adoption of the outcome of the review of Montenegro, nine delegations made statements.

617. Algeria noted that Montenegro had accepted the overwhelming majority, namely 97 per cent, of recommendations addressed to it. Algeria particularly welcomed Montenegro's approval of the two recommendations made by Algeria concerning the strengthening of efforts for the integration of Roma and other minorities and the continuation of efforts to adopt a law on religious communities. Algeria noted Montenegro's additional commitments to strengthening the legal human rights framework, combating discrimination and human trafficking, judicial reform and strengthening freedoms of expression and religion.

618. The Council of Europe appreciated the considerable legislative and institutional efforts of the Government to support human rights and the rule of law. It observed that institutions needed resources, and associated itself with recommendations regarding the Ombudsman Office. It referred to the positive interaction between the Government and the

Council of Europe in relation to the anti-corruption legislative and institutional framework. The Council of Europe associated itself with the recommendations to ratify the European Convention on Preventing and Combating Violence against Women and Domestic Violence, and on other priority areas, such as support to victims of violence, the reintegration of victims of trafficking and worrying incidences of violence against journalists. Regarding numerous recommendations relating to Roma, Ashkali and Egyptian minorities, it was recalled that similar recommendations were made by the European Commission against Racism and Intolerance in its 2012 report.

619. Estonia noted with satisfaction the Government's acceptance of recommendations to further efforts to implement anti-corruption laws and regulations, including through the adoption and implementation of secondary legislation and the Action Plan for 2013-2014 on anti-corruption. Estonia also believed that training of judicial officers would also have a positive impact on reducing the level of corruption. Estonia was pleased to note Montenegro's continuing work to guarantee media freedom by strengthening efforts to resolve pending cases of violence against journalists. Estonia referred to the steps already taken to combat human trafficking and sexual exploitation, which would be further supported by the planned amendments to the Criminal Code to protect children against exploitation.

620. Morocco commended Montenegro's progress, particularly in combatting corruption and for the integration of the Roma population in Montenegrin society. Morocco welcomed Montenegro's decision to accept nearly all recommendations made to it, including the two made by Morocco, to guarantee funding for the implementation of judicial reform and its related action plan as well as to continue efforts to improve the situation of the Roma and resolve their precarious living conditions in camps, in close cooperation with international partners.

621. The Republic of Moldova welcomed Montenegro's commitment to prevent and eliminate domestic violence against women through national programmes, specific measures and appropriate amendments to the Law on preventing and combating domestic violence. It acknowledged Montenegro's progress in combatting trafficking in human beings and in fighting cybercrime, especially child pornography on the Internet. The Republic of Moldova appreciated Montenegro's acceptance of the five recommendations it made.

622. Romania took note of the serious progress realized in the difficult but important matters such as the situation of internally displaced persons and combating discrimination. Romania also referred to Montenegro's commitments to ratify important international agreements and to continue taking measures in the areas of reform of the judiciary, trafficking in human beings and the protection of the rights of children.

623. Slovakia commended Montenegro's commitment to the second cycle of the UPR and highlighted the inclusive and open character in preparing the national report and the follow-up to the review, through involvement with representatives of Government, the judiciary, the prosecution, the Ombudsman and civil society. The acceptance of 121 out of 124 recommendations received bore testimony to the attention accorded by the Government to the promotion and protection of human rights in Montenegro.

624. The United States of America commended Montenegro's recent efforts, among others, to protect the human rights of lesbian, gay, bi-sexual and transgender persons, to prevent torture and other mistreatment of individuals and to find durable solutions for refugees and other displaced persons. The United States applauded Montenegro for making use of the UPR to promote a national dialogue on human rights.

625. Viet Nam noted with satisfaction Montenegro's serious and detailed answers to issues and the high number of recommendations it accepted, including those made by Viet

Nam. Viet Nam encouraged Montenegro to consolidate its achievements in the spheres of legislation and the institutional infrastructure as well as in ensuring public services for vulnerable groups such as children, persons with disabilities and ethnic minorities.

3. General comments made by other relevant stakeholders

626. During the adoption of the outcome of the review of Montenegro, three other stakeholders made statements.

627. Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualitet – COC Nederland, also on behalf of Juventas in Montenegro, welcomed the Government's commitment to the realization of the human rights of Lesbian, Gay, Bisexual and Transgender (LGBT) people in Montenegro and its acceptance of recommendations on sexual orientation and identity. They noted recently adopted amendments to the Criminal Code, which now explicitly included sexual orientation and gender identity as protected grounds. However, homophobic and transphobic statements of leading politicians and professionals, which fuelled and gave legitimacy to widespread discrimination against LGBT people, had not been adequately sanctioned. This resulted in a low level of LGBT people's trust in state institutions and that violence and discrimination were not often reported. They suggested the implementation of targeted actions by local and national authorities and urged particular action to protect the human rights of LGBT people, including guaranteeing the right to peaceful assembly. While recognizing the advances made in complying with the Recommendation (2010) 5 of the Committee of Ministers of the Council of Europe on sexual orientation and gender identity, they reminded the Government that more progress was needed to equally protect transgender people against discrimination.

628. Save the Children International on behalf of the Informal Coalition of non-governmental organizations for children's rights in Montenegro welcomed the Government's acceptance of UPR recommendations relating to children's rights and issues. They noted that the implementation of those recommendations, including through the allocation of sufficient resources, would have a significant impact on children's lives. Regarding accepted recommendations, they suggested that criteria and regulations should be established by law to simplify the subsequent registration of children born outside of health facilities through a standardized process in all municipalities in Montenegro, building on best practices from neighbouring countries and on legislation and practices in the European Union. Concerning domestic violence, they called for a comprehensive child protection system to monitor cases of abuse, neglect and maltreatment in all settings, alongside quality training and education for professionals working with children as well as the provision of continuous support services and shelters for victims.

629. Amnesty International (AI) welcomed Montenegro's support of recommendations to guarantee victims of crimes under international law access to justice, redress and reparations and noted that Montenegro maintained that some of those had already been implemented. AI regretted that, in several cases, the judiciary had failed to respect or reflect international humanitarian law, the jurisprudence of the ICTY and the Montenegrin Criminal Code. Moreover, some sentences had failed to meet the statutory minimum. AI was also concerned about the length of proceedings which had resulted in prolonged detention of some defendants and of others being convicted in absentia. AI called on Montenegro to ensure that proceedings in those cases were conducted in accordance with international standards of fair trial, that judicial decisions were consistent with international humanitarian law and that victims should be guaranteed access to reparation, including compensation. According to AI, more than 4,000 people were currently at risk of statelessness in Montenegro, and that a 2009 amendment to the Law on Foreigners effectively prevented them, including some 1,600 displaced Roman and Ashkali, from

acquiring refugee status as set in the 1951 Refugee Convention. AI welcomed Montenegro's support for recommendations calling for durable solutions to this situation, including the regulation of legal status through assisting in obtaining documentation to achieve permanent residency status and urged their prompt and full implementation as well as guaranteeing the right to adequate housing without further delay.

4. Concluding remarks of the State under review

630. Montenegro reiterated its commitment to implementing the 121 accepted recommendations and their inclusion in the action plan on human rights. Reference was made to the efforts to fight against corruption and educate judges, with more than ninety per cent of judges having already received training. One of the other priorities of the Government was the protection of vulnerable groups, especially Roma children. Achievements had been made already with two-thirds of children from this community enrolling in the school system. Efforts are already being made to address the rights to health, employment and housing and there are plans to provide additional housing for more than 6000 persons. Equally there are efforts underway to protect vulnerable groups, such as women, LGBT persons, children and persons with disabilities. In the light of the global economic crisis, Montenegro would try to ensure that the vulnerable groups were protected as much as possible from the negative impact of that crisis. Responding to comments made by civil society, Montenegro had paid damages in 140 deportation cases and was the first country in the sub-region to do so. The Government of Montenegro had been and was prepared to continue to be a role model for post-war reconciliation. The entire Montenegrin society supported such an approach. Montenegro thanked all delegations for the recommendations made and committed to monitoring their implementation.

United Arab Emirates

631. The review of the United Arab Emirates was held on 28 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by the United Arab Emirates in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/ARE/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/ARE/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/ARE/3).

632. At its 27th meeting, on 7 June 2013, the Council considered and adopted the outcome of the review of the United Arab Emirates (see section D below).

633. The outcome of the review of the United Arab Emirates comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/13), the views of the United Arab Emirates concerning the recommendations and/or conclusions, as well as 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/23/13/Add.1*).

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

634. The United Arab Emirates thanked states for their observations and the 180 recommendations which it had received. After extensive consultations, which included

government and civil society, it had decided to fully accept 100 recommendations; partially accept seven; note 54; and reject 19 recommendations. The rejected recommendations were determined to be in conflict with the country's legal and cultural frameworks. It will ensure the full implementation of the accepted recommendations.

635. The United Arab Emirates stated that a new law to better guarantee the protection of children was in the final stages of approval and that it was in the process of amending the laws on human trafficking in line with the Palermo Protocol. Partial amendments to the media law were also in process aiming to guarantee freedom of expression and freedom of the press and to prevent the deprivation of liberty of journalists.

636. The recommendation to establish a national human rights institution has been accepted by the United Arab Emirates. The Federal National Council's new permanent committee on human rights has held its first meeting and the Ministry of the Interior created a specialized committee aiming to increase awareness of human rights standards within law enforcement agencies early in 2013.

637. The government is preparing studies to consider the withdrawal of a number of reservations to the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. The Cabinet has also been asked to approve accession to the first two Optional Protocols to the Convention on the Rights of the Child.

638. In 2013 the United Arab Emirates will welcome a visit by the Working Group on the issue of human rights and transnational corporations and other business enterprises. It will also invite the Special Rapporteur on the promotion and protection of human rights while countering terrorism and the Special Rapporteur on the independence of judges and lawyers. It will continue to support financially the Office of the High Commissioner for Human Rights and other funds relevant to human rights.

639. In relation to the creation of a culture of human rights the government is to propose a comprehensive training and capacity-building programme for national officials in cooperation with the Office of the High Commissioner for Human Rights and will continue to raise awareness of human rights throughout the country.

640. With respect to the promotion of a culture of political participation, the United Arab Emirates reiterated its achievements including the consolidation of the foundations of the electoral process, based on a programme of political empowerment, and continues to work to spread the culture of political participation among members of society.

641. The United Arab Emirates announced that it is in the final states of updating its national strategy for the advancement of women for 2013-2017. Progress to date includes the passing of a decree creating a mandatory female presence on the boards of government agencies, institutions and companies.

642. The United Arab Emirates will continue as a member of the Executive Board of UN Women. It highlighted financial pledges to combat sexual violence in conflict situations and its support to promote education of girls in low-income countries.

643. In relation to countering human trafficking the United Arab Emirates reported the continued strengthening of its strategy and a shift towards the five Ps policy. It highlighted the coming launch of a second national campaign at airports to raise awareness and its recent membership of the Bali Process and its ad hoc group to address human trafficking.

644. The United Arab Emirates will continue to seek to develop its labour laws to improve the conditions of foreign workers. A new law to protect domestic workers was about to be finalized. Further measures have been taken for the protection of contract workers. It welcomed remarks during its UPR commending its advancement with regard to

labour issues. It will cooperate with sending countries with memoranda of understanding promoting safeguards and monitor the difficulties facing contractual workers in the country.

645. In the United Arab Emirates, the Standing Committee on the UPR will lead work with stakeholders, including, relevant government bodies and civil society organizations to ensure proper implementation of the adopted recommendations within a strict timetable and will provide a database of achievements on implementation.

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

646. During the adoption of the outcome of the review of the United Arab Emirates 14 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁴⁹ are posted on the extranet of the Human Rights Council, if available.

647. Pakistan thanked the United Arab Emirates for updating the Council on its positions on the recommendations received. It noted the government's commitment to promote and protect human rights and fundamental freedoms, through the acceptance of most of recommendations. It appreciated the consultative process that engaged all stakeholders to follow up the outcome of the review. It trusted that such a process would help to implement the accepted recommendations.

648. Saudi Arabia welcomed the clarifications provided by the United Arab Emirates concerning its position on the recommendations received. It recognized the country's complete and continuing cooperation with all the human rights mechanisms of the United Nations. Its accession to a number of international instruments relating to civil and political rights, including torture and judicial reform confirms the country's intention to continue to strengthen human rights protection.

649. Sri Lanka appreciated the constructive and pro-active engagement of, as well as the consultative approach, taken by the United Arab Emirates in the UPR process. It noted the acceptance of the majority of the recommendations, including its own recommendations. It noted the efforts in promoting human rights, particularly regarding migrant workers.

650. The Sudan thanked the United Arab Emirates for its participation in the UPR Process. Its acceptance of 100 of the 180 recommendations showed its sincerity and desire to maintain and implement human rights standards. The country had made great progress in implementing the recommendations which it accepted during the first cycle of the UPR and Sudan was confident that the United Arab Emirates would ensure continued progress during the forthcoming cycle.

651. Thailand welcomed the United Arab Emirates' cooperation with the Working Group and appreciated its careful consideration of all recommendations. It was grateful of the acceptance of its recommendation on implementing legislation and strategy to combat human trafficking and protect and rehabilitate victims. It was pleased that its recommendation on implementing a strategy and action plan to promote workers' rights, including those of migrant workers, was taken note of.

652. The Bolivarian Republic of Venezuela welcomed the demonstration of commitment to the promotion and protection of human rights shown by the government of the United Arab Emirates and the open cooperation it had shown with the UPR process. It appreciated

⁴⁹ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/23rdSession/Pages/Calendar.aspx>.

the country's efforts to implement the recommendations. It encouraged the government to consolidate its progress in the areas of health with strategic programmes to combat disease and noted a significant reduction in infant mortality.

653. Viet Nam was pleased to note the efforts and concrete measures undertaken, as well as the acceptance of numerous recommendations, including its own ones. It joined with other delegations in commending the constant achievements in protecting and promoting human rights. It encouraged the United Arab Emirates to continue devoting its synergy and resources to the full enjoyment of human rights by all, including the vulnerable groups such as women, children and migrants.

654. Yemen noted that the report detailed the measures which translated human rights concepts into reality. It highlighted the visit by the Special Rapporteurs on: the sale of children, child prostitution and child pornography; contemporary forms of racism, racial discrimination, xenophobia and related intolerance; and trafficking in persons, especially women and children. While noting that great attention has been paid to strengthening the rights of children, women and workers, it trusted that the United Arab Emirates would take serious steps to enhance economic, social and cultural rights.

655. Algeria welcomed the positive replies by the United Arab Emirates to the UPR, as well as its serious attitude in cooperating with the mechanism, and acceptance of numerous recommendations received. It noted the acceptance of Algeria's two recommendations to strengthen and deepen human rights promotion. It noted the efforts in strengthening migrant workers' rights, and progress achieved towards the involvement of women in public and political life, governmental agencies and companies.

656. Bahrain called on the government of the United Arab Emirates to continue its cooperation with all mechanisms on human rights. It highlighted the country's acceptance of most of the recommendations of the Working Group, including those made by Bahrain calling for the harmonization of legislation with the international instruments that it has ratified. It called on the country to continue studying the creation of an independent national human rights commission and noted that it had always cooperated with all the Special Procedures and human rights mechanisms of the United Nations.

657. Belarus welcomed the United Arab Emirates' acceptance of the majority of the recommendations of the working group, including that proposed by Belarus. It appreciated the efforts made in combatting human trafficking. The efforts of the country to advance to the empowerment of women also deserve recognition as well as the measures to strengthen the rights of workers and the disabled. It welcomed the adoption of a law on the rights of a child as well as its accession to the Convention against Torture and other cruel, inhuman treatment or punishment.

658. Benin commended the United Arab Emirates' active participation in the second review. It welcomed the adoption of a law and national plans regarding the protection of the elderly and migrant workers, the bearing of costs of children born of unknown parents, and women's empowerment. It hoped that measures would be taken with a view to empowering women in accordance with the Convention on the Elimination of Discrimination against Women.

659. China appreciated the constructive engagement through the process, and the commitment to implement accepted recommendations. It emphasized that the United Arab Emirates' government was committed to promote the rights of women, children, persons with disabilities and the elderly, and has increased investments in health, education and social security, which led to remarkable results. It hoped that the United Arab Emirates would achieve sustainable socio-economic development and called upon it to continue protecting and the promoting human rights of the people.

660. Cuba appreciated the sustainable approach to the advancement and protection of human rights adopted by the United Arab Emirates. Its commitment to the UPR and the Human Rights Council has been proof of this and this has been reflected in the number of recommendations of the Working Group it has accepted. It was grateful for the acceptance of its recommendation that the country continue the adoption of measures to develop the provision of health services.

3. General comments made by other relevant stakeholders

661. During the adoption of the outcome of the review of the United Arab Emirates, 10 other stakeholders made statements.

662. Human Rights Watch (HRW) welcomed the noting of the recommendation to release the Emiratis, held on the basis of peaceful expression, but considered that the mass trial of 94 Emirati dissidents was unfair. It documented violations to fair trial and allegations of torture without investigation. Despite several recommendations, HRW noted that in addition to the repression of criticism, the new federal decree on cybercrime had placed restrictions on the right to free expression. It also noted that authorities failed to investigate allegations of torture and urged to withdraw reservations and declarations made to Convention against Torture as recommended. HRW also referred to the shortcomings in the legal and regulatory framework which were directly responsible for the serious exploitation of migrant workers.

663. Association for the Prevention of Torture (APT) appreciated the country's commitment to look into the ratification of the Optional Protocol to the Convention against Torture, following several UPR recommendations. It offered its support and advice in this process and encouraged the country to join the protocol. APT regretted the reservation made to the Convention against Torture concerning the definition of torture and urged its withdrawal. APT was concerned about human rights violations in the context of arrests, detention and trial of 94 critics of the Government, including prominent human rights lawyers, as well as about allegations of torture and the lack of investigations into such allegations.

664. Geneva Infant Feeding Association – International Baby Food Action Network recognized the high number of institutionalized births and progress in making hospitals baby friendly, urging the United Arab Emirates to continue this work. It was worried about consequences for the best interests of the child arising from the difficult conditions of migrant workers, mainly with respect to a lack of adequate care and nutrition which can compromise children's growth. It welcomed the accepted recommendation on laws and policies on decent working and living conditions for migrant workers, especially women. It urged improvements in maternity protection for all working women as the current maternity leave was very short and the law did not guarantee the right to return to work after maternity leave, which resulted in discriminatory employment practices against women.

665. The Indian Council of South America (CISA) noted the relevance of the Arab countries' continued support for the right to self-determination for peoples. While noting progress made in promoting the right of equality, it called upon the country to grant more equality between men and women. It also called for a review of laws to address violations of freedom of expression, freedom of press, freedom of association and freedom in cyber space. CISA called for the consideration of a moratorium on executions and abolition of the death penalty. It requested that the country supports rights of indigenous peoples, particularly the right to self-determination, within the UPR framework and other UN mechanisms.

666. Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC) appreciated the country's engagement to

protect human rights in cooperation with the United Nations mechanisms. It welcomed the implementation of several commitments such as the promotion of human rights education for the judiciary, women rights protection, the fight against human trafficking, protection of migrant workers' rights, promotion of freedom of expression and non-discriminatory access to information technologies. CIRAC highlighted the financial support of the country to several African countries in the framework of international cooperation. It called upon the international community and the Human Rights Council to further cooperate and support the country towards the human rights promotion and protection.

667. Maarjij Foundation for Peace and Development (MFPD) welcomed the positive measures which had been adopted to follow up on the recommendations under the UPR. However, efforts should be made to further improve the legislative framework. It highlighted the need to reform the system of pensions and ensure that there are responses to the needs of specific categories such as women. It called for a timeframe for the establishment of an institution in accordance with the Paris Principles. The United Arab Emirates should play a role in humanitarian assistance both internationally and regionally with the necessary coordination. Mechanisms should be created for domestic workers. It called for the greater coordination between governmental and non-governmental bodies in the country.

668. Action internationale pour la paix et le développement dans la région des Grands Lacs (AIPD) welcomed the efforts aimed at strengthening the country's legal and institutional framework. It highlighted the implementation of UPR commitments concerning the fight against torture, migrant workers' protection, freedom of religion and legislation reinforcement on women rights. AIPD acknowledged provisions on family law, persons with disabilities' protection and children rights. It referred to the assistance provided to numerous African countries aimed at combating poverty. Measures to fight terrorism and religious fundamentalism in the region as well as against human trafficking were appreciated. AIPD called upon the international community to support the country towards the implementation of its human rights commitments.

669. Amman Centre for Human Rights Studies commended the country's accession to the Convention against Torture. It referred to concerns on fair trial, torture, freedom of association and freedom of expression. It referred to the trial of 94 individuals accused of undermining state security which had violated several fair trial standards; some of them alleged they were tortured and such allegations had not been investigated. Ratification of the International Covenant on Civil and Political Rights would contribute to addressing such concerns as will the visit of the Special Rapporteur on the Independence of Judges and Lawyers. It referred to the arrest of 13 Egyptians accused of belonging to the Egyptian Muslim Brotherhood, and of four cyber-activists accused for tweeting information about the above mentioned trial. It called for the protection of human rights defenders.

670. Amnesty International (AI) was concerned about the trial of 94 government critics, two of them prominent human rights lawyers, for allegedly violating the Penal Code, which prohibits funding, organizing or operating a group aiming to overthrow the political system. AI was concerned that the legal process was marred by serious irregularities and that allegations of abuse had not been investigated. Decisions of the Special Court conducting the trial cannot not be appealed. International monitors, including from AI, have not been allowed to observe the trial. It urged the authorities to drop any charges related to freedom of expression or association, to release all those held on this basis, to ensure independent investigations of allegations of torture, and to allow international monitors.

671. Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE International noted progress made in the field of human development. It encouraged the country to continue with its efforts on women's education and on human rights promotion, particularly of women and children.

OCAPROCE welcomed the national strategies for the advancement of women in the fields of health, economy, law, environment, social protection and participation in politics and decisions making. It was concerned about the economic, social and cultural rights in the country and recommended the ratification of the two covenants and the withdrawal of the reservations made to the Convention on the Elimination against Women.

4. Concluding remarks of the State under review

672. The United Arab Emirates was encouraged by the comments and support for its report and the comprehensive process which it adopted for its consideration under the UPR. It emphasized the three main issues it is tackling: firstly, the multi-year task of continuous improvement of labour conditions; secondly, the empowerment of women in a region where the rights of women are under threat from new, restrictive political ideologies; and thirdly, it wants to continue and to emphasize its unparalleled record in the region in relation to religious tolerance.

673. Referring to the trial mentioned by some of the other stakeholders the United Arab Emirates stated that the case at the Federal Supreme Court involved a serious threat to national security by a large group of individuals with foreign connections who advocated the overthrow of the government. To a certain extent, these persons purported to be human rights activists. The case was investigated, prosecuted and tried in accordance with national laws which in all cases meet or exceed international standards of due process, fairness and justice. The trial was open to the media, civil society, national human rights organisations and relatives of the accused. Contrary to certain allegations, the accused had access to freely chosen legal counsel without the presence of security personnel during consultations. The judgment is expected to be issued in July 2013. It had just replied to a joint letter from five Special Rapporteurs which referred to the case. The country is committed to the Convention against Torture or other Cruel, Inhuman Treatment or Punishment, to which it acceded in 2012; its provisions are binding upon all state authorities.

674. In conclusion, the United Arab Emirates emphasized its full belief in the UPR process which gives a road map to many countries for examination of their human rights records, planning, the creation of benchmarks and a guide for the next review. It thanked all the countries and organizations for their comments and interest in the country's actions and the President for his chairing of the session.

Liechtenstein

675. The review of Liechtenstein was held on 30 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Liechtenstein in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/LIE/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/LIE/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/LIE/3).

676. At its 27th meeting, on 7 June 2013, the Council considered and adopted the outcome of the review of Liechtenstein (see section D below).

677. The outcome of the review of Liechtenstein comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/14), the views of Liechtenstein concerning the recommendations and/or conclusions, as well as 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/23/14/Add.1*).

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

678. The delegation of Liechtenstein referred to the concluding remarks made by its Minister of Foreign Affairs after the interactive dialogue in the UPR working group, in which she had announced that Liechtenstein will carefully examine all recommendations and will continue the dialogue with the Human Rights Council on the basis of the exchange which took place in the working group. The Government of Liechtenstein is convinced that this dialogue will be mutually beneficial and further improve the human rights situation in Liechtenstein.

679. The protection and promotion of human rights has for many years been a priority of Liechtenstein's foreign policy and of its involvement at the United Nations. The UPR proved to be a valuable complement to the treaty body system during the last five years. The treaty body system continues to be very important, and Liechtenstein actively works to strengthen it. The UPR has established itself as a key instrument for monitoring the global human rights situation and Liechtenstein is fully committed to this process.

680. Liechtenstein welcomed the recommendations made by the 41 States that engaged in a dialogue with it four months ago on 30 January in Geneva. They have been carefully considered by the Liechtenstein authorities in a consultation process, which has been coordinated by the Office for Foreign Affairs and in which various offices at the National Public Administration have been involved. The Liechtenstein Government finally adopted its replies to the recommendations on 21 May.

681. The delegation highlighted some aspects of the answers that Liechtenstein had submitted to the Human Rights Council in writing prior to this session:

682. Liechtenstein accepted 70 recommendations out of the total 85, which means that Liechtenstein supports over 80 per cent of the recommendations. It partially accepts four recommendations. Eleven recommendations are rejected by Liechtenstein.

683. Each recommendation has been considered in view of its potential to further human rights in Liechtenstein and to eliminate discrimination. It has been evaluated if the recommendation can be implemented within the next four and a half years and if there are existing measures and processes that support the implementation.

684. That is the reason why Liechtenstein rejects six recommendations concerning the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the ratification of ILO conventions. Liechtenstein rejects the recommendations regarding ILO not because of the content of the ILO conventions referred to. Rather, ratification of ILO conventions requires membership of ILO, and membership of ILO is not currently being considered by the Liechtenstein Government. As a very small country with limited personnel resources, Liechtenstein is not able to join all international organizations. As a full member of the European Economic Area (EEA), however, Liechtenstein has already incorporated the relevant EU legislation, especially the high labour standards of the EU, into national law.

685. Liechtenstein has received three recommendations that invite it to develop a comprehensive anti-discrimination legislation and to ensure the constitutional guarantees of equality. The Liechtenstein Constitution does not expressly guarantee equality of all persons before the law. However, the Constitutional Court has in a series of judgements recognized equality before the law for all, also for foreigners. In Liechtenstein's view, there is thus no need for action. While protection from discrimination on the basis of personal

characteristics is neither defined in comprehensive anti-discrimination legislation, such protection is provided on the basis of specific provisions in specialized legislation. For instance, labour law expressly provides protection of the personality of the employee. The term "personality" must be interpreted broadly, covering gender, race, nationality, sexual orientation, etc. Non-discrimination provisions are also found in the Law on the Equality of Women and Men and in the Law on the Equality of Persons with Disability. Liechtenstein is of the opinion that a sectoral approach with specialized legislation can (better and more) effectively react on different types of discrimination (than a general anti-discrimination law). Liechtenstein therefore cannot support these recommendations and these parts of recommendations respectively.

686. The delegation also highlighted some aspects regarding the accepted recommendations:

687. Liechtenstein accepts all recommendations concerning the trafficking in persons. Liechtenstein has significantly increased its prevention efforts with regard to human trafficking over the past years. A coordination mechanism has been established, guidelines have been adopted and a prevention project has been started in 2009, with which the dancers in the nightclubs and bars are informed about their legal situation. The project's aim is to reduce exploitative relationships in the night club scene and to give potential victims of human trafficking access to counselling and victims assistance offices. As a follow up to the UPR, Liechtenstein will consider further measures to identify victims of trafficking, ensure their protection, and prevent trafficking.

688. Also in the area of equality of women and men and in the related area of combating violence against women, Liechtenstein was able to accept all the recommendations made. Many countries focused their recommendations on this topical issue, and this reassures the Government of Liechtenstein in its assessment that measures and programs to eliminate discrimination of women and to improve de-facto equality of women and men have to be continued with high priority.

689. Another area where Liechtenstein received a large number of recommendations is the elimination of racial discrimination and integration of foreigners. Liechtenstein has a very high percentage of foreigners: About one third of Liechtenstein's resident population is composed of foreign citizens. Also in this area, which is quite a sensitive area for Liechtenstein, as the population of the country is very small, the Government has accepted most of the recommendations. The Government is committed to continuing to implement its comprehensive integration concept and to further strengthen measures against racism, with an emphasis on the efforts against right-wing extremism.

690. In the last approximately four years since Liechtenstein's first UPR, improvements have been made in all areas of Liechtenstein's governmental and administrative activities, and new processes have been initiated. The recommendations accepted by Liechtenstein within the framework of the first UPR have either already been integrated into on-going reform processes and existing measures, or separate processes have been launched for that purpose.

691. For example, as a direct measure after its first UPR, Liechtenstein intensified exchanges with civil society over the past four years. At the time, Liechtenstein received the recommendation to include all stakeholders in the follow-up to the UPR. As a specific consequence of this recommendation, the Office for Foreign Affairs has organized annual discussion events for Liechtenstein human rights NGOs. These events have met with considerable interest and led to a fruitful dialogue with civil society. Liechtenstein plans to continue these valuable exchanges as well as other measures established after the first UPR.

692. The delegation stated that Liechtenstein is confident that the second UPR will also contribute to a process of constant improvements regarding the implementation of human rights and the protection of vulnerable groups, in Liechtenstein and in all other states.

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

693. During the adoption of the outcome of the review of Liechtenstein, six delegations made statements.

694. Libya stated that Liechtenstein had established an Ombuds Office for Children and Young People to safeguard the rights of children and the youth. It had also established a Children and Youth Advisory Council, particularly enhancing protection of children from sexual abuse. Moreover, it had ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Libya also highly valued all the measures taken by Liechtenstein for promotion of integration of foreigners through strengthening the values of mutual understanding, particularly many educational programmes in schools, as well as combatting racism and xenophobia. Libya hoped that Liechtenstein would be able to implement the recommendations of CERD adopted in August 2010. Libya also paid tribute to Liechtenstein's efforts aiming at equality of opportunities for women, particularly in the labour market, and gender equality, and combatting trafficking in persons.

695. Viet Nam was pleased to see Liechtenstein had accepted a large number of recommendations, among others, the two recommendations from Viet Nam. Concrete initiatives and measures had been also launched by Liechtenstein for the follow-up to its 2nd UPR cycle's outcomes. Viet Nam stated that much had been done so far, but agreed that further efforts were still needed, in particular measures in fighting against racial discrimination and social integration for migrants.

696. Algeria noted with satisfaction that Liechtenstein had accepted many of the recommendations made during the interactive dialogue and appreciated that it had accepted the ones made by Algeria to set up a National Human Rights Institution and to continue the official development aid. Algeria was encouraged by the large number of measures taken by Liechtenstein to improve interreligious and intercultural understanding and to consolidate the efforts to combat racism and xenophobia. It hoped that the calm that has seen in the relationships between religious community and the State would lead to a better protection of all the communities. Algeria encouraged Liechtenstein to explicitly ban racial discrimination and any organization that incites racial hatred. Algeria also hoped to see Liechtenstein join the States Parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

697. The Council of Europe welcomed the new actions taken by Liechtenstein, such as the adoption of the New Asylum Act, as well as the establishment of new independent institutions: the Children and Youth Advisory Council, the Ombudsman Office for Children and Young People, as well as the very promising Office against Right-wing Extremism. It was glad to note that, according to the case law of the Constitutional Court, the European Court of Human Rights has the same rank as the Constitution of Liechtenstein, in substantive terms. The Council of Europe joined France in recommending Liechtenstein to adopt national legislation to fill in the absence of penal norms explicitly prohibiting racial discrimination. Same goes for the recommendation of Slovakia and the Republic of Moldova with respect to the identification of victims of trafficking with human beings. It noted with satisfaction of acceptance of all recommendations related to trafficking in persons and racial discrimination. It looked forward to the ratification by Liechtenstein of the Council of Europe Convention on Preventing and Combating Violence against Women

and Domestic Violence and the European Social Charter, with due regard to the need for the Government to assess the changes the current legislation needs to that effect.

698. Ecuador commended Liechtenstein for accepting the majority of the recommendations received in January 2013, including the establishment of a national independent institution with a mandate to receive and process human rights complaints in accordance with the Paris Principles. However, Ecuador regretted the fact that ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights continued to be under the review, as it was an extremely important instrument to the well-being of people.

699. Morocco commended the large number of the recommendations that Liechtenstein had accepted and noted with satisfaction that Liechtenstein had undertaken a process of political consultations on the establishment of a national human rights institution. Morocco also commended Liechtenstein on its openness in working with the Special Procedures mechanism. Liechtenstein had given attention to combatting violence and intolerance and made efforts to promote diversity and multiculturalism. Morocco noted the importance of the measures taken for preventing and dealing with discrimination, as well as the planned review of the relevant system. It noted with appreciation the measures for protection of children and the Government's intention to reform the Family Code, focused on new rules governing custody of children, whose parents are separated and divorced. Morocco appreciated the efforts for combatting human trafficking and the additional measures planned in the areas of prevention and victim protection. Morocco praised Liechtenstein for the commitment in terms of international cooperation and solidarity by allocating almost 0.7 per cent of the Grosse National Product to the official development aid to benefit the poorest countries.

3. General comments made by other relevant stakeholders

700. During the adoption of the outcome of the review of Liechtenstein, one other stakeholder made a statement.

701. Amnesty International welcomed Liechtenstein's support for all the recommendations made in the review to establish a fully independent National Human Rights Institution compliant with the Paris Principles. It was concerned, however, that developments with regard to its establishment had deteriorated in recent months, under the Government elected in February 2013. In its submission, Amnesty International expressed concern that the Office of Equal Opportunity—which until now had functioned as the de facto National Human Rights Institution—was not adequately funded or staffed to fulfil a human rights monitoring mandate. Now, only a part-time staff member with limited human rights expertise supports this body. As an intermediate step, Amnesty International encouraged the Government to strengthen the existing institutional structures by providing it with adequate human and financial resources. It also urged Liechtenstein to act without delay and in good faith to implement the recommendations it had accepted and to establish a fully independent National Human Rights Institution in accordance with the Paris Principles.

4. Concluding remarks of the State under review

702. The delegation of Liechtenstein thanked all the countries and organizations that had taken the floor for their appreciation and remarks regarding the report of Liechtenstein, which is very encouraging for the Government of Liechtenstein. The 2nd Universal Periodical Review, and in particular, the interactive dialogue, allowed it to review the state of human rights in the country and proved to be a very useful tool to further the development of its human rights policy. Liechtenstein reiterated its thanks to all States that had made interventions and recommendations during the interactive dialogue on 30 January

2013. Liechtenstein is aware that the adoption of the report of the Working Group on the Universal Periodical Review is only the starting point for the implementation of the recommendations in Liechtenstein. It assured that Liechtenstein will continue to attach greatest importance to the promotion of human rights and remains fully committed to the UPR process.

Serbia

703. The review of Serbia was held on 30 January 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Serbia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/15/SRB/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/SRB/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/SRB/3).

704. At its 29th meeting, on 7 June 2013, the Council considered and adopted the outcome of the review of Serbia (see section D below).

705. The outcome of the review of Serbia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/15), the views of Serbia concerning the recommendations and/or conclusions, as well as 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/23/15/Add.1*).

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

706. Serbia expressed its appreciation for the constructive engagement and important contribution made by the delegations during the review.

707. Serbia reiterated its gratitude to all members of the Working Group and troika representatives of Switzerland, the Republic of Korea and Chile, as well as representatives of the Secretariat for their important contributions to the interactive dialogue that took place in a dignified and effective manner.

708. Serbia also thanked a number of civil society organizations for their active involvement in the preparation and review of the second periodic report, and for contributing to a better understanding of the situation of human rights in Serbia.

709. Serbia stated that out of a total of the 144 recommendations received, Serbia accepted 132 recommendations during the session of the Working Group, and the remaining 12 were deferred to be decided at a later stage by the competent bodies. The Serbian authorities believed that the five recommendations could not be accepted mainly because their implementation would not be possible, given the laws and the Constitution of the Republic of Serbia.

710. Serbia stated that the Government was ready to implement all the recommendations accepted, despite any financial or other difficulties. Serbia informed the Human Rights Council that it had already begun with the implementation of certain recommendations: An Anti-discrimination strategy was formulated, which will be adopted by the Government by the end of June this year. This is the first strategic document to fight against discrimination. The national strategy includes activities to reduce the overall level of discrimination in

society focusing on improving the status of the nine most vulnerable social groups, which can often be the subject of discrimination, including women, persons with disabilities, members of national minorities, communities and religious groups, members of the LGBT population, the elderly, children, refugees, internally displaced persons (IDPs) and members of other vulnerable groups of migrants and persons, whose health may be grounds of discrimination.

711. Serbia noted that for years, one of the most serious problems is the fate of more than 200,000 displaced people, who are mainly located in western Serbia and the autonomous provinces of Vojvodina, Kosovo⁵⁰ and Metohija. According to UNHCR, more than 100,000 displaced persons, or 22,000 households are in unbearable economic situation and are always in need of humanitarian and other aid. Most of them are Serbs in ethnic origin and other groups such as Roma.

712. Serbia also noted that during all these years, very few people had returned to Kosovo and Metohija, despite the huge efforts of Serbia with the help of the international community in the context of resolution 1244 of the Security Council. The main reason for their non- return is characterized by uncertainty and impunity for crimes committed against the non-Albanian population, ethnic intolerance, lack of freedom of movement, and continuing violation of human rights of Serbs, including economic, social, cultural and other rights.

713. Serbia stated that the Government would adopt the revised action plan for the implementation of the strategy to improve the situation of Roma. A Council for the Advancement of Roma was created to build and coordinate national policies to improve the situation of the Roma population and the implementation of the Decade of Roma Inclusion.

714. Serbia also stated that the national strategy to prevent and combat trafficking in human beings and protecting victims for the period 2013-2018 along with the action plan was in the final stages of preparation.

715. The Government of Serbia created the Council for National Minorities to monitor and review the implementation of the rights of national minorities. Serbia noted that there were consultations being held between government officials and representatives of civil society concerning the organization of the Gay Pride Parade in Belgrade in September this year.

716. Serbia emphasized that it remained committed to progress in the democratization process in accordance with its international obligations to achieve the highest standards in the field of human rights and fundamental freedoms, which constitutes its sincere longer-term commitment as a democratic society.

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

717. During the adoption of the outcome of the review of Serbia, 11 delegations made statements.

718. The Republic of Moldova noted Serbia's commitment to strengthen its system of human rights protection, including the development of its capacity to promote and protect human rights. It also recognized progress made in ensuring non-discrimination, including

⁵⁰ References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

gender equality. Further, the Republic of Moldova welcomed Serbia's commitment to prevent and eliminate domestic violence and to punish perpetrators of violence against women and children. Moreover, it acknowledged progress in combating sale of children, prostitution and pornography, as well as in ensuring physical and psychological recovery and social reintegration services for child victims.

719. Romania stated that the response by the Serbian authorities appeared to indicate that certain citizens of Serbia cannot enjoy the human rights recognized for other citizens in conformity with the ratified international human rights treaties or with the political commitments assumed by Serbia at the European level. Romania also referred to Resolution 1632 of 2008 by which the Parliamentary Assembly of the Council of Europe called on the Serbian authorities to remove existing regional differences to effectively guaranteeing the rights of minorities by fully implementing existing laws in this field throughout all its territory, as well as to take necessary measures to facilitate Vlachs/Romanians who live in the Eastern region of Serbia access to education, the media and public administration in their mother tongue.

720. Slovakia noted that Serbia made significant progress in advancing its human rights situation since the first UPR review. Slovakia commended Serbia for thorough consultations that were held for the preparation of the national report as well as for follow-up to the review encouraging Serbia to ensure as broad participation of civil society in the implementation of the accepted recommendations as possible. Slovakia was pleased that Serbia accepted the recommendations presented by Slovakia, notably in such important areas as judicial reforms or the situation of internally displaced persons.

721. Sri Lanka congratulated Serbia for having accepted the majority of the recommendations. Sri Lanka took note of the wide-ranging measures undertaken by Serbia to safeguard human rights in the country, including those of minorities, women, children and internally displaced persons.

722. Viet Nam noted Serbia's seriousness in providing detailed feedback on received recommendations. Viet Nam also appreciated that a considerable number of recommendations were accepted by Serbia, including the one made by Viet Nam to strengthen the rule of law, the social cohesion and promoting tolerance and equality to comprehensively guarantee human rights of the people, in particular vulnerable groups such as women, children and persons with disabilities.

723. Algeria praised Serbia for its commitment to the promotion of human rights by accepting most of the recommendations, including the one put forward by Algeria to strengthen coordination and the work of the different existing mechanisms dealing with the promotion of human rights. Algeria stated that Serbia's UPR highlighted the good progress achieved, in particular the improvement of the normative and structural framework for the protection of human rights, which had a positive impact on the enjoyment of human rights by its citizens in different areas.

724. The Council of Europe noted the productive cooperation between Serbia and various Council of Europe institutions such as the Group of Experts on Action against Trafficking in Human Beings, the European Committee of Social Rights and the European Commission for Democracy through Law (Venice Commission). With respect to the latter, the Council of Europe praised Serbia for taking into account its opinions in matters relating to the laws on the judiciary. It also welcomed the New Strategy for the Prevention and Suppression of Human Trafficking, the national Strategy to Prevent and Combat Violence against Women in the Family and in the Intimate Partner Relationship, and the Strategy for the Advancement of the Status of Roma and the Related Plan of Action. The Council of Europe recalled Resolution (2011)7 of the Committee of Ministers of the Council of Europe on the implementation of the Framework Convention for the Protection of National

Minorities by Serbia, which invited Serbia to expand opportunities for minority language education. The Council of Europe also referred to the need to remove any obstacles that may impede free access to mass media in the mother tongue of national minorities. The Council of Europe also recalled Recommendation CM/Rec(2010)5 of the Committee of Ministers of the Council of Europe, in particular regarding freedom of expression and peaceful assembly.

725. Cuba congratulated Serbia for the spirit of cooperation maintained with the Human Rights Council, as well as for having accepted the vast majority of the recommendations. Cuba noted that in recent years, Serbia had strengthened its legal and institutional framework for the protection of human rights, and adopted a series of laws and regulations and numerous strategic documents covering different aspects of the protection and promotion of human rights. Cuba welcomed with satisfaction Serbia's acceptance of its recommendation to continue to promotion full and effective equality in social, economic and political areas.

726. The Lao People's Democratic Republic was pleased to note that Serbia had accepted the large number of recommendations, and had taken necessary steps to implement them to promote and protect human rights in the country. The Lao People's Democratic Republic also noted that Serbia was party to many core international human rights instruments.

727. Libya appreciated the enormous progress achieved by Serbia in order to implement the accepted recommendations, including that made by Libya, which confirms Serbia's intention to further implement the recommendations to improve the situation in the field of human rights. Libya paid tribute to the ratification of many international human rights treaties, and the adoption of many policies by Serbia particularly on judicial reforms, and social services such as education and health, on women and children.

728. Morocco congratulated Serbia for the acceptance of almost all recommendations, in particular the recommendations put forward by Morocco to continue its efforts in the fight against corruption to strengthen its national policy in this area, and to continue its efforts in the field of human rights education and training with a particular emphasis on the training of police and law enforcement officials. Morocco reiterated its appreciation of the efforts by Serbia for the promotion and protection of human rights, including a number of reforms at the normative level and the strengthening of the institutional structure for the promotion and protection of human rights.

3. General comments made by other relevant stakeholders

729. During the adoption of the outcome of the review of Serbia, four other stakeholders made statements.

730. The Protector of Citizens of the Republic of Serbia (by video message) noted that Serbia immediately accepted almost all of the 144 recommendations, which is indicative of Serbia's determination to respect and promote human rights. He, however, stressed that this determination itself was not enough. He pledged that he would meticulously follow the extent to which these recommendations would be implemented in practice. He also confirmed that Serbia had put in place a relatively complete legal framework for the protection of human rights and all the institutions that are necessary to guarantee these rights in practice. At the same time, he emphasized that the right way to overcome the problems in the exercise of certain rights and freedoms was not by adopting new laws and regulations and creating new independent bodies, but rather was by resolutely applying the regulations that guarantee human rights, and by ensuring the supremacy of the rule of law over political will. He also emphasized that the solution was to enhance the efficiency, capacities and responsibility of state authorities and civil servants at all levels, including the lowest ones for compliance with the laws and regulations. He assured that promotion of

human rights in Serbia would be continued especially in terms of prevention of torture, protection of human rights defenders and journalists, equality of LGBT persons, independence of the judiciary, separation of church and state, the rights of the child, legal personality for all citizens, and other issues.

731. Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit – COC Nederland, on behalf of Labris in Serbia, welcomed the commitment by Serbia to the realization of human rights, including lesbian, gay, bisexual and transgender people. It commended Serbia for accepting the recommendations to respond to effectively to discrimination and violence against LGBT persons and ensure their safety during public events; to establish a more effective mechanism of dialogue with human rights defenders in the area of sexual minorities, and to take concrete steps to protect its LGBTI citizens and their freedom of assembly and expression. COC – Nederland urged the Government of Serbia: to launch a public debate on legislative proposals of interest to the LGBT community and an immediate adoption of new laws that are not disputed in the public such as the Law on recognition of Legal Consequences of Sex Change; to investigate and sanction all individuals whose threats and preparing for violence caused the ban of the 2011 Belgrade Pride; and to adopt the National Strategy against Violence and the Action Plan, which will contain sections relating to the suppression of specific forms of violence that members of the LGBT community are exposed to.

732. Save the Children International, on behalf of the Child Rights Centre and Coalition for Monitoring Child Rights in Serbia, appreciated that Serbia accepted all child rights recommendations. Save the Children International also stated that implementation of these recommendations, including through allocation of sufficient resources for their realization, would have a significant impact on children's lives in Serbia. It noted that while existing services for victims of trafficking had been improving, they did not meet the specific requirements of those younger than 18 years old. In this regard, it called on the Government to adopt a strategic document and action plan for the protection of children from sale, trafficking and abuse in pornography and prostitution and to allocate sufficient resources to this end by 2014. It also called on local authorities to collect data on and assess the state of schools' facilities and adequate commuting for children with disabilities and children from remote areas and to develop a plan of action to this end by 2014.

733. Amnesty International welcomed Serbia's support of the recommendations to prosecute all persons suspected of crimes under international law. Amnesty International noted that while Serbia had made progress in its cooperation with the International Criminal Tribunal for the former Yugoslavia, impunity persisted for crimes under international law during the 1990s and the number of prosecutions concluded in the Special War Crimes Chamber at Belgrade District Court remained low. Amnesty International called on Serbia to bring to justice all persons, including senior police, military and political officials suspected of committing or being complicit in crimes under international law, and to guarantee the victims to reparations, including compensation. Amnesty International noted Serbia's claim that most of the recommendations calling for access by Roma to adequate housing and their protection from forcible eviction had already been implemented. Amnesty International however noted that between April 2009 and April 2013, some 20 forced eviction of more than 2,600 mainly Roma people took place in Belgrade. Amnesty International further noted that more than 200 forcibly evicted families had been resettled in metal containers in racially segregated settlements on the outskirts of Belgrade. These settlements did not meet the criteria for adequate alternative housing as set out by the Committee on Economic, Social and Cultural Rights. Amnesty International called on Serbia to introduce legislation to prohibit forced evictions and to develop guidelines that must be complied with prior to any eviction, consistent with the UN Basic Principles and Guidelines on Development-Based Evictions and Resettlement and other international human rights standards.

4. Concluding remarks of the State under review

734. Serbia concluded that it tried to accept to the extent possible all the criticisms and suggestions that it had heard today as these would help Serbia implement the recommendations. With respect to the questions raised today, Serbia would answer these questions at other opportunities.

B. Report of the President of Human Rights Council submitted in accordance with Human Rights Council decision OM/7/1 of 29 January 2013

735. At the 29th meeting, on 7 June 2013, the President of the Human Rights Council presented his report submitted in accordance with Council decision OM/7/1 of 29 January 2013 regarding the non-cooperation of a State under review with the universal periodic review mechanism.

736. At the same meeting, statements were made by the following:

(a) Representatives of States Members of the Human Rights Council: Algeria⁵¹ (on behalf of the Group of Arab States), Costa Rica, Gabon (on behalf of the Group of African States), Malaysia, Maldives, Pakistan (on behalf of the Organization of Islamic Cooperation), United States of America, Venezuela (Bolivarian Republic of);

(b) Observers for observer States: Canada, Cuba, Egypt, Tunisia, State of Palestine;

(c) Observer for an intergovernmental organization: European Union (also on behalf of Croatia);

(d) Observer for a non-governmental organization: UPR Info.

C. General debate on agenda item 6

737. At its 30th meeting, on 10 June 2013, the Human Rights Council held a general debate on agenda item 6, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Cuba⁵¹ (also on behalf of Algeria, Belarus, China, the Democratic People's Republic of Korea, Ecuador, Egypt, India, Iran (Islamic Republic of), Myanmar, Pakistan, the Russian Federation, South Africa, Sri Lanka, Sudan, Thailand, Uganda, Venezuela (Bolivarian Republic of) and Zimbabwe), Ecuador (also on behalf of Bolivia (Plurinational State of), Brazil, Cuba and Venezuela (Bolivarian Republic of)), Estonia, Germany, Ireland (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, the Republic of Moldova, the former Yugoslav Republic of Macedonia, Serbia and Ukraine), Maldives, Morocco⁵¹ (also on behalf of Botswana, Colombia, Costa Rica, Malta, Monaco, New Zealand, Nigeria, Qatar, Senegal, Slovakia, Switzerland, the United Kingdom of Great Britain and Northern Ireland and Uruguay), Republic of Moldova, United States of America;

⁵¹ Observer of the Human Rights Council speaking on behalf of Member and observer States.

(b) Representatives of observer States: Algeria, Armenia, Australia, Azerbaijan, Bulgaria, China, Cuba, Georgia, Iran (Islamic Republic of), Jamaica, Lebanon, Slovenia, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for an intergovernmental organization: International Organization of la Francophonie;

(d) Observers for non-governmental organizations: CIVICUS – World Alliance for Citizen Participation, Human Rights Law Centre, International Catholic Child Bureau (also on behalf of the Congregation of Our Lady of Charity of the Good Shepherd, Edmund Rice International Limited, Franciscans International, Good Neighbors International, the International Federation of ACAT (Action by Christians for the Abolition of Torture), the International Volunteerism Organization for Women, Education and Development – VIDES, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco and Mouvement International d'Apostolate des Milieux Sociaux Independants), International Organization for the Elimination of All Forms of Racial Discrimination, International Youth and Student Movement for the United Nations (also on behalf of Mouvement contre le racisme et pour l'amitié entre les peuples and the World Federation of Democratic Youth), Maarij Foundation for Peace and Development, Romani CRISS – Roma Centre for Social Intervention and Studies, UPR Info (also on behalf of the Asian Forum for Human Rights and Development, Baha'i International Community, the Commonwealth Human Rights Initiative, Conectas Direitos Humanos, Defence for Children International, the East and Horn of Africa Human Rights Defenders Project, Edmund Rice International Limited, Fondazione Marista per la Solidarietà Internazionale ONLUS, Franciscans International, the Human Rights House Foundation, the International Commission of Jurists, the International Federation of ACAT (Action by Christians for the Abolition of Torture), the International Fellowship of Reconciliation, the International Lesbian and Gay Association, the International Service for Human Rights, the International Volunteerism Organization for Women, Education and Development – VIDES, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, Reporters Sans Frontiers International – Reporters Without Borders International, Save the Children International, the Women's International League for Peace and Freedom, the World Evangelical Alliance (WEA) and World Vision International).

D. Consideration of and action on draft proposals

France

738. At the 24th meeting, on 6 June 2013, the Council adopted draft decision 23/101 without a vote (for the text as adopted, see part one, chapter II).

Tonga

739. At the 24th meeting, on 6 June 2013 the Council adopted draft decision 23/102 without a vote (for the text as adopted, see part one, chapter II).

Romania

740. At the 24th meeting, on 6 June 2013, the Council adopted draft decision 23/103 without a vote (for the text as adopted, see part one, chapter II).

Mali

741. At the 25th meeting, on 6 June 2013, the Council adopted draft decision 23/104 without a vote (for the text as adopted, see part one, chapter II).

Botswana

742. At the 25th meeting, on 6 June 2013, the Council adopted draft decision 23/105 without a vote (for the text as adopted, see part one, chapter II).

Bahamas

743. At the 25th meeting, on 6 June 2013, the Council adopted draft decision 23/106 without a vote (for the text as adopted, see part one, chapter II).

Burundi

744. At the 26th meeting, on 6 June 2013, the Council adopted draft decision 23/107 without a vote (for the text as adopted, see part one, chapter II).

Luxembourg

745. At the 26th meeting, on 6 June 2013, the Council adopted draft decision 23/108 without a vote (for the text as adopted, see part one, chapter II).

Barbados

746. At the 26th meeting, on 6 June 2013, the Council adopted draft decision 23/109 without a vote (for the text as adopted, see part one, chapter II).

Montenegro

747. At the 27th meeting, on 7 June 2013, the Council adopted draft decision 23/110 without a vote (for the text as adopted, see part one, chapter II).

United Arab Emirates

748. At the 27th meeting, on 7 June 2013, the Council adopted draft decision 23/111 without a vote (for the text as adopted, see part one, chapter II).

Liechtenstein

749. At the 27th meeting, on 7 June 2013, the Council adopted draft decision 23/112 without a vote (for the text as adopted, see part one, chapter II).

Serbia

750. At the 29th meeting, on 7 June 2013, the Council adopted draft decision 23/113 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 mandate holders

Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967

751. At the 30th meeting, on 10 June 2013, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk, presented his report (A/HRC/23/21).

752. At the same meeting, the representative of the State of Palestine made a statement as the State concerned.

753. During the ensuing interactive dialogue at the same meeting, and at the 31st meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁵² (on behalf of the Group of Arab States), Angola, Chile, Ecuador, Indonesia, Iran (Islamic Republic of)⁵² (on behalf of the Non-Aligned Movement), Kuwait, Malaysia, Maldives, Mauritania, Pakistan (on behalf of the Organization of Islamic Cooperation), Qatar, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Bahrain, Bangladesh, Cuba, Djibouti, Egypt, Iceland, Iran (Islamic Republic of), Iraq, Jordan, Lebanon, Morocco, Saudi Arabia, South Africa, Syrian Arab Republic, Tunisia, Turkey, Zimbabwe;

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

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

(e) Observers for non-governmental organizations: BADIL Resource Center for Palestinian Residency and Refugee Rights; Cairo Institute for Human Rights Studies; Defence for Children International; International Federation for Human Rights Leagues; International Organization for the Elimination of All Forms of Racial Discrimination; Touro Law Center, The Institute on Human Rights and The Holocaust; Union of Arab Jurists; United Nations Watch.

754. At the 31st meeting, the Special Rapporteur answered questions and made his concluding remarks.

B. General debate on agenda item 7

755. At its 31st meeting, on 10 June 2013, the Human Rights Council held a general debate on agenda item 7, during which the following made statements:

⁵² Observer of the Human Rights Council speaking on behalf of Member and observer States.

(a) The representatives of the Syrian Arab Republic and the State of Palestine, as the States concerned;

(b) Representatives of States Members of the Human Rights Council: Algeria⁵² (on behalf of the Group of Arab States), Brazil (also on behalf of India and South Africa), Gabon (on behalf of the Group of African States), Iran (Islamic Republic of)⁵² (on behalf of the Non-Aligned Movement), Kuwait, Libya, Malaysia, Maldives, Pakistan (on behalf of the Organization of Islamic Cooperation), Qatar, United Arab Emirates;

(c) Representatives of observer States: Algeria, Bahrain, Bangladesh, China, Cuba, Egypt, Iran (Islamic Republic of), Iraq, Jordan, Lebanon, Norway, Oman, Russian Federation, Saudi Arabia, Senegal, Sri Lanka, Sudan, Tunisia, Yemen;

(d) Observers for non-governmental organizations: BADIL Resource Center for Palestinian Residency and Refugee Rights, Centre for Human Rights and Peace Advocacy, CIVICUS – World Alliance for Citizen Participation, Commission of the Churches on International Affairs of the World Council of Churches, Coordinating Board of Jewish Organizations (also on behalf of B'nai B'rith), International Association of Democratic Lawyers (IADL), International Association of Jewish Lawyers and Jurists, International Commission of Jurists, International Organization for the Elimination of All Forms of Racial Discrimination, International Youth and Student Movement for the United Nations, Liberation, Mouvement contre le racisme et pour l'amitié entre les peuples, Organization for Defending Victims of Violence, Presse Embleme Campagne, Touro Law Center, The Institute on Human Rights and The Holocaust, Union of Arab Jurists, United Nations Watch.

VIII. Follow-up to and implementation of the Vienna Declaration and Programme of Action

A. General debate on agenda item 8

756. At its 32nd meeting, on 10 June 2013, the Human Rights Council held a general debate on agenda item 8, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Argentina, Austria, Brazil, Costa Rica (also on behalf of Argentina, Australia, Finland, Japan, Kenya and the United Kingdom of Great Britain and Northern Ireland), Czech Republic (also on behalf of Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Chile, Colombia, Costa Rica, Croatia, Cyprus, Denmark, Egypt, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Morocco, the Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Sierra Leone, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, Thailand, Tunisia, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay), Germany (also on behalf of Norway and the United States of America), Indonesia, Ireland (on behalf of the European Union, Albania, Croatia, Georgia, Iceland, Liechtenstein, Montenegro and the former Yugoslav Republic of Macedonia), Malaysia, Norway⁵³ (also on behalf of Argentina, Australia, Austria, Belgium, Brazil, Chile, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Mexico, Montenegro, the Netherlands, New Zealand, Portugal, Slovenia, Spain, Sweden, Switzerland, Thailand, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay), Spain, Tunisia⁵³ (also on behalf of Algeria, Angola, Argentina, Australia, Austria, Azerbaijan, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Djibouti, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mongolia, Montenegro, Monaco, Morocco, the Netherlands, New Zealand, Nigeria, Norway, Peru, Poland, Portugal, Qatar, the Republic of Korea, the Republic of Moldova, Romania, Saint Kitts and Nevis, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and the State of Palestine), United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, China, France, Morocco, Netherlands, Nigeria, South Africa;

(c) Observer for an intergovernmental organization: Council of Europe;

(d) Observers for national human rights institutions: International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (on behalf of the Australian Human Rights Commission, the Canadian Human Rights

⁵³ Observer of the Human Rights Council speaking on behalf of Member and observer States.

Commission, the Commission on Human Rights of the Philippines, the Danish Institute for Human Rights, the Defensor del Pueblo de Bolivia, the Defensor del Pueblo de España, the Equality and Human Rights Commission of Great Britain, the German Institute for Human Rights, the Greek National Commission for Human Rights, the Human Rights Ombudsman of Bosnia and Herzegovina, Instituto Nacional de Derechos Humanos de Chile, the Irish Human Rights Commission, the Luxembourg Human Rights Commission, the National Consultative Commission on Human Rights of France, the National Human Rights Commission of Mauritius, the National Human Rights Commission of Mongolia, the National Human Rights Commission of Nepal, the National Human Rights Commission of Thailand, the New Zealand Human Rights Commission, the Northern Ireland Human Rights Commission, the Office of Public Defender Georgia, the Ombudsman of the Republic of Croatia, Procuraduría para la Defensa de los Derechos Humanos de El Salvador, Procuraduría para la Defensa de los Derechos Humanos de Nicaragua, Provedor de Justiça Portugal, Republic of Albania People's Advocate, the Scottish Human Rights Commission, the South African Human Rights Commission and the Ukrainian Parliament Commissioner for Human Rights), International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (by video message);

(e) Observers for non-governmental organizations: Action Canada for Population and Development, Action internationale pour la paix et le développement dans la région des Grands Lacs (also on behalf of Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC)), Amnesty International, Association for Progressive Communications (APC) (also on behalf of Reporters Sans Frontiers International – Reporters Without Borders International), British Humanist Association, Center for Inquiry, Centre for Human Rights and Peace Advocacy, CIVICUS – World Alliance for Citizen Participation, East and Horn of Africa Human Rights Defenders Project, European Region of the International Lesbian and Gay Federation (also on behalf of the Canadian HIV/AIDS Legal Network, Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit – COC Nederland, Human Rights Watch, the International Lesbian and Gay Association and the International Service for Human Rights), France Libertés: Fondation Danielle Mitterrand, Indian Council of South America (CISA), International Buddhist Relief Organisation, International Human Rights Association of American Minorities (IHRAAM), International Humanist and Ethical Union, International Service for Human Rights, Liberation, Presse Emblème Campagne, United Nations Watch, Verein Sudwind Entwicklungspolitik, World Barua Organization (WBO), World Federation of Democratic Youth (WFDY), World Muslim Congress.

757. At the same meeting, statements in exercise of the right of reply were made by the representatives of Bulgaria, Egypt and Iran (Islamic Republic of).

B. Consideration of and action on draft proposals

National institutions for the promotion and protection of human rights

758. At the 39th meeting, on 13 June 2013, the representative of Australia introduced draft resolution A/HRC/23/L.15, sponsored by Australia and co-sponsored by Albania, Armenia, Austria, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Burkina Faso, Cambodia, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Djibouti, Ecuador, Egypt, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Jordan, Latvia, Lithuania, Luxembourg, Maldives, Malta, Mexico, Montenegro, Morocco, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Turkey, the United Kingdom of Great Britain and Northern

Ireland, the United Republic of Tanzania, the United States of America, Uruguay and the State of Palestine. Subsequently, Algeria, Angola, Argentina, Azerbaijan, Brazil, Bulgaria, Canada, India, Indonesia, Kenya, Mali, Nicaragua, Nigeria, Qatar, Rwanda, Senegal, Sierra Leone, Somalia, South Africa, the former Yugoslav Republic of Macedonia, Ukraine and Venezuela (Bolivarian Republic of) joined the sponsors.

759. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/17).

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 mandate holders

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

760. At the 33rd meeting, on 11 June 2013, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere, presented his reports (A/HRC/23/24, A/HRC/23/56 and Add.1–3).

761. At the same meeting, the representative of Bolivia (Plurinational State of) and Spain made statements as the countries concerned.

762. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Algeria⁵⁴ (on behalf of the Group of Arab States), Angola, Austria, Botswana, Brazil, Ecuador (on behalf of the Group of Latin American States), Indonesia, Kuwait, Libya, Maldives, Qatar, South Africa⁵⁴ (on behalf of the Group of African States), United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Armenia, Belarus, Belgium, Cuba, Iran (Islamic Republic of), Morocco, Namibia, Nigeria, Russian Federation, Saudi Arabia, Senegal, Slovenia, Sri Lanka, Turkey;

(c) Observers for intergovernmental organizations: European Union, Organization of Islamic Cooperation;

(d) Observers for non-governmental organizations: Franciscans International, International Association of Jewish Lawyers and Jurists, International Humanist and Ethical Union, Open Society Institute, United Nations Watch.

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

B. General debate on agenda item 9

764. At its 33rd meeting, on 11 June 2013, the Chairperson-Rapporteur of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, Mohamed Siad Douale, presented the report of the Working Group on its tenth session, held from 8 to 19 October 2012 (A/HRC/23/19).

765. At the same meeting and at the 34th meeting, on the same day, the Human Rights Council held a general debate on agenda item 9, during which the following made statements:

⁵⁴ Observer of the Human Rights Council speaking on behalf of Member and observer States.

(a) Representatives of States Members of the Human Rights Council: Algeria⁵⁴ (on behalf of the Group of Arab States), Botswana, Gabon (on behalf of the Group of African States), Ireland (on behalf of the European Union, Albania, Croatia, Iceland, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Ukraine), Pakistan (on behalf of the Organization of Islamic Cooperation), Sierra Leone, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, China, Cuba, Morocco, Nigeria, Norway, Russian Federation, Senegal, Sri Lanka;

(c) Observer for an intergovernmental organization: Council of Europe;

(d) Observers for non-governmental organizations: Center for Inquiry, Centre for Human Rights and Peace Advocacy, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC) (also on behalf of Action internationale pour la paix et le développement dans la région des Grands Lacs), Indian Council of South America (CISA), International Association of Jewish Lawyers and Jurists, International Buddhist Relief Organisation, International Educational Development, Inc., International Human Rights Association of American Minorities (IHRAAM), International Humanist and Ethical Union, International Youth and Student Movement for the United Nations, Liberation, Maarij Foundation for Peace and Development, Organization for Defending Victims of Violence, United Nations Watch, United Towns Agency for North-South Cooperation, World Muslim Congress.

766. At the 34th meeting, on the same day, a statement in exercise of the right of reply was made by the representative of Mauritania.

X. Technical assistance and capacity-building

A. Interactive dialogue with special procedures mandate holders

Independent Expert on the situation of human rights in Côte d'Ivoire

767. At the 34th meeting, on 11 June 2013, the Independent Expert on the situation of human rights in Côte d'Ivoire, Doudou Diène, presented his report (A/HRC/23/38).

768. At the same meeting, the representative of Côte d'Ivoire made a statement as the country concerned.

769. During the ensuing interactive dialogue, also at the same meeting, the following made statements and asked the Independent Expert questions:

(a) Representatives of States Members of the Human Rights Council: Argentina, Benin, Burkina Faso, United States of America;

(b) Representatives of observer States: Algeria, Belgium, France, Morocco, Nigeria, Senegal, Togo;

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

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

(e) Observers for non-governmental organizations: Amnesty International, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC) (also on behalf of Action internationale pour la paix et le développement dans la région des Grands Lacs), East and Horn of Africa Human Rights Defenders Project, Human Rights Watch, International Federation for Human Rights Leagues, United Nations Watch.

770. At the same meeting, the Independent Expert answered questions and made his concluding remarks.

B. General debate on agenda item 10

771. At the 36th meeting, on 12 June 2013, the Deputy High Commissioner for Human Rights made a statement providing an overview of and successes, best practises and challenges in technical assistance and capacity building efforts provided by the Office of the High Commissioner for Human Rights and relevant United Nations agencies in accordance with Council resolution 18/18.

772. At the same meeting, the Deputy High Commissioner presented country-specific reports of the High Commissioner submitted under agenda items 2 and 10 (A/HRC/23/31 and A/HRC/23/57).

773. Also at the same meeting, the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, Christopher Sidoti, presented his report (A/HRC/23/16 and Corr.1).

774. At the same meeting, on the same day, representatives of Mali and South Sudan made statements as the countries concerned.

775. At the same meeting and at the 37th meeting, on the same day, 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 Human Rights Council: Algeria⁵⁵ (on behalf of the Group of Arab States), Argentina, Brazil (on behalf of the Community of Portuguese-speaking Countries), Canada⁵⁵ (on behalf of members and observers of the International Organization of la Francophonie), Côte d'Ivoire, Gabon (on behalf of the Group of African States), Ireland (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 Ukraine), Kuwait, Maldives, Montenegro, Sierra Leone, Thailand, United States of America;

(b) Representatives of observer States: Algeria, Australia, China, France, Luxembourg, Mexico, Morocco, Togo, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for an intergovernmental organization: Council of Europe;

(d) Observers for non-governmental organizations: Caritas Internationalis (International Confederation of Catholic Charities), East and Horn of Africa Human Rights Defenders Project, Human Rights Watch, International Federation for Human Rights Leagues, International Service for Human Rights, Maarij Foundation for Peace and Development, Society Studies Centre (MADA ssc), United Nations Watch.

C. Consideration of and action on draft proposals

Technical assistance to the Central African Republic in the field of human rights

776. At the 39th meeting, on 13 June 2013, the representative of Gabon, on behalf of the Group of African States, introduced draft resolution A/HRC/23/L.3, sponsored by Gabon, on behalf of the Group of African States. Subsequently, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, France, Germany, Hungary, Indonesia, Ireland, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Norway, Poland, the Republic of Korea, Romania, Slovenia, Switzerland, Thailand and Turkey joined the sponsors.

777. At the same meeting, the representative of Gabon, on behalf of the Group of African States, orally revised the draft resolution.

778. Also at the same meeting, the representative of Ireland, on behalf of States members of the European Union that are members of the Council, made general comments in relation to the draft resolution.

779. At the same meeting, the representative of the Central African Republic made a statement as the country concerned.

780. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

⁵⁵ Observer of the Human Rights Council speaking on behalf of Member and observer States.

781. Also at the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

782. 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 23/18).

National policies and human rights

783. At the 39th meeting, on 13 June 2013, the representatives of Ecuador and Peru introduced draft resolution A/HRC/23/L.16, sponsored by Ecuador and Peru, and co-sponsored by Angola, Argentina, Australia, Austria, Belgium, Bolivia (Plurinational State of), Chile, Colombia, Costa Rica, the Czech Republic, Djibouti, Estonia, Ethiopia, Germany, Honduras, Ireland, Italy, Latvia, Maldives, Morocco, Namibia, the Netherlands, Portugal, the Republic of Moldova, Romania, Spain, Thailand, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Algeria, Bosnia and Herzegovina, Brazil, Burkina Faso, Croatia, Egypt, France, Georgia, Guatemala, Indonesia, Montenegro, New Zealand, Nicaragua, Norway, Poland, the Republic of Korea, Senegal, Slovenia, Switzerland, Turkey and the United States of America joined the sponsors.

784. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

785. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/19).

Technical assistance to Côte d'Ivoire in the field of human rights

786. At the 40th meeting, on 14 June 2013, the representative of Gabon, on behalf of the Group of African States, introduced draft resolution A/HRC/23/L.2/Rev.1, sponsored by Gabon, on behalf of the Group of African States, and co-sponsored by Australia, Austria, Belgium, Costa Rica, Croatia, Cyprus, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Maldives, Norway, Portugal, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Brazil, Bulgaria, Canada, the Czech Republic, Denmark, Indonesia, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, the Netherlands, New Zealand, Poland, the Republic of Korea, Switzerland, Thailand, Turkey and the United States of America joined the sponsors.

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

788. Also at the same meeting, the representative of Côte d'Ivoire made a statement as the country concerned.

789. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

790. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 23/22).

Strengthening of technical cooperation and consultative services in Guinea

791. At the 40th meeting, on 14 June 2013, the representative of Gabon, on behalf of the Group of African States, introduced draft resolution A/HRC/23/L.4, sponsored by Gabon,

on behalf of the Group of African States. Subsequently, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, France, Germany, Greece, Hungary, Indonesia, Ireland, Italy, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Norway, Poland, Portugal, the Republic of Korea, Slovenia, Switzerland, Thailand and Turkey joined the sponsors.

792. At the same meeting, the representative of Gabon, on behalf of the Group of African States, orally revised the draft resolution.

793. Also at the same meeting, the representative of Guinea made a statement as the country concerned.

794. At the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

795. 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 23/23).

Assistance to Somalia in the field of human rights

796. At the 40th meeting, on 14 June 2013, the representatives of Turkey and Somalia introduced draft decision A/HRC/23/L.11, sponsored by Australia, Austria, Djibouti, Ethiopia, Italy, Norway, Qatar, Somalia, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland and Yemen and co-sponsored by Belgium, Botswana, Côte d'Ivoire, Croatia, Cyprus, France, Germany, Maldives, Morocco, Portugal and Romania. Subsequently, Algeria (on behalf of the Group of Arab States), Bosnia and Herzegovina, Bulgaria, Denmark, Hungary, Ireland, Japan, Lithuania, Luxembourg, Mexico, Montenegro, Namibia, New Zealand, Poland, the Republic of Korea, the Republic of Moldova, Romania, Rwanda, Senegal, Slovenia and Thailand joined the sponsors.

797. At the same meeting, the representative of Somalia orally revised the draft decision.

798. Also at the same meeting, the representative of the United States of America made general comments in relation to the draft decision.

799. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft decision.

800. At the same meeting, the draft decision, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter II, decision 23/114).

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

801. At the 40th meeting, on 14 June 2013, the representative of Gabon, on behalf of the Group of African States, introduced draft resolution A/HRC/23/L.24, sponsored by Gabon, on behalf of the Group of African States. Subsequently, Australia, Canada, Georgia, Indonesia, the Republic of Korea, Switzerland, Turkey and the United States of America joined the sponsors.

802. At the same meeting, the representative of Gabon, on behalf of the Group of African States, orally revised the draft resolution.

803. Also at the same meeting, the representative of Ireland, on behalf of States members of the European Union that are members of the Council, made general comments in relation to the draft resolution.

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

805. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

806. 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 23/24).

Annex I

[English only]

Attendance

Members

Angola	Germany	Peru
Argentina	Guatemala	Philippines
Austria	India	Poland
Benin	Indonesia	Qatar
Botswana	Ireland	Republic of Korea
Brazil	Italy	Republic of Moldova
Burkina Faso	Japan	Romania
Chile	Kazakhstan	Sierra Leone
Congo	Kenya	Spain
Costa Rica	Kuwait	Switzerland
Côte d'Ivoire	Libya	Thailand
Czech Republic	Malaysia	Uganda
Ecuador	Maldives	United Arab Emirates
Estonia	Mauritania	United States of America
Ethiopia	Montenegro	Venezuela (Bolivarian Republic of)
Gabon	Pakistan	

States Members of the United Nations represented by observers

Afghanistan	Comoros	Iraq
Albania	Croatia	Jamaica
Algeria	Cuba	Jordan
Andorra	Cyprus	Kyrgyzstan
Armenia	Democratic People's Republic of Korea	Lao People's Democratic Republic
Australia	Democratic Republic of the Congo	Latvia
Azerbaijan	Denmark	Lebanon
Bahamas	Djibouti	Lesotho
Bahrain	Dominican Republic	Liechtenstein
Bangladesh	Egypt	Lithuania
Barbados	El Salvador	Luxembourg
Belarus	Equatorial Guinea	Madagascar
Belgium	Eritrea	Mali
Bolivia (Plurinational State of)	Finland	Malta
Bosnia and Herzegovina	France	Mauritius
Brunei Darussalam	Georgia	Mexico
Bulgaria	Ghana	Monaco
Burundi	Greece	Mongolia
Cambodia	Guinea	Morocco
Canada	Honduras	Mozambique
Central African Republic	Hungary	Myanmar
Chad	Iceland	Namibia
China	Iran (Islamic Republic of)	Nepal
Colombia		Netherlands

New Zealand	Singapore	Tonga
Nicaragua	Slovakia	Tunisia
Niger	Slovenia	Turkey
Nigeria	Solomon Islands	Turkmenistan
Norway	Somalia	Ukraine
Oman	South Africa	United Kingdom of Great Britain and Northern Ireland
Panama	South Sudan	United Republic of Tanzania
Paraguay	Sri Lanka	Uruguay
Portugal	Sudan	Uzbekistan
Russian Federation	Sweden	Viet Nam
Rwanda	Syrian Arab Republic	Yemen
Saint Kitts and Nevis	The former Yugoslav Republic of Macedonia	Zimbabwe
San Marino	Tajikistan	
Saudi Arabia	Timor-Leste	
Senegal	Togo	
Serbia		

Non-Member States represented by observers

Holy See
State of Palestine

United Nations

Joint United Nations Programme on HIV/AIDS	United Nations Office for Disarmament Affairs
United Nations Children's Fund	United Nations Population Fund
United Nations Educational, Scientific and Cultural Organization	

Specialized agencies and related organizations

International Labour Organization	World Intellectual Property Organization
International Telecommunication Union	World Trade Organization
World Health Organization	

Intergovernmental organizations

African Union	International Organization for Migration
Commonwealth Secretariat	International Organization of la Francophonie
Council of Europe	Organization of Islamic Cooperation
European Union	

Other entities

International Committee of the Red Cross
Sovereign Military Order of Malta
Special Tribunal for Lebanon

National human rights institutions, international coordinating committees and regional groups of national institutions

Conseil Consultative des Droits de l'Homme du Royaume du Maroc
Consultative Commission on Human Rights of the Grand Duchy of Luxembourg (by video message)
Institution of Human Rights Ombudsmen of Bosnia and Herzegovina

International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights
National Committee for Human Rights – Qatar
National Consultative Commission on Human Rights of France
Protector of Citizens of the Republic of Serbia (by video message)

Non-governmental organizations

Action Canada for Population and Development
Action internationale pour la paix et le développement dans la région des Grands Lacs
Africa Culture Internationale
African-American Society for Humanitarian Aid and Development
Agence Internationale pour le Développement
Aliran Kesedaran Negara National Consciousness Movement
Al-Hakim Foundation
Al-Haq, Law in the Service of Man
Amman Center for Human Rights Studies
Amnesty International
Anglican Consultative Council
Anti-Slavery International
Antiviolence Center
Article 19 – The International Centre against Censorship
Asia Pacific Forum on Women, Law and Development
Asian Forum for Human Rights and Development
Asian Indigenous and Tribal Peoples Network (AITPN)
Asian Legal Resource Centre
Association for Progressive Communications (APC)
Association for Social Action and Development
Association for the Prevention of Torture
Association of World Citizens
Association Points-Cœur
Association pour l'Intégration et le Développement Durable au Burundi
Associazione Comunita Papa Giovanni XXIII
BADIL Resource Center for Palestinian Residency and Resource Rights

Baha'i International Community
British Humanist Association
Bridges International
Cairo Institute for Human Rights Studies
Canadian HIV/AIDS Legal Network
Canners International Permanent Committee
Care International
Caritas Internationalis (International Confederation of Catholic Charities)
Center for Reproductive Rights, Inc.
Centre Europe - Tiers Monde – Europe-Third World Centre
Centre for Human Rights and Peace Advocacy
Center for Inquiry
Centre indépendant de recherches et d'initiatives pour le dialogue
Centrist Democratic International
Chamber of Computer Logistics People Worldwide
CIVICUS – World Alliance for Citizen Participation
Colombian Commission of Jurists
Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC)
Commission of the Churches on International Affairs of the World Council of Churches
Commonwealth Human Rights Initiative
Company of the Daughters of Charity of St. Vincent de Paul
Conectas Direitos Humanos
Congregation of Our Lady of Charity of the Good Shepherd
Coordinating Board of Jewish Organizations
Corporate Accountability International
Defence for Children International

Development Innovations and Networks
 Disabled Peoples' International
 Dominicans for Justice and Peace – Order
 of Preachers
 Earthjustice
 East and Horn of Africa Human Rights
 Defenders Project
 Eastern Sudan Women Development
 Organization
 Elizabeth Glaser Pediatric AIDS
 Foundation
 Equality Now
 Espace Afrique International
 European Centre for Law and Justice
 European Disability Forum
 European Law Students' Association
 European Region of the International
 Lesbian and Gay Association
 Federatie van Nederlandse Verenigingen tot
 Integratie van Homoseksualiteit – COC
 Nederland
 Federation for Women and Family Planning
 Femmes Afrique Solidarité
 Femmes Solidaires
 Fondazione Marista per la Solidarietà
 Internazionale ONLUS
 Forum for Women and Development –
 FOKUS
 France Libertés: Fondation Danielle
 Mitterrand
 Franciscans International
 Freedom House
 Freemuse - The World Forum on Music and
 Censorship
 Friedrich Ebert Stiftung
 Friends World Committee for Consultation
 (Quakers)
 General Arab Women Federation
 Geneva for Human Rights – Global
 Training
 Geneva Infant Feeding Association
 German Catholic Bishops' Organisation for
 Development Cooperation
 Globethics.net Foundation
 Habitat International Coalition (by video
 message)
 Hawa Society for Women
 Helsinki Foundation for Human Rights
 Human Rights House Foundation
 Human Rights Information and
 Documentation Systems International
 Human Rights Law Centre
 Human Rights League of the Horn of
 Africa
 Human Rights Now
 Human Rights Watch
 Il Cenacolo
 Inclusion International (International
 League of Societies for Persons with
 Mental Handicaps)
 Indian Council of South America (CISA)
 Indian Movement Tupaj Amaru
 Initiatives of Change
 Institute for Family Policy
 Institute for Planetary Synthesis
 International Association of Democratic
 Lawyers (IADL)
 International Association of Jewish Lawyers
 and Jurists
 International Association of Peace
 Messenger Cities
 International Bridges to Justice, Inc.
 International Buddhist Relief Organisation
 International Catholic Child Bureau
 International Center for Not-for-Profit Law
 (INCPL)
 International Commission of Jurists
 International Committee for the Indians of
 the Americas (Incomindios Switzerland)
 International Educational Development, Inc.
 International Federation for Human Rights
 Leagues
 International Federation of ACAT (Action by
 Christians for the Abolition of Torture)
 International Federation of Journalists
 International Federation of University
 Women
 International Fellowship of Reconciliation
 International Gay and Lesbian Human Rights
 Commission
 International Human Rights Association of
 American Minorities (IHRAAM)
 International Humanist and Ethical Union
 International Lesbian and Gay Association
 International Movement against all Forms
 of Discrimination and Racism (IMADR)
 International Movement ATD Fourth World
 International Muslim Women's Union
 International Organization for the
 Elimination of all Forms of Racial
 Discrimination
 International Organization for the Right to
 Education and Freedom of Education
 (OIDEI)
 International Service for Human Rights

International Volunteerism Organization for Women, Education and Development – VIDES
 International Women Bond
 International Youth and Student Movement for the United Nations
 Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco
 Japan Federation of Bar Associations
 Japanese Workers' Committee for Human Rights
 Jubilee Campaign
 Lawyers' Rights Watch Canada
 Liberal International (World Liberal Union)
 Liberation
 Lutheran World Federation
 Maarij Foundation for Peace and Development
 Make Mothers Matter International
 Mandat International
 Minority Rights Group
 Mouvement contre le racisme et pour l'amitié entre les peuples
 New Humanity
 Nonviolent Radical Party, Transnational and Transparty
 Norwegian Refugee Council
 ONG Hope International
 Open Society Institute
 Organisation pour la communication en Afrique et de promotion de la coopération économique internationale – OCAPROCE Internationale
 Organization for Defending Victims of Violence
 Oxfam Novib
 Pasumai Thaayagam Foundation
 Pax Christi International
 Peace Boat
 Penal Reform International
 People's Solidarity for Participatory Democracy
 Permanent Assembly for Human Rights
 Physicians for Human Rights
 Plan International, Inc.
 Presse Emblème Campagne
 Rencontre africain pour la défense des droits de l'homme
 Romani CRISS – Roma Centre for Social Intervention and Studies
 Save the Children International
 Servas International
 Social Service Agency of the Protestant Church in Germany
 Society for Development and Community Empowerment
 Society for Threatened Peoples
 Society Studies Centre (MADA ssc)
 Sudan Council of Voluntary Agencies
 Terre des Hommes International Fédération
 Touro Law Center, The Institute on Human Rights and The Holocaust
 Traditions pour demain
 Union of Arab Jurists
 United Nations Watch
 United Towns Agency for North-South Cooperation
 UPR Info
 Verein Sudwind Entwicklungspolitik
 Village Suisse ONG
 Vivat International
 Women's Human Rights International Association
 Women's International League for Peace and Freedom
 Women's World Summit Foundation
 Word of Life Christian Fellowship
 World Association for the School as an Instrument of Peace
 World Barua Organization
 World Environment and Resources Council
 World Federation of Democratic Youth (WFDY)
 World Muslim Congress
 World Organization against Torture
 World Peace Council
 World Vision International
 World Young Women's Christian Association
 Worldwide Organization for Women

Annex II

Agenda

- Item 1. Organizational and procedural matters
- Item 2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General
- Item 3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development
- Item 4. Human rights situations that require the Council's attention
- Item 5. Human rights bodies and mechanisms
- Item 6. Universal periodic review
- Item 7. Human rights situation in Palestine and other occupied Arab territories
- Item 8. Follow-up to and implementation of the Vienna Declaration and Programme of Action
- Item 9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action
- Item 10. Technical assistance and capacity-building

Annex III

[English, French and Spanish only]

Documents issued for the twenty-third session

Documents issued in the general series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/1	1	Annotations to the agenda for the twenty-third session of the Human Rights Council
A/HRC/23/2	1	Report of the Human Rights Council on its twenty-third session
A/HRC/23/3	6	Report of the Working Group on the Universal Periodic Review on France
A/HRC/23/3/Add.1	6	Addendum
A/HRC/23/4	6	Report of the Working Group on the Universal Periodic Review on Tonga
A/HRC/23/4/Add.1	6	Addendum
A/HRC/23/5	6	Report of the Working Group on the Universal Periodic Review on Romania
A/HRC/23/5/Add.1	6	Addendum
A/HRC/23/6	6	Report of the Working Group on the Universal Periodic Review on Mali
A/HRC/23/6/Add.1	6	Addendum
A/HRC/23/7	6	Report of the Working Group on the Universal Periodic Review on Botswana
A/HRC/23/7/Corr.1	6	Corrigendum
A/HRC/23/7/Add.1	6	Addendum
A/HRC/23/8	6	Report of the Working Group on the Universal Periodic Review on Bahamas
A/HRC/23/8/Add.1	6	Addendum
A/HRC/23/9	6	Report of the Working Group on the Universal Periodic Review on Burundi
A/HRC/23/10	6	Report of the Working Group on the Universal Periodic Review on Luxembourg
A/HRC/23/10/Add.1	6	Addendum
A/HRC/23/11	6	Report of the Working Group on the Universal Periodic Review on Barbados
A/HRC/23/11/Corr.1	6	Corrigendum

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/11/Add.1	6	Addendum
A/HRC/23/12	6	Report of the Working Group on the Universal Periodic Review on Montenegro
A/HRC/23/12/Add.1	6	Addendum
A/HRC/23/13	6	Report of the Working Group on the Universal Periodic Review on United Arab Emirates
A/HRC/23/13/Add.1	6	Addendum
A/HRC/23/14	6	Report of the Working Group on the Universal Periodic Review on Liechtenstein
A/HRC/23/14/Add.1	6	Addendum
A/HRC/23/15	6	Report of the Working Group on the Universal Periodic Review on Serbia
A/HRC/23/15/Add.1	6	Addendum
A/HRC/23/16	10	Report of the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights
A/HRC/23/16/Corr.1	10	Corrigendum
A/HRC/23/17– E/CN.6/2013/8	2	Report of the United Nations Entity for Gender Equality and the Empowerment of Women on the activities of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women
A/HRC/23/18	2, 3	Workshop on regional arrangements for the promotion and protection of human rights: report of the United Nations High Commissioner for Human Rights
A/HRC/23/19	9	Report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on its tenth session
A/HRC/23/20	3	Seminar on the enhancement of international cooperation in the field of human rights
A/HRC/23/21	7	Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967
A/HRC/23/22	2, 3	Analytical report on conscientious objection to military service

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/23	2, 3	Report on discrimination against women on nationality related matters, including the impact on children: report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/23/24	9	Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the implementation of General Assembly resolution 67/154
A/HRC/23/25	2, 3	Report on creating and/or strengthening synergies and linkages on violence against women and girls: report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/23/26	2, 3	Summary report of the Human Rights Council panel discussion on the negative impact of corruption on the enjoyment of human rights
A/HRC/23/27	2, 8	National institutions for the promotion and protection of human rights: report of the Secretary-General
A/HRC/23/28	2, 8	Activities of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights in accrediting national institutions in compliance with the Paris Principles: report of the Secretary-General
A/HRC/23/29	2, 8	Summary of the Human Rights Council high-level panel discussion to commemorate the twentieth anniversary of the adoption of the Vienna Declaration and Programme of Action
A/HRC/23/30	2, 9	Summary of the outcome of the Nelson Mandela International Day high-level panel discussion on how the values of reconciliation, peace, freedom and racial equality can contribute to the promotion and protection of human rights: report of the High Commissioner for Human Rights
A/HRC/23/31	2, 10	Progress of technical assistance and capacity-building for South Sudan in the field of human rights: report of the United Nations High Commissioner for Human Rights

Documents issued in the general series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/32	3	Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises
A/HRC/23/32/Add.1	3	Visit to Mongolia
A/HRC/23/32/Add.2	3	Uptake of the Guiding Principles on Business and Human Rights: practices and results from pilot surveys of Governments and corporations
A/HRC/23/33	3, 5	Summary of discussions of the Forum on Business and Human Rights: note by the secretariat
A/HRC/23/34	3	Report of the Special Rapporteur in the field of cultural rights, Farida Shaheed
A/HRC/23/34/Add.1	3	Mission to the Russian Federation
A/HRC/23/34/Add.2	3	Mission to Saint Vincent and the Grenadines
A/HRC/23/34/Add.3	3	Mission to the Russian Federation: comments by the State on the report of the Special Rapporteur
A/HRC/23/35	3	Report of the Special Rapporteur on the right to education, Kishore Singh: Justiciability of the right to education
A/HRC/23/35/Add.1	3	Mission to Tunisia
A/HRC/23/35/Add.2	3	Mission to Ecuador
A/HRC/23/36	3	Report of the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona
A/HRC/23/36/Add.1	3	Mission to Namibia
A/HRC/23/36/Add.2	3	Mission to Mongolia
A/HRC/23/36/Add.3	3	Mission to Namibia: comments by the State on the report of the Special Rapporteur
A/HRC/23/37	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 all human rights, particularly economic, social and cultural rights, Cephias Lumina: An assessment of the human rights impact of international debt relief initiatives
A/HRC/23/37/Add.1	3	Mission to Latvia

Documents issued in the general series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/38	10	Rapport de l'expert indépendant sur la situation des droits de l'homme en Côte d'Ivoire, Doudou Diène
A/HRC/23/39	3	Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai
A/HRC/23/39/Add.1	3	Mission to the United Kingdom of Great Britain and Northern Ireland
A/HRC/23/39/Add.2	3	Observations on communities
A/HRC/23/39/Add.3	3	Comments by the United Kingdom of Great Britain and Northern Ireland
A/HRC/23/40	3	Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue
A/HRC/23/40/Corr.1	3	Corrigendum
A/HRC/23/40/Add.1	3	Mission to Honduras
A/HRC/23/40/Add.3	3	Misión a Honduras Comentarios del Estado sobre el informe del Relator Especial
A/HRC/23/41	3	Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover
A/HRC/23/41/Add.1	3	Mission to Azerbaijan
A/HRC/23/41/Add.2	3	Mission to Tajikistan
A/HRC/23/41/Add.3	3	Mission to Japan
A/HRC/23/41/Add.4	3	Mission to Azerbaijan Comments by the State on the report of the Special Rapporteur
A/HRC/23/41/Add.5/Rev.1	3	Mission to Japan: comments by the State on the report of the Special Rapporteur
A/HRC/23/42	3	Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, on access to medicines
A/HRC/23/43	3	Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul
A/HRC/23/43/Corr.1	3	Corrigendum
A/HRC/23/43/Add.1	3	Mission to El Salvador

Documents issued in the general series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/43/Add.2	3	Mission to Pakistan
A/HRC/23/43/Add.3	3	Mission to the Maldives
A/HRC/23/43/Add.4	3	Consultations in Panama
A/HRC/23/44	3	Report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani
A/HRC/23/44/Add.1	3	Mission to Côte d'Ivoire
A/HRC/23/44/Add.2	3	Mission to Sudan
A/HRC/23/44/Add.3	3	Mission to Sudan: comments by the State on the report of the Special Rapporteur
A/HRC/23/45	3	Report of the Independent Expert on human rights and international solidarity, Virginia Dandan
A/HRC/23/45/Add.1	3	Mission to Brazil
A/HRC/23/46	3	Report of the Special Rapporteur on the human rights of migrants, François Crépeau – Regional study: management of the external borders of the European Union and its impact on the human rights of migrants
A/HRC/23/46/Add.1	3	Mission to Tunisia
A/HRC/23/46/Add.2	3	Mission to Turkey
A/HRC/23/46/Add.3	3	Mission to Italy
A/HRC/23/46/Add.3/Corr.1	3	Corrigendum
A/HRC/23/46/Add.4	3	Mission to Greece
A/HRC/23/46/Add.5	3	Mission to Greece: comments by the State on the report of the Special Rapporteur
A/HRC/23/46/Add.6	3	Mission to Turkey: comments by the State on the report of the Special Rapporteur
A/HRC/23/47	3	Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns
A/HRC/23/47/Add.1	3	Mission to India
A/HRC/23/47/Add.1/Corr.1	3	Corrigendum
A/HRC/23/47/Add.2	3	Mission to Turkey
A/HRC/23/47/Add.3	3	Follow-up to country recommendations - Ecuador

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/47/Add.4	3	Follow-up to country recommendations - Albania
A/HRC/23/47/Add.5	3	Observations on communications
A/HRC/23/47/Add.6	3	Mission to Turkey: comments by the State on the report of the Special Rapporteur
A/HRC/23/47/Add.7	3	Mission to India: comments by the State on the report of the Special Rapporteur
A/HRC/23/48	3	Report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo
A/HRC/23/48/Add.1	3	Mission to United Arab Emirates
A/HRC/23/48/Add.2	3	Mission to Gabon
A/HRC/23/48/Add.3	3	Mission to the Philippines
A/HRC/23/48/Add.4	3	Expert consultation on human trafficking and global supply chains
A/HRC/23/48/Add.5	3	Mission to the Philippines: comments by the Government on the report of the Special Rapporteur
A/HRC/23/49	3	Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo
A/HRC/23/49/Add.1	3	Mission to the Solomon Island: Addendum
A/HRC/23/49/Add.2	3	Mission to the Papua New Guinea: Addendum
A/HRC/23/49/Add.3	3	Mission to Bosnia and Herzegovina: Addendum
A/HRC/23/49/Add.4	3	Mission to Croatia: addendum
A/HRC/23/49/Add.5	3	Report on consultations: Addendum
A/HRC/23/50	3	Report of the Working Group on the issue of discrimination against women in law and in practice
A/HRC/23/50/Add.1	3	Mission to the Republic of Moldova
A/HRC/23/50/Add.2	3	Mission to Tunisia
A/HRC/23/51	3, 4, 7, 9, 10	Communications report of Special Procedures
A/HRC/23/52	4	Report of the Special Rapporteur on the situation of human rights in Belarus

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/53	4	Report of the Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth
A/HRC/23/54	5	Report of the 2012 Social Forum (Geneva, 1–3 October 2012)
A/HRC/23/55	5	Report of the open-ended intergovernmental working group on a draft United Nations declaration on the right to peace: note by the secretariat
A/HRC/23/56	9	Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere
A/HRC/23/56/Add.1	9	Mission to Bolivia
A/HRC/23/56/Add.2	9	Mission to Spain
A/HRC/23/56/Add.3	9	Mission to Spain: comments by the State on the report of the Special Rapporteur
A/HRC/23/57	2, 10	Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Mali
A/HRC/23/58	4	Report of the Independent International Commission of Inquiry on the Syrian Arab Republic
A/HRC/23/59	2, 3	Summary of the full-day meeting on the rights of the child: report of the United Nations High Commissioner for Human Rights
A/HRC/23/60	2, 6	Report of the Office of the United Nations High Commissioner for Human Rights on the operations of the Voluntary Fund for financial and technical assistance in the implementation of the universal periodic review: note by the Secretary-General
A/HRC/23/61	2, 6	Report of the Office of the United Nations High Commissioner for Human Rights on the operations of the Voluntary Fund for Participation in the Universal Periodic Review

Documents issued in the conference room paper series

<i>Symbol</i>	<i>Agenda item</i>
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Documents issued in the conference room paper series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/CRP.1	6	Report of the President of the Human Rights Council submitted in accordance with Council decision OM/7/1 of 29 January 2013
A/HRC/23/CRP.2	1	Human Rights Council Task Force on Secretariat Services, Accessibility for Persons with Disabilities and Use of Information Technology: Status of implementation of recommendations as of 10/06/2013

Documents issued in the limited series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/L.1	1	The deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in Al-Qusayr
A/HRC/23/L.2 and Rev.1	10	Technical assistance to Côte d'Ivoire in the field of human rights
A/HRC/23/L.3	10	Technical assistance to the Central African Republic in the field of human rights
A/HRC/23/L.4	10	Strengthening of technical cooperation and consultative services in Guinea
A/HRC/23/L.5	3	The role of freedom of opinion and expression in women's empowerment
A/HRC/23/L.6	3	Enhancement of international cooperation in the field of human rights
A/HRC/23/L.7	3	Right to education: follow-up to Human Rights Council resolution 8/4
A/HRC/23/L.8	3	Trafficking in persons, especially women and children: efforts to combat human trafficking in supply chains of businesses
A/HRC/23/L.9	3	Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers
A/HRC/23/L.10 and Rev.1	3	Access to medicines in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health
A/HRC/23/L.11	10	Assistance to Somalia in the field of human rights
A/HRC/23/L.12	3	Human rights of migrants

Documents issued in the limited series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/L.13	3	Elimination of discrimination against women
A/HRC/23/L.14	3	Mandate of the Special Rapporteur on the human rights of internally displaced persons
A/HRC/23/L.15	8	National institutions for the promotion and protection of human rights
A/HRC/23/L.16	10	National policies and human rights
A/HRC/23/L.17	4	Situation of human rights in Eritrea
A/HRC/23/L.18	4	Situation of human rights in Belarus
A/HRC/23/L.19	3	The negative impact of corruption on the enjoyment of human rights
A/HRC/23/L.20	3	Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity
A/HRC/23/L.21	5	Promotion of the right to peace
A/HRC/23/L.22	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/23/L.23	3	Human rights and international solidarity
A/HRC/23/L.24	10	Technical assistance and capacity-building for South Sudan in the field of human rights
A/HRC/23/L.25	3	Attacks and discrimination against persons with albinism
A/HRC/23/L.26	1	Situation of human rights of Muslims in Myanmar
A/HRC/23/L.27	3	Human rights and climate change
A/HRC/23/L.28	3	Accelerating efforts to eliminate all forms of violence against women: preventing and responding to rape and other forms of sexual violence
A/HRC/23/L.29	4	The deterioration of the situation of human rights in the Syrian Arab Republic and the need to grant immediate access to the commission of inquiry
A/HRC/23/L.30	3	Amendment to draft resolution A/HRC/23/L.28
A/HRC/23/L.31	3	Amendment to draft resolution A/HRC/23/L.28

Documents issued in the limited series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/L.32	3	Amendment to draft resolution A/HRC/23/L.28
A/HRC/23/L.33	3	Amendment to draft resolution A/HRC/23/L.28
A/HRC/23/L.34	3	Amendment to draft resolution A/HRC/23/L.28
A/HRC/23/L.35	3	Amendment to draft resolution A/HRC/23/L.28
A/HRC/23/L.36	3	Amendment to draft resolution A/HRC/23/L.5

Documents issued in the Government series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/G/1	3	Letter dated 15 May 2013 from the Permanent Representative of Mongolia to the United Nations Office at Geneva addressed to the President of the Human Rights Council
A/HRC/23/G/2	3	Note verbale dated 21 May 2013 from the Permanent Delegation of the European Union to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/23/G/3	3	Note verbale dated 29 May 2013 from the Permanent Mission of Greece to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/23/G/4	2, 10	Note verbale dated 31 May 2013 from the Permanent Mission of South Sudan to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/23/G/5	3	Nota verbal de fecha 30 de mayo de 2013 dirigida a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos por la Misión Permanente de Nicaragua ante la Oficina de las Naciones Unidas y otras Organizaciones Internacionales en Ginebra

Documents issued in the Government series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/G/6	3	Note verbale dated 4 June 2013 from the Permanent Mission of the Republic of Singapore to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/23/G/7	8	Note verbale dated 19 June 2013 from the Permanent Mission of the Republic of Bulgaria to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/NGO/1	7	Written statement submitted by the Mouvement contre le Racisme et pour l'Amitié entre les Peuples (MRAP), a nongovernmental organization on the roster
A/HRC/23/NGO/2	3	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster
A/HRC/23/NGO/3	3	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster
A/HRC/23/NGO/4	3	Exposé écrit présenté conjointement par France Libertés –Fondation Danielle Mitterrand, organisation non gouvernementale dotée du statut consultatif spécial, le Mouvement contre le Racisme et pour l'Amitié entre les Peuples (MRAP), organisation non gouvernementale sur la liste
A/HRC/23/NGO/5	3	Exposé écrit présenté conjointement par France Libertés –Fondation Danielle Mitterrand, organisation non gouvernementale dotée du statut consultatif spécial, et le Mouvement contre le Racisme et pour l'Amitié entre les Peuples – MRAP, organisation non gouvernementale sur la liste

Documents issued in the non-governmental organization series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/NGO/6	3	Exposé écrit présenté conjointement par France Libertés –Fondation Danielle Mitterrand, organisation non gouvernementale dotée du statut consultatif spécial, le Mouvement contre le Racisme et pour l’Amitié entre les Peuples (MRAP) et Survival International Ltd, organisations non gouvernementales sur la liste
A/HRC/23/NGO/7	5	Written statement submitted by Reporters Without Borders International, a non-governmental organization in special consultative status
A/HRC/23/NGO/8	5	Written statement submitted by the Permanent Assembly for Human Rights, a non-governmental organization in special consultative status
A/HRC/23/NGO/9	4	Written statement submitted by the Maarij Foundation for Peace and Development (MFPD), a non-governmental organization in special consultative status
A/HRC/23/NGO/10	3	Written statement submitted by the Maarij Foundation for Peace and Development (MFPD), a non-governmental organization in special consultative status
A/HRC/23/NGO/11	6	Exposé écrit présenté par International Federation of ACAT (Action by Christians for the Abolition of Torture), organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/12	3	Written statement submitted by the International Commission of Jurists, a non-governmental organization in special consultative status
A/HRC/23/NGO/13	6	Exposé écrit présenté par International Federation of ACAT (Action by Christians for the Abolition of Torture), organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/14	6	Exposé écrit présenté par International Federation of ACAT (Action by Christians for the Abolition of Torture), organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/15	4	Written statement submitted by Mouvement contre le Racisme et pour l’Amitié entre les Peuples (MRAP), a nongovernmental organization on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/NGO/16	3	Joint written statement submitted by the Europe-Third World Centre (CETIM), a non-governmental organization in general consultative status; the International Association of Democratic Lawyers (IADL) and the American Association of Jurists (AAJ), non-governmental organizations in special consultative status
A/HRC/23/NGO/17	3	Written statement submitted by the Europe-Third World Centre (CETIM), a non-governmental organization in general consultative status
A/HRC/23/NGO/19	3	Written statement submitted by the Society Studies Centre (MADA ssc), a non-governmental organization in special consultative status
A/HRC/23/NGO/20	3	Written statement submitted by the Al Zubair Charitable Foundation, a non-governmental organization in special consultative status
A/HRC/23/NGO/21	2, 3	Written statement submitted by Equality Now, a nongovernmental organization in special consultative
A/HRC/23/NGO/22	4	Written statement submitted by Mouvement contre le Racisme et pour l'Amitié entre les Peuples (MRAP), a non-governmental organization on the roster
A/HRC/23/NGO/23	3	Written statement submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status
A/HRC/23/NGO/24	7	Written statement submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status
A/HRC/23/NGO/25	6	Written statement submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status
A/HRC/23/NGO/26	9	Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status
A/HRC/23/NGO/27	7	Written statement submitted by United Nations Watch, 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/23/NGO/28	4	Written statement submitted by the International Movement against all Forms of Discrimination and Racism (IMADR), a non-governmental organization in special consultative status
A/HRC/23/NGO/29	3	Written statement submitted by the Global Alliance Against Traffic in Women, a non-governmental organization in special consultative status
A/HRC/23/NGO/31	3	Joint written statement submitted by the Franciscans International and the Commission of the Churches on International Affairs of the World Council of Churches, nongovernmental organizations in general consultative status; VIVAT International and the Dominicans for Justice and Peace - Order of Preachers, non-governmental organizations in special consultative status
A/HRC/23/NGO/32	3	Written statement submitted by Verein Sudwind Entwicklungspolitik (Südwind), a non-governmental organization in special consultative status
A/HRC/23/NGO/33	3	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/23/NGO/34	7	Written statement submitted by the BADIL Resource Center for Palestinian Residency and Refugee Rights, a nongovernmental organization in special consultative status
A/HRC/23/NGO/35	3	Written statement submitted by the Federation of Western Thrace Turks in Europe (ABTTF), a non-governmental organization in special consultative status
A/HRC/23/NGO/36	3	Written statement submitted by the International Movement Against all Forms of Discrimination and Racism (IMADR), a non-governmental organization in special consultative status
A/HRC/23/NGO/37	3	Written statement submitted by Reporters Without Borders International, 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/23/NGO/38	3	Written statement submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status
A/HRC/23/NGO/40	3	Written statement submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status
A/HRC/23/NGO/41	4	Written statement submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status
A/HRC/23/NGO/42	3	Written statement submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status
A/HRC/23/NGO/43	4	Written statement submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status
A/HRC/23/NGO/44	3	Written statement submitted by the Asian Legal Resource Centre (ALRC), 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/23/NGO/45	4	Joint written statement submitted by the International Youth and Student Movement for the United Nations (ISMUN), a nongovernmental organization in general consultative status; the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation (GAWF), North-South XX1, the United Towns Agency for North-South Cooperation, the Indian Movement “Tupaj Amaru”, the Arab Organization for Human Rights (AOHR), the Asian Women’s Human Rights Council, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE, the International Federation of University Women (IFUW), Organisation Mondiale des Associations pour l’Education Prénatale, and the World Wide Organization for Women (WOW), non-governmental organizations in special consultative status; the International Human Rights Association of American Minorities (IHRAAM), the Indian Council of South America (CISA), the World Peace Council, and International Educational Development, Inc. (IED), non-governmental organizations on the roster
A/HRC/23/NGO/46	7	Joint written statement submitted by the Palestinian Centre for Human Rights, the Arab Organization for Human Rights and the International Association of Democratic Lawyers, non-governmental organization in special consultative status
A/HRC/23/NGO/48	3	Written statement submitted by Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status
A/HRC/23/NGO/49	3	Exposé écrit présenté par France Libertés : Fondation Danielle Mitterrand, organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/50	6	Joint written statement submitted by the Human Rights Law Centre and the National Association of Community Legal Centres, non-governmental organizations in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/NGO/51	3	Exposé écrit présenté par France Libertés : Fondation Danielle Mitterrand, organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/52	3	Joint written statement submitted by CIVICUS –World Alliance for Citizen Participation, Franciscans International (FI), the International Council of Women / Conseil International des Femmes (ICW-CIF), the International Movement ATD Fourth World, non-governmental organizations in general consultative status; Association Points-Coeur, Associazione Comunita Papa Giovanni XXIII (APG23), Bureau International Catholique de l'Enfance (BICE), the Dominicans for Justice and Peace (Order of Preachers), Edmund Rice International Limited (ERI), Global Hope Network International (GHNI), Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco (IIMA), the International Volunteerism Organization for Women, Education and Development (VIDES International) and the Programme on Women's Economic Social and Cultural Rights (PWESCR), non-governmental organizations in special consultative status
A/HRC/23/NGO/53	3	Exposición escrita presentada por Permanent Assembly for Human Rights, organización no gubernamental reconocida como entidad consultiva especial
A/HRC/23/NGO/54	3	Exposición escrita presentada por Permanent Assembly for Human Rights, organización no gubernamental reconocida como entidad consultiva especial
A/HRC/23/NGO/55	3	Written statement submitted by the World Federation of Democratic Youth (WFDY), a non-governmental organization in general consultative status
A/HRC/23/NGO/56	3	Written statement submitted by Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status
A/HRC/23/NGO/57	3	Written statement submitted by the Asia Pacific Forum on Women, Law and Development (APWLD), nongovernmental organization on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/NGO/58	4	Written statement submitted by the Human Rights League of the Horn of Africa (HRLHA), a non-governmental organization in special consultative status
A/HRC/23/NGO/59	3	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/23/NGO/60	4	Written statement submitted by Press Emblem Campaign (PEC), a non-governmental organization in special consultative status
A/HRC/23/NGO/61	3	Exposé écrit présenté par l'International Catholic Child Bureau (ICCB), organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/62	3	Exposé écrit présenté par l'International Catholic Child Bureau (ICCB), organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/63	3	Exposé écrit présenté par l'International Catholic Child Bureau (ICCB), organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/64	3	Written statement submitted by Liberal International, a non-governmental organization in general consultative status
A/HRC/23/NGO/65	3	Written statement submitted by Liberal International, a non-governmental organization in general consultative status
A/HRC/23/NGO/66	7	Joint written statement submitted by Habitat International Coalition, the BADIL Resource Center for Palestinian Residency and Refugee Rights, Al Haq Law in the Service of Man and the Al Mezan Centre for Human Rights, nongovernmental organizations in special consultative status
A/HRC/23/NGO/67	4	Joint written statement submitted by France Libertés: Fondation Danielle Mitterrand, the Women's Human Rights International Association (WHRIA) and the Women's International League for Peace and Freedom (WILPF), nongovernmental organizations in special consultative status; Mouvement contre le Racisme et pour l'Amitié entre les Peuples (MRAP), a non-governmental organization on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/NGO/68	3	Exposé écrit présenté conjointement par France Libertés: Fondation Danielle Mitterrand, organisation non gouvernementale dotée du statut consultatif spécial; International Education Development, Inc. et le Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), organisations non gouvernementales sur la liste
A/HRC/23/NGO/69	4	Written statement submitted by the Human Rights House Foundation (HRHF), a non-governmental organization in special consultative status
A/HRC/23/NGO/70	4	Written statement submitted by the Aliran Kesedaran Negara National Consciousness Movement, a nongovernmental organization on the roster
A/HRC/23/NGO/71	3	Written statement submitted by the Asian Forum for Human Rights and Development, a non-governmental organization in special consultative status
A/HRC/23/NGO/72	8	Written statement submitted by Liberation, a nongovernmental organization on the roster
A/HRC/23/NGO/73	4	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/23/NGO/74	3	Joint written statement submitted by the Elizabeth Glaser Pediatric AIDS Foundation and the International HIV/AIDS Alliance, non-governmental organizations in special consultative status
A/HRC/23/NGO/75	2, 3	Written statement submitted by the Open Society Institute, a non-governmental organization in special consultative status
A/HRC/23/NGO/76	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/23/NGO/77	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/23/NGO/78	4	Written statement submitted by the Society for Threatened Peoples, 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/23/NGO/79	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/23/NGO/80	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/23/NGO/81	9	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/23/NGO/82	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/23/NGO/83	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/23/NGO/84	4	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/23/NGO/85	5	Written statement submitted by the Habitat International Coalition, a non-governmental organization in special consultative status
A/HRC/23/NGO/86	3	Joint written statement submitted by the International Youth and Student Movement for the United Nations (ISMUN), the Commission of the Churches on International Affairs of the World Council of Churches, Franciscans International, and the Brahma Kumaris World Spiritual University, non-governmental organizations in general consultative status; the Women's International League for Peace and Freedom (WILPF) and the Southern Diaspora Research and Development Centre, non-governmental organization in special consultative status
A/HRC/23/NGO/87	3	Written statement submitted by the International Youth and Student Movement for the United Nations (ISMUN), a nongovernmental organization in general consultative status
A/HRC/23/NGO/88	3	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), 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/23/NGO/89	4	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/23/NGO/90	3	Written statement submitted by International Educational Development, Inc, a non-governmental organization on the roster
A/HRC/23/NGO/91	3	Written statement submitted by International Educational Development, Inc, a non-governmental organization on the roster
A/HRC/23/NGO/92	7	Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation (GAWF), North-South XX1, the United Towns Agency for North-South Cooperation, the Indian Movement “Tupaj Amaru”, the International Association of Democratic Lawyers (IADL), the Arab Organization for Human Rights (AOHR), the American Association of Jurists (AAJ), the Palestinian Centre for Human Rights (PCHR), Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE, non-governmental organizations in special consultative status; the International Human Rights Association of American Minorities (IHRAAM), the World Peace Council and International Educational Development, Inc. (IED), non-governmental organizations on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/23/NGO/93	3	Joint written statement submitted by the International Youth and Student Movement for the United Nations (ISMUN), a non-governmental organization in general consultative status; the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation (GAWF), North-South XX1, the United Towns Agency for the North-South Cooperation, the Indian Movement “Tupaj Amaru”, the Arab Organization for Human Right (AOHR), the Asian Women Human Rights Council, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE International, the International Federation of University Women (IFUW), the Organisation Mondiale des Associations pour l’Education Prénatale (OMAEP), the World Wide Organization for Women (WOW), non-governmental organizations in special consultative status
A/HRC/23/NGO/94	4	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/23/NGO/95	4	Joint written statement submitted by the Nonviolent Radical Party, Transnational and Transparty, a non-governmental organization in general consultative status; the Women’s Human Rights International Association (WHRIA), a nongovernmental organization in special consultative status; International Educational Development Inc., a nongovernmental organization on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/23/NGO/96	3 Joint written statement submitted by the Commission of the Churches on International Affairs of the World Council of Churches (CCIA/WCC), the International Association of Soldiers for Peace, Zonta International, the International Federation of Settlements and Neighbourhood Centres (IFS), the International Council Of Women (ICW-CIF), the International Youth and Student Movement for the United Nations (ISMUN), the Brahma Kumaris University (BKU), Soroptimist International (SI), International Institute for Non-aligned Studies (IINAS), International Alliance of Women (AIW), Women's Federation for World Peace (WFWP), non-governmental organizations in general consultative status; the World Young Women's Christian Association (World YWCA), Buddha's Light International Association (BLIA), Pax Romana (International the Catholic Movement for Intellectual and Cultural Affairs and the International Movement of Catholic Students), the Temple of Understanding (TOU), the Women's World Summit Foundation (WWSF), the International Federation of University Women (IFUW), the Worldwide Organization

Documents issued in the non-governmental organization series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/NGO/97	3	Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), the Union of Arab Jurists, the General Arab Women Federation (GAWF), North-South XXI, the United Towns Agency for the North-South Cooperation, the Indian Movement “Tupaj Amaru”, the Arab Organization for Human Rights (AOHR), the Asian Women Human Rights Council, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE International, the Arab Lawyers Union, the International Federation of University Women (IFUW), Organisation Mondiale des Associations pour l’Education Périnatale (OMAEP) and the World Wide Organization for Women (WOW), non-governmental organizations in special consultative status; the International Human Rights Association of American Minorities (IHRAAM), the Indian Council of South America (CISA), the World Peace Council and International Educational Development, Inc. (IED), nongovernmental organizations on the roster
A/HRC/23/NGO/98	3	Written statement submitted by the Jammu and Kashmir Council for Human Rights, a non-governmental organization in special consultative status
A/HRC/23/NGO/99	4	Written statement submitted by the Jammu and Kashmir Council for Human Rights, a non-governmental organization in special consultative status
A/HRC/23/NGO/100	4	Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status
A/HRC/23/NGO/101	4	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/23/NGO/102	3	Written statement submitted by Amnesty International, 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/23/NGO/103	3	Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation (GAWF), North-South XX1, the United Towns Agency for the North-South Cooperation, the Indian Movement "Tupaj Amaru", Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International and the World Wide Organization for Women (WOW), non-governmental organizations in special consultative status; the World Peace Council and International Educational Development, Inc. (IED), non-governmental organizations on the roster
A/HRC/23/NGO/104	6	Exposé écrit présenté par l'Association pour l'Intégration et le Développement Durable au Burundi, organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/105	6	Exposé écrit présenté par Company of the Daughters of Charity of St. Vincent de Paul, organisation non gouvernementale dotée du statut consultatif spécial
A/HRC/23/NGO/106	3	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status

Documents issued in the national institutions series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/NI/1	3	Information presented by the Equality and Human Rights Commission of Great Britain: Note by the Secretariat
A/HRC/23/NI/2	3	Information presented by the Asia Pacific Forum of National Human Rights Institutions (APF)
A/HRC/23/NI/3	3	Information presented by the Asia Pacific Forum of National Human Rights Institutions (APF)
A/HRC/23/NI/4	3	Information presented by the National Human Rights Commission of India

Documents issued in the national institutions series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/23/NI/5	3	Information presented by International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)
A/HRC/23/NI/6	3	Information presented by International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)
A/HRC/23/NI/7	3	Información presentada por la Comisión de Defensoría del Pueblo de Ecuador
A/HRC/23/NI/8	3	Information presented by the Ombudsman's Office of Ecuador
A/HRC/23/NI/9	3	Información presentada por la Red de Instituciones Nacionales para la Promoción y Protección de los Derechos Humanos del Continente Americano Derechos Humanos del Continente Americano

Annex IV

Special procedures mandate holders appointed by the Human Rights Council at its twenty-third session

Independent expert on the situation of human rights in Haiti

Gustavo Gallón (Colombia)

Independent expert on situation of human rights in Mali

Suliman Baldo (Sudan)
