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Agenda item 1

Organizational and procedural matters

Report of the Human Rights Council on its sixteenth session

Vice-President and Rapporteur: Ms. Bente **Angell-Hansen** (Norway)

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Part One

Resolutions and decisions

I. Resolutions adopted by the Human Rights Council at its sixteenth session

16/1

United Nations Declaration on Human Rights Education and Training

The Human Rights Council,

Acknowledging the work of the Human Rights Council Advisory Committee in preparing a draft declaration on human rights education and training as requested by the Human Rights Council in its resolution 6/10 of 28 September 2007,

Recalling Council resolution 13/15 of 25 March 2010, in which it established an open-ended intergovernmental working group with the mandate of negotiating, finalizing and submitting to the Council the draft United Nations declaration on human rights education and training on the basis of the draft submitted by the Advisory Committee,

Welcoming the report of the Open-ended Working Group on the draft United Nations declaration on human rights education and training (A/HRC/WG.9/1/3) and the decision to transmit the draft United Nations declaration on human rights education and training to the Council for its consideration,

1. *Adopts* the United Nations Declaration on Human Rights Education and Training as contained in the annex to the present resolution;

2. *Recommends* that the General Assembly, in accordance with paragraph 5 (c) of its resolution 60/251 of 15 March 2006, adopt the following draft resolution:

“The General Assembly,

Welcoming the adoption by the Human Rights Council, through its resolution 16/1 of 23 March 2011, of the United Nations Declaration on Human Rights Education and Training,

1. *Adopts* the United Nations declaration on human rights education and training as contained in the annex to the present resolution;

2. *Invites* Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to intensify their efforts to disseminate the Declaration and to promote universal respect and understanding thereof, and requests the Secretary-General to include the text of the Declaration in the next edition of *Human Rights: A Compilation of International Instruments*”.

*44th meeting
23 March 2011*

[Adopted without a vote.]

16/2**The human right to safe drinking water and sanitation**

The Human Rights Council,

Reaffirming all previous resolutions of the Human Rights Council on human rights and access to safe drinking water and sanitation, inter alia, resolutions 7/22 of 28 March 2008, 12/8 of 1 October 2009 and 15/9 of 30 September 2010,

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

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

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

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

Bearing in mind the commitments made by the international community to achieve fully the Millennium Development Goals, and stressing, in that context, the resolve of Heads of State and Government, as expressed in the United Nations Millennium Declaration, to halve, by 2015, the proportion of people unable to reach or afford safe drinking water, and to halve the proportion of people without access to basic sanitation, as agreed in the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”) and the outcome document adopted at the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals entitled “Keeping the promise: united to achieve the Millennium Development Goals”,

Deeply concerned that approximately 884 million people lack access to improved water sources and that more than 2.6 billion people do not have access to improved sanitation as defined by the World Health Organization and the United Nations Children’s Fund in their 2010 Joint Monitoring Programme report, and alarmed that, every year,

approximately 1.5 million children under 5 years of age die and 443 million school days are lost as a result of water- and sanitation-related diseases,

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

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

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

2. *Also welcomes* the work of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, including the progress in collecting good practices for her compendium,¹ the comprehensive, transparent and inclusive consultations conducted with relevant and interested actors from all regions for her thematic reports and compilation of good practices, as well as the undertaking of country missions;

3. *Taking note with interest* of the statement of the Committee on Economic, Social and Cultural Rights on the right to sanitation,² as a complement to the Committee's general comment No. 15;³

4. *Decides* to extend the mandate of the current mandate holder as a special rapporteur on the human right to safe drinking water and sanitation for a period of three years;

5. *Encourages* the Special Rapporteur, in fulfilling his or her mandate:

(a) To promote the full realization of the human right to safe drinking water and sanitation by, inter alia, continuing to give particular emphasis to practical solutions with regard to its implementation, in particular in the context of country missions, and following the criteria of availability, quality, physical accessibility, affordability and acceptability;

(b) To pay particular attention to persons belonging to vulnerable and marginalized groups, including by respecting the principles of non-discrimination and gender equality;

(c) To work on identifying challenges and obstacles to the full realization of the human right to safe drinking water and sanitation, as well as protection gaps thereto, and to continue to identify good practices and enabling factors in this regard;

(d) To monitor the way in which the human right to safe drinking water and sanitation is being realized throughout the world;

¹ A/HRC/15/31/Add.1.

² E/C.12/2010/1.

³ E/C.12/2002/11.

(e) To continue the mutual dialogue with Governments and where appropriate, with local authorities, organizations and bodies of the United Nations system, other relevant international and regional organizations, non-governmental organizations and other concerned stakeholders, such as indigenous peoples;

(f) To make recommendations for goals beyond the 2015 Millennium Development Goals process with special regard to the full realization of the human right to safe drinking water and sanitation, and also to continue to make more recommendations that could help the realization of the Millennium Development Goals, in particular of Goal 7, as appropriate;

(g) To continue to work in close cooperation, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Council, relevant United Nations bodies, the treaty bodies and regional human rights mechanisms;

(h) To continue to report, on an annual basis, to the Human Rights Council and to the General Assembly;

(i) To facilitate, including through engagement with relevant stakeholders, the provision of technical assistance in the area of the human right to safe drinking water and sanitation;

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

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

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

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

*45th meeting
24 March 2011*

[Adopted without a vote.]

16/3

Promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind

The Human Rights Council,

Guided by the purposes and principles set forth in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and that everyone is entitled to the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Guided by the Vienna Declaration and Programme of Action, which reaffirms, inter alia, the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter, other instruments relating to human rights, and international law, and that the universal nature of these rights and freedoms is beyond question,

Reiterating that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

Reaffirming, that all cultures and civilizations in their traditions, customs, religions and beliefs share a common set of values that belong to humankind in its entirety, and that those values have made an important contribution to the development of human rights norms and standards,

Stressing that traditions shall not be invoked to justify harmful practices violating universal human rights norms and standards,

Recalling Human Rights Council resolution 12/21 of 2 October 2009,

1. *Welcomes* the holding on 4 October 2010 of a workshop for an exchange of views on how a better understanding of traditional values of humankind underpinning international human rights norms and standards can contribute to the promotion and protection of human rights and fundamental freedoms;

2. *Also welcomes* the report of the Office of the United Nations High Commissioner for Human Rights containing the summary of the discussions held at the said workshop;⁴

3. *Affirms* that dignity, freedom and responsibility are traditional values, shared by all humanity and embodied in universal rights instruments;

4. *Recognizes* that the better understanding and appreciation of these values contribute to promoting and protecting human rights and fundamental freedoms;

5. *Notes* the important role of family, community, society and educational institutions in upholding and transmitting these values, which contributes to promoting respect for human rights and increasing their acceptance at the grass roots, and calls upon all States to strengthen this role through appropriate positive measures;

6. *Requests* the Human Rights Council Advisory Committee to prepare a study on how a better understanding and appreciation of traditional values of dignity, freedom and responsibility can contribute to the promotion and protection of human rights, and to present that study to the Council before its twenty-first session;

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

*45th meeting
24 March 2011*

⁴ A/HRC/16/37.

[Adopted by a recorded vote of 24 to 14, with 7 abstentions. The voting was as follows:

In favour:

Angola, Bahrain, Bangladesh, Burkina Faso, Cameroon, China, Cuba, Djibouti, Ecuador, Ghana, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Zambia

Against:

Belgium, France, Hungary, Japan, Mauritius, Mexico, Norway, Poland, Republic of Korea, Slovakia, Spain, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Brazil, Chile, Guatemala, Republic of Moldova, Ukraine, Uruguay]

16/4

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

The Human Rights Council,

Recalling Human Rights Council resolutions 7/36 of 28 March 2008 and 12/16 of 2 October 2009, and all previous resolutions of the Commission on Human Rights and the Council on the right to freedom of opinion and expression,

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,

Recalling 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,

1. *Welcomes* the work of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression;

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

3. *Urges* all States to cooperate fully with and assist the Special Rapporteur in the performance of his/her tasks, to provide all necessary information requested by him/her and to consider favourably his/her requests for visits and for implementing his/her recommendations;

4. *Requests* the Secretary-General to provide the assistance necessary to the Special Rapporteur to fulfil his/her mandate, in particular by placing adequate human and material resources at his/her disposal;

5. *Requests* the Special Rapporteur to submit an annual report to the Human Rights Council and to the General Assembly covering all activities relating to his/her mandate, with a view to maximizing the benefits of the reporting process;

6. *Decides* to continue its consideration of the issue of the right to freedom of opinion and expression in accordance with its programme of work.

*45th meeting
24 March 2011*

[Adopted without a vote.]

16/5

Mandate of the Special Rapporteur on the situation of human rights defenders

The Human Rights Council,

Recalling General Assembly resolution 53/144 of 9 December 1998, by which the Assembly adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms annexed to that resolution, and reiterating the importance of the Declaration and its promotion and implementation,

Recalling also the continued validity and application of all the provisions of the above-mentioned Declaration,

Recalling further all previous resolutions on this subject, in particular Commission on Human Rights resolution 2005/67 of 20 April 2005, Human Rights Council resolutions 7/8 of 27 March 2008 and 13/13 of 25 March 2010, and General Assembly resolution 64/163 of 18 December 2009,

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,

Emphasizing the important role that individuals and civil society institutions, including non-governmental organizations, groups and national human rights institutions, play in the promotion and protection of all human rights and fundamental freedoms for all,

1. *Takes note with appreciation* of the work conducted by the Special Rapporteur on the situation of human rights defenders;

2. *Decides* to extend the mandate of the Special Rapporteur for a period of three years, and requests the Special Rapporteur:

(a) To promote the effective and comprehensive implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms through cooperation and constructive dialogue and engagement with Governments, relevant stakeholders and other interested actors;

(b) To study, in a comprehensive manner, trends, developments and challenges in relation to the exercise of the right of anyone, acting individually or in association with others, to promote and protect human rights and fundamental freedoms;

(c) To recommend concrete and effective strategies to better protect human rights defenders through the adoption of a universal approach, and to follow up on these recommendations;

(d) To seek, receive, examine and respond to information on the situation and the rights of anyone, acting individually or in association with others, to promote and protect human rights and fundamental freedoms;

(e) To integrate a gender perspective throughout the work of his/her mandate, paying particular attention to the situation of women human rights defenders;

(f) To work in close coordination with other relevant United Nations bodies, offices, departments and specialized agencies, both at Headquarters and at the country level, and in particular with other special procedures of the Council;

(g) To report regularly to the Human Rights Council and the General Assembly;

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

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

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

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

*45th meeting
24 March 2011*

[Adopted without a vote.]

16/6

Mandate of the independent expert on minority issues

The Human Rights Council,

Recalling the International Covenant on Civil and Political Rights and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and bearing in mind article 27 of the International Covenant on Civil and Political Rights and other relevant existing international standards and national legislation,

Recalling also all previous resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the rights of persons belonging to national or ethnic, religious and linguistic minorities, including Assembly resolution 63/174 of 18 December 2008, Commission resolution 2005/79 of 21 April 2005, and Council resolutions 6/15 of 28 September 2007, 7/6 of 27 March 2008, and 13/12 of 25 March 2010,

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

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

Stressing that the economic exclusion of persons belonging to national or ethnic, religious and linguistic minorities is a cause, a manifestation and a consequence of discrimination, both in the developed and in the developing world, and that their rights to participate effectively in economic life must be taken into account by Governments seeking to promote equality at all levels,

Recognizing the importance of the full enjoyment of the rights of persons belonging to national or ethnic, religious and linguistic minorities for stability and the prevention of conflicts,

Expressing concern at the frequency and severity of disputes and conflicts involving persons belonging to national or ethnic, religious and linguistic minorities in many countries and their often tragic consequences, and that persons belonging to minorities often suffer disproportionately from the effects of conflict, resulting in the violation of their human rights, and are particularly vulnerable to displacement through, inter alia, population transfers, refugee flows and forced relocation,

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. *Takes note* of the report of the independent expert on minority issues⁵ and its special focus on the role of the protection of minority rights in conflict prevention;

2. *Also takes note* of the report of the United Nations High Commissioner for Human Rights on the rights of persons belonging to national or ethnic, religious and linguistic minorities⁶ and of the compilation of United Nations manuals, guides, training material and other tools on minority issues,⁷ submitted to the Council at its sixteenth session;

3. *Commends* the independent expert on minority issues for her work and for the important role that she has played in raising the level of awareness of and in giving added visibility to the rights of persons belonging to national or ethnic, religious and linguistic minorities, and for her ongoing efforts to promote and protect their rights in order to ensure equitable development and peaceful and stable societies, including through close cooperation with Governments, relevant United Nations bodies and mechanisms and non-governmental organizations;

4. *Expresses its appreciation* to Governments and intergovernmental and non-governmental organizations that have given special attention to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities and have supported the work of the independent expert;

5. *Also expresses its appreciation* for the successful completion of the first three sessions of the Forum on Minority Issues, addressing the right to education, the right to effective political participation and the right to effective participation in economic life and which, through the widespread participation of stakeholders, has provided an important platform for promoting dialogue on these topics, and encourages States to take into consideration, as appropriate, relevant recommendations of the Forum;

6. *Commends* the Forum for its contribution to the efforts of the High Commissioner to improve cooperation among United Nations mechanisms, bodies and

⁵ A/HRC/16/45.

⁶ A/HRC/16/39.

⁷ A/HRC/16/29.

specialized agencies, funds and programmes on activities relating to the promotion and protection of the rights of persons belonging to minorities, including at the regional level;

7. *Welcomes* the inter-agency cooperation of United Nations agencies, funds and programmes on minority issues, led by the Office of the High Commissioner, and urges them to increase their cooperation further by, inter alia, developing policies on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, drawing also on relevant outcomes of the meetings of the Forum;

8. *Invites* the human rights treaty bodies and special procedures of the Council to continue to give attention, within their respective mandates, to the situations and rights of persons belonging to national or ethnic, religious and linguistic minorities and, in this regard, to take into consideration relevant recommendations of the Forum;

9. *Decides* to extend the mandate of the independent expert on minority issues for a period of three years, and requests the independent expert:

(a) To promote the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, including through consultations with Governments, taking into account existing international standards and national legislation concerning minorities;

(b) To identify best practices and possibilities for technical cooperation with the Office of the High Commissioner, at the request of Governments;

(c) To apply a gender perspective in his/her work;

(d) To cooperate closely, while avoiding duplication, with existing relevant United Nations bodies, mandates and mechanisms and with regional organizations;

(e) To take into account the views of non-governmental organizations on matters pertaining to his/her mandate;

(f) To guide the work of the Forum on Minority Issues, as decided by the Council in its resolution 6/15;

(g) To submit annual reports on his/her activities to the Council, including recommendations for effective strategies for the better implementation of the rights of persons belonging to minorities;

10. *Calls upon* all States to cooperate with and assist the independent expert in the performance of the tasks and duties mandated to him/her, to provide him/her with all the necessary information requested and to seriously consider responding promptly and favourably to the request of the independent expert to visit their countries in order to enable him/her to fulfil his/her duties effectively;

11. *Encourages* specialized agencies, regional organizations, national human rights institutions and non-governmental organizations to develop regular dialogue and cooperation with the mandate holder;

12. *Invites* the Office of the High Commissioner, the independent expert and relevant United Nations agencies, within existing resources, as well as Member States, to explore possibilities for organizing activities to mark the twentieth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

13. *Requests* the Secretary-General and the High Commissioner to provide all the human, technical and financial assistance necessary for the effective fulfilment of the mandate of the independent expert;

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

*45th meeting
24 March 2011*

[Adopted without a vote.]

16/7

Mandate of the Special Rapporteur on violence against women, its causes and consequences

The Human Rights Council,

Reaffirming Commission on Human Rights resolution 1994/45 of 4 March 1994, in which the Commission decided to appoint a special rapporteur on violence against women, its causes and consequences,

Reaffirming also Human Rights Council resolution 7/24 of 28 March 2008,

Reaffirming further Human Rights Council resolution 6/30 of 14 December 2007 on integrating the human rights of women throughout the United Nations system, all resolutions of the Commission on Human Rights and of the Council on the elimination of violence against women, all General Assembly resolutions relevant to the elimination of all forms of violence against women, and recalling the Security Council resolutions on women, peace and security,

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 of the Special Rapporteur on violence against women, its causes and consequences;

2. *Decides* to extend the mandate of the Special Rapporteur on violence against women, its causes and consequences, for a period of three years;

3. *Invites* the Special Rapporteur, in carrying out his/her mandate within the framework of the Universal Declaration of Human Rights and all other international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women, the Declaration on the Elimination of Violence against Women and the Beijing Declaration and Platform for Action:

(a) To seek and receive information on violence against women, its causes and its consequences, from Governments, treaty bodies, specialized agencies, other special rapporteurs responsible for various human rights questions, and intergovernmental and non-governmental organizations, including women's organizations, and to respond effectively to such information;

(b) To recommend measures, ways and means at the local, national, regional and international levels to eliminate all forms of violence against women and its causes, and to remedy its consequences;

(c) To work closely with all special procedures and other human rights mechanisms of the Human Rights Council and with the treaty bodies, taking into account the request of the Council that they regularly and systematically integrate the human rights

of women and a gender perspective into their work, and cooperate closely with the Commission on the Status of Women in the discharge of its functions;

(d) To continue to adopt a comprehensive and universal approach to the elimination of violence against women, its causes and consequences, including causes of violence against women relating to the civil, cultural, economic, political and social spheres;

4. *Notes with appreciation* the cooperation extended to date to the Special Rapporteur, and calls upon Governments to continue to cooperate with and assist the Special Rapporteur in the discharge of his/her mandate, including by supplying requested information and responding to communications without undue delay; to engage in a constructive dialogue with the Special Rapporteur with regard to the implementation of his/her recommendations; and to give serious consideration to responding favourably to requests for visits;

5. *Requests* the Special Rapporteur to report to the Human Rights Council in accordance with its annual programme of work;

6. *Requests* special procedures, and invites United Nations organs and bodies, in particular the United Nations Entity for Gender Equality and the Empowerment of Women, specialized agencies and intergovernmental organizations, treaty bodies and relevant civil society actors to give consideration to the prevention and elimination of all forms of violence against women and girls in their respective work, and to cooperate with and assist the Special Rapporteur in the fulfilment of his/her mandate;

7. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide the Special Rapporteur with all assistance necessary for the effective fulfilment of his/her mandate, in particular staff and resources, including to carry out and follow up on missions;

8. *Requests* the Secretary-General to ensure that the reports of the Special Rapporteur are brought to the attention of the Commission on the Status of Women, the General Assembly and the Committee on the Elimination of Discrimination against Women, and requests the Special Rapporteur to present an oral report annually to the Commission;

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

*45th meeting
24 March 2011*

[Adopted without a vote.]

16/8 Situation of human rights in the Democratic People's Republic of Korea

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 human rights instruments,

Recalling all previous resolutions adopted by the Commission on Human Rights, the Human Rights Council and the General Assembly on the situation of human rights in the Democratic People's Republic of Korea, including Council resolution 13/14 of 25 March

2010 and Assembly resolution 65/225 of 21 December 2010, and urging the implementation of those resolutions,

Bearing in mind paragraph 3 of General Assembly resolution 60/251 of 15 March 2006,

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,

Welcoming the reports submitted by the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea,⁸ and urging the implementation of the recommendations contained therein,

Deeply concerned at the continuing reports of systematic, widespread and grave violations of civil, political, economic, social and cultural rights in the Democratic People's Republic of Korea and at the unresolved questions of international concern relating to the abduction of nationals of other States, and urging the Government of the Democratic People's Republic of Korea to respect all human rights and fundamental freedoms fully,

Deploring the grave, widespread and systematic human rights abuses in the Democratic People's Republic of Korea, in particular the use of torture and labour camps for political prisoners and repatriated citizens of the Democratic People's Republic of Korea,

Deeply regretting the refusal of the Government of the Democratic People's Republic of Korea to recognize the mandate of the Special Rapporteur or to extend full cooperation to him and allow him access to the country,

Expressing its serious concern at the refusal of the Government of the Democratic People's Republic of Korea to articulate, by the time of the adoption by the Human Rights Council of the outcome report of its universal periodic review⁹ in March 2010, which recommendations enjoyed its support, and regretting the lack of action taken by the Democratic People's Republic of Korea to date to implement the recommendations contained in that report,

Alarmed by the precarious humanitarian situation in the country, exacerbated by its national policy priorities,

Reaffirming that it is the responsibility of the Government of the Democratic People's Republic of Korea to ensure the full enjoyment of all human rights and fundamental freedoms of its entire population, including by ensuring access to adequate food,

Recognizing the particular vulnerability of women, children, persons with disabilities and the elderly, and the need to ensure their protection against neglect, abuse, exploitation and violence,

Reaffirming the importance of States' engaging fully and constructively with the universal periodic review process and with other mechanisms of the Human Rights Council for the improvement of their human rights situations,

1. *Expresses its very serious concern* at the ongoing grave, widespread and systematic human rights violations in the Democratic People's Republic of Korea;

⁸ A/65/364 and A/HRC/16/58.

⁹ A/HRC/13/13.

2. *Commends* the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea for the activities undertaken to date and his continued efforts in the conduct of the mandate, despite the limited access to information;

3. *Decides* to extend the mandate of the Special Rapporteur, in accordance with Human Rights Council resolution 13/14, for a period of one year;

4. *Urges* the Government of the Democratic People's Republic of Korea to cooperate fully with the Special Rapporteur and to permit him unrestricted access to visit the country and to provide him with all information necessary to enable him to fulfil his mandate;

5. *Also urges* the Government of the Democratic People's Republic of Korea to ensure full, rapid and unimpeded access of humanitarian assistance that is delivered on the basis of need, in accordance with humanitarian principles, coupled with adequate monitoring;

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

7. *Requests* the Secretary-General to provide the Special Rapporteur with all assistance and adequate staffing necessary to carry out his mandate effectively and to ensure that this mechanism works with the support of the Office of the United Nations High Commissioner for Human Rights;

8. *Invites* the Special Rapporteur to submit regular reports on the implementation of his mandate to the Human Rights Council and to the General Assembly.

*45th meeting
24 March 2011*

[Adopted by a recorded vote of 30 to 3, with 11 abstentions. The voting was as follows:

In favour:

Argentina, Belgium, Brazil, Burkina Faso, Chile, Djibouti, France, Gabon, Ghana, Guatemala, Hungary, Japan, Jordan, Kyrgyzstan, Maldives, Mauritius, Mexico, Norway, Poland, Republic of Korea, Republic of Moldova, Slovakia, Spain, Switzerland, Thailand, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zambia

Against:

China, Cuba, Russian Federation

Abstaining:

Angola, Bangladesh, Cameroon, Ecuador, Malaysia, Mauritania, Nigeria, Pakistan, Qatar, Senegal, Uganda]

16/9

Situation of human rights in the Islamic Republic of Iran

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 General Assembly resolution 65/226 of 21 December 2010, and regretting the lack of cooperation of the Islamic Republic of Iran with the requests of the Assembly made in that resolution,

Welcoming the interim report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran submitted to the Human Rights Council,¹⁰ and expressing serious concern at the developments noted in that report,

Recalling 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 mandate holders are to discharge their duties in accordance with those resolutions and the annexes thereto,

1. *Decides* to appoint a special rapporteur on the situation of human rights in the Islamic Republic of Iran, to report to the Human Rights Council and to the General Assembly, to present an interim report to the Assembly at its sixty-sixth session and to submit a report to the Council for its consideration at its nineteenth session;

2. *Calls upon* the Government of the Islamic Republic of Iran to cooperate fully with the Special Rapporteur and to permit access to visit the country as well as all information necessary to allow the fulfilment of the mandate;

3. *Requests* the Secretary-General to provide the Special Rapporteur with the resources necessary to fulfil the mandate.

*45th meeting
24 March 2011*

[Adopted by a recorded vote of 22 to 7, with 14 abstentions. The voting was as follows:

In favour:

Argentina, Belgium, Brazil, Chile, France, Guatemala, Hungary, Japan, Maldives, Mexico, Norway, Poland, Republic of Korea, Republic of Moldova, Senegal, Slovakia, Spain, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia

Against:

Bangladesh, China, Cuba, Ecuador, Mauritania, Pakistan, Russian Federation

Abstaining:

Bahrain, Burkina Faso, Cameroon, Djibouti, Gabon, Ghana, Jordan, Malaysia, Mauritius, Nigeria, Saudi Arabia, Thailand, Uganda, Uruguay]

16/10

Composition of staff of the Office of the United Nations High Commissioner for Human Rights

The Human Rights Council,

Recalling paragraph 5 (g) of General Assembly resolution 60/251 of 15 March 2006, in which the Assembly decided that the Human Rights Council should assume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights, as decided by the Assembly in its resolution 48/141 of 20 December 1993,

¹⁰ A/HRC/16/75.

Taking note of all relevant resolutions on this issue adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council,

Taking note also of the report of the United Nations High Commissioner for Human Rights on the composition of the staff of the Office of the High Commissioner,¹¹

Taking note further of the reports of the Joint Inspection Unit on the follow-up to the management review of the Office of the High Commissioner¹² and on the funding and staffing of the Office,¹³

Bearing in mind that an imbalance in the composition of the staff could diminish the effectiveness of the work of the Office of the High Commissioner if it is perceived to be culturally biased and unrepresentative of the United Nations as a whole,

Expressing its concern that, despite the repeated requests to correct the unbalanced geographical distribution of the staff, the situation remains that one region accounts for almost half of the posts of the Office of the High Commissioner and for more posts than the four remaining regional groups combined,

Reaffirming the importance of continuing ongoing efforts to address the imbalance regarding the regional representation of the staff of the Office of the High Commissioner,

Underlining that the paramount consideration for employing staff at every level is the need for the highest standards of efficiency, competence and integrity, and taking into account Article 101, paragraph 3, of the Charter of the United Nations, expressing its conviction that this objective is compatible with the principle of equitable geographical distribution,

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

1. *Expresses* its serious concern at the fact that, despite the measures taken by the Office of the United Nations High Commissioner for Human Rights, the imbalance in the geographical representation of its composition continues to be prominent, and that a single region occupies more posts in both the professional and technical categories, as well as permanent and temporary categories, than the other four regions combined;

2. *Welcomes* the statement made by the High Commissioner in her report that achieving geographical balance in the staff of her Office will remain one of her priorities, and requests the High Commissioner to continue to take all measures needed to redress the current imbalance in geographical distribution of the staff of the Office;

3. *Notes* the increase in the past four years in the percentage of staff from regions identified as requiring better representation and the various measures proposed and already taken to address the imbalance in geographical distribution of the staff, while noting with concern the small increase in 2010 and no change in the status of the prominent region, and stresses the need to implement additional measures to redress the prominent imbalance in a more expeditious way;

4. *Takes note* of the progress achieved in improving the geographic diversity of the staff of the Office, and takes note also of the commitment of the High Commissioner to remain attentive to the need to maintain the emphasis on the broadest possible geographic diversity of her Office, as stated in the conclusion of her report;

¹¹ A/HRC/16/35.

¹² A/59/65-E/2004/48 and Add.1.

¹³ JIU/REP/2007/8.

5. *Requests* the High Commissioner to work on the broadest geographical diversity of her staff by enhancing the implementation of measures to achieve a better representation of countries and regions that are unrepresented or underrepresented, particularly from the developing world, while considering applying a zero-growth cap on the representation of countries and regions already overrepresented in the Office of the High Commissioner;

6. *Welcomes* the efforts made towards the achievement of a gender balance in the composition of the staff and the decision to continue to pay special attention to this issue;

7. *Requests* future High Commissioners to continue to enhance the ongoing efforts made in the fulfilment of the goal of a geographical balance in the composition of the staff of the Office;

8. *Underlines* the importance of continuing to promote geographical diversity in recruitment and promotion to high-level and Professional posts, including senior managers, as a principle of the staffing policies of the Office of the High Commissioner;

9. *Affirms* the vital importance of geographical balance in the composition of the staff of the Office of the High Commissioner, taking into account the significance of national and regional specificities and various historic, cultural and religious backgrounds, as well as of different political, economic and legal systems, to the promotion and protection of the universality of human rights;

10. *Recalls* the provisions contained in section X, paragraph 3, of General Assembly resolution 55/258 of 14 June 2001, on human resources management, in which the Assembly reiterated its request to the Secretary-General to increase further his efforts to improve the composition of the Secretariat by ensuring a wide and equitable geographical distribution of staff in all departments, and also recalls the request that he submit to the General Assembly proposals for a comprehensive review of the system of desirable ranges, with a view to establishing a more effective tool to ensure equitable geographical distribution in relation to the total number of staff of the Secretariat;

11. *Encourages* the General Assembly to consider further measures to promote desirable ranges of geographical balance in the staff of the Office of the High Commissioner representing national and regional specificities and various historic, cultural and religious backgrounds, as well as the diversity of political, economic and legal systems;

12. *Welcomes* the significant increase in the human and financial resources allocated to the activities of the Office of the High Commissioner and the impact it should have on the geographic composition of the Office;

13. *Recognizes the importance* of the follow-up to and implementation of General Assembly resolution 61/159 of 19 December 2006, and underlines the priority importance that the Assembly continue to provide support and guidance to the High Commissioner in the ongoing process of improvement of the geographical balance in the composition of the staff of the Office of the High Commissioner;

14. *Requests* the High Commissioner to submit a comprehensive and updated report to the Human Rights Council at its nineteenth session, in accordance with its annual programme of work, following the structure and scope of her report and with a special focus on further measures taken to correct the imbalance in the geographical composition of the staff of the Office.

*46th meeting
24 March 2011*

[Adopted by a recorded vote of 31 to 13, with 2 abstentions. The voting was as follows:

In favour:

Angola, Argentina, Bahrain, Bangladesh, Brazil, Burkina Faso, Cameroon, China, Cuba, Djibouti, Ecuador, Gabon, Ghana, Guatemala, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay, Zambia

Against:

Belgium, France, Hungary, Japan, Norway, Poland, Republic of Moldova, Slovakia, Spain, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Chile, Republic of Korea]

16/11

Human rights and the environment

The Human Rights Council,

Recalling Commission on Human Rights resolutions 2003/71 of 25 April 2003 and 2005/60 of 20 April 2005, and Commission decision 2004/119 of 21 April 2004,

Recalling also Human Rights Council resolutions relevant to the relationship between human rights and the environment, including resolutions 7/23 of 28 March 2008 and 10/4 of 25 March 2009 on human rights and climate change, and resolutions 9/1 of 24 September 2008 and 12/18 of 2 October 2009 on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights,

Recalling further the request made by the Commission on Human Rights to the Secretary-General in paragraph 10 of its resolution 2005/60, and taking account of the note by the Secretariat on the outcomes of the High-level Plenary Meeting of the General Assembly on the Millennium Declaration in September 2005, on how respect for human rights can contribute to sustainable development,¹⁴

Recalling the reports submitted to the Subcommission on the Promotion and Protection of Human Rights by its Special Rapporteur on human rights and the environment¹⁵ and the report of the Secretary-General on human rights and the environment as part of sustainable development,¹⁶

Recalling also the Declaration of the United Nations Conference on the Human Environment, the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development,

Recalling further the principles of the Rio Declaration on Environment and Development, including Principle 7, which states that States should cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem; that in view of the different contributions to global environmental degradation, States have common but differentiated responsibilities; and that developed countries

¹⁴ A/HRC/4/107.

¹⁵ E/CN.4/Sub.2/1992/7 and Add.1, E/CN.4/Sub.2/1993/7, E/CN.4/Sub.2/1994/9 and Corr.1.

¹⁶ E/CN.4/2005/96.

acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command,

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

Welcoming the decision to organize, in 2012, the United Nations Conference on Sustainable Development in Rio de Janeiro, Brazil, and taking note of the invitation of the General Assembly, in its resolution 64/236 of 24 December 2009, to organizations and bodies of the United Nations to contribute to the preparatory process for the Conference,

Reaffirming the Millennium Development Goals, including Goal 7, on ensuring environmental sustainability,

Reaffirming also that good governance, within each country and at the international level, is essential for sustainable development,

Recognizing that human beings are at the centre of concerns for sustainable development, that the right to development must be fulfilled in order to meet the development and environmental needs of present and future generations equitably, and that the human person is the central subject of development and should be the active participant and beneficiary of the right to development,

Taking note of decisions 1/CP.16 and 1/CMP.6 made at the United Nations Climate Change Conference, held in Cancun, Mexico, in 2010, and in particular the seventh preambular paragraph and paragraphs 7, 8 and 12 of decision 1/CP.16, and subparagraphs 2 (c) and (d) of appendix I to decision 1/CP.16, and desirous to contribute positively to a successful outcome of the United Nations Climate Change Conference, to be held in Durban, South Africa, in 2011,

Noting that sustainable development and the protection of the environment can contribute to human well-being and the enjoyment of human rights,

Noting also, conversely, that environmental damage can have negative implications, both direct and indirect, for the effective enjoyment of human rights,

Recognizing that, while these implications affect individuals and communities around the world, environmental damage is felt most acutely by those segments of the population already in vulnerable situations,

Recognizing also that many forms of environmental damage are transnational in character and that effective international cooperation to address such damage is important in order to support national efforts for the realization of human rights,

Reaffirming that human rights obligations and commitments have the potential to inform and strengthen international, regional and national policymaking in the area of environmental protection and promoting policy coherence, legitimacy and sustainable outcomes,

Urging States to take human rights into consideration when developing their environmental policies,

1. *Requests* the Office of the United Nations High Commissioner for Human Rights, in consultation with and taking into account the views of States Members of the United Nations, relevant international organizations and intergovernmental bodies, including the United Nations Environment Programme and relevant multilateral environmental agreements, special procedures, treaty bodies and other stakeholders, to conduct, within existing resources, a detailed analytical study on the relationship between

human rights and the environment, to be submitted to the Human Rights Council prior to its nineteenth session;

2. *Decides* to consider the above-mentioned study and possible next steps at its nineteenth session of the Human Rights Council under agenda item 3.

*46th meeting
24 March 2011*

[Adopted without a vote.]

16/12

Rights of the child: a holistic approach to the protection and promotion of the rights of children working and/or living on the street

The Human Rights Council,

Emphasizing that the Convention on the Rights of the Child constitutes the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols thereto, as well as other human rights instruments,

Reaffirming all previous resolutions on the rights of the child of the Commission on Human Rights, the Human Rights Council and the General Assembly, the most recent being Assembly resolution 65/197 of 21 December 2010 and Council resolution 13/20 of 26 March 2010,

Reaffirming also internationally agreed development goals, including the Millennium Development Goals, and recalling the outcome document contained in General Assembly resolution 65/1 of 22 September 2010 entitled “Keeping the promise: united to achieve the Millennium Development Goals”, in particular the provisions referring to children,

Reaffirming further that it is essential for people living in poverty and vulnerable groups, including children working and/or living on the street, to be empowered to organize themselves and to participate in all aspects of political, economic, social and cultural life, in particular in the planning and implementation of policies that affect them,

Reaffirming that it is essential for States to take all appropriate measures to ensure the meaningful participation of children, including children working and/or living on the street, in all matters and decisions affecting their lives through the expression of their views, and that those views be given due weight in accordance with their age and maturity,

Reaffirming also that the child, for the full and harmonious development of his or her personality, should grow up in a family environment while the best interests of the child shall be the guiding principle of those responsible for his or her nurture and protection and that families’ and caregivers’ capacities to provide the child with care and safe environment should be promoted,

Recalling the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182) and the Convention concerning Minimum Age for Admission to Employment, 1973 (No. 138) of the International Labour Organization, and welcoming the commitments by States to accelerate action against child labour, including the confirmed goal of eliminating the worst forms of child labour by 2016,

Welcoming the joint work of the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Representative of the Secretary-General on violence against children on effective and child-sensitive counselling, and complaint and

reporting mechanisms to which children can safely report incidents of violence, including sexual violence and exploitation,¹⁷

Welcoming also the work of the Special Representative of the Secretary-General for children and armed conflict,¹⁸ the Special Representative of the Secretary-General on violence against children¹⁹ and the Special Rapporteur on the sale of children, child prostitution and child pornography,²⁰ and taking note of their reports,

Welcoming further the work of the Committee on the Rights of the Child,

Welcoming the constructive dialogue on the theme “A holistic approach to the protection and promotion of the rights of children working and/or living on the street”, on the occasion of the full-day annual meeting on the rights of the child, held on 9 March 2011, and the renewed commitment to the implementation of the Convention expressed on that occasion by States parties,

Profoundly concerned that the situation of children in many parts of the world remains critical and has been negatively affected by the world financial and economic crisis,

Deeply concerned about the situation of girls and boys working and/or living on the street worldwide and the negative impact that this has on the full enjoyment of their rights and their development,

Recognizing that the prevention and solution of certain aspects of this phenomenon could be facilitated in the context of economic and social development,

Recognizing also the need for States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field,

Deeply concerned about the multiple forms of discrimination and stigmatization children living and/or working on the street often face because of factors such as race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth, immigration status or other status,

Deeply concerned also about children, including adolescent girls, working and/or living on the street, facing violence, including sexual exploitation, HIV infection and other serious health problems, substance use and early pregnancies, and about the situation of children born on the street,

Recognizing that prostitution of children is a serious form of exploitation and violence and a crime against those most vulnerable, that States parties should prohibit and address it in accordance with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and reiterating the importance of States ensuring children’s protection from them,

Bearing in mind the diverse causes of the emergence and marginalization of children working and/or living on the street, such as poverty; migration, including rural-to-urban migration; trafficking; violence; abuse and neglect at home or in care institutions; broken families; lack of access to basic services, including free education; HIV/AIDS and child relinquishment; substance abuse; and mental health issues, intolerance, discrimination,

¹⁷ A/HRC/16/56.

¹⁸ A/HRC/15/58.

¹⁹ A/HRC/16/54.

²⁰ A/HRC/16/57.

armed conflict and displacement, and that such causes are often aggravated and their solution made more difficult by serious socio-economic and other difficulties,

Recognizing the lack and the desirability of more reliable and in-depth systematic disaggregated data collection and research on children, including children living and/or working on the street,

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. *Strongly condemns* the violations and abuses of the rights of children living and/or working on the street, including discrimination and stigmatization and lack of access to basic services, including education and basic health care, and all forms of violence, abuse, maltreatment, neglect or negligent treatment experienced by them, such as exploitation, gender-based violence, trafficking, forced begging and hazardous work, forced recruitment by armed forces and armed groups, forced disappearances and extrajudicial killings;

2. *Urges* States to ensure a holistic child rights and gender-based response to the phenomenon of children working and/or living on the street, within the context of comprehensive domestic child protection strategies, with realistic and time-bound targets and sufficient financial and human resources for their implementation, including arrangements for the monitoring and regular review of action taken;

3. *Calls on* States to give priority attention to the prevention of the phenomenon of children working and/or living on the street by addressing its diverse causes through economic, social, educational and empowerment strategies, including by:

(a) Ensuring birth registration of all children immediately after birth through universal, free, accessible, simple, expeditious and effective registration procedures; raising awareness of the importance of birth registration at the national, regional and local levels; facilitating late registration of birth; and ensuring that children who have not been registered have access without discrimination to health care, protection, education, safe drinking water and sanitation, and basic services;

(b) Strengthening efforts at all levels to eradicate poverty so as to help ensure the realization of the right of all children and members of their families to the enjoyment of the highest attainable standard of health and to an adequate standard of living;

(c) Ensuring the full enjoyment of their right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory, available and free to all children, ensuring that all children have access to education of good quality, as well as by making secondary education generally available and accessible to all, in particular through the progressive introduction of free education and by ensuring school attendance, in particular for girls and children from low-income families and children living and/or working on the street, including, where appropriate, through the implementation of incentives relating to school attendance in the context of social policies;

(d) Upholding children's rights to protection and their access to services by establishing child-friendly, accessible and effective counselling, complaint and reporting mechanisms;

(e) Supporting and assisting families' and caregivers' capacities, including with regard to child development and non-abusive parenting, to enable them to provide children with care in a safe environment;

4. *Urges States:*

(a) To adopt, strengthen and implement legislative and other measures, cross-sectoral strategies and plans of action to eliminate, as a matter of priority, all forms of violence and discrimination against children working and/or living on the street and to end the impunity of all perpetrators of these violations and abuses and the criminalization of children living and/or working on the street;

(b) To prosecute and/or provide effective, proportionate and dissuasive sanctions for sale, trafficking and all forms of exploitation of children working and/or living on the street, and to ensure protection, assistance and support for child victims of these practices;

(c) To take appropriate measures to protect children affected by armed conflict, taking into account the best interests of the child, in order to reduce the risk of these children resorting to working and/or living on the street;

(d) To recognize that it is generally in the child's best interests that survival behaviours, such as begging, loitering, vagrancy, truancy, running away and other acts, be dealt with as child protection issues by the relevant State authorities, and to ensure, in accordance with their legal systems, that laws on such behaviours do not constitute an obstacle to effective assistance, support and protection for children working and/or living on the street;

(e) To ensure that children working and/or living on the street who are involved in judicial proceedings have effective access to child-friendly justice systems and, where they are party to proceedings, to legal representation, and are enabled to participate actively in the proceedings and are informed about their rights in a way understandable to them;

(f) To ensure that all interventions directed at children working and/or living on the street take into account the best interests and the views of the child in question, in accordance with his or her age and maturity, and are undertaken by adequately trained professionals in order to prevent further victimization;

5. *Encourages States* to take measures to address the stigmatization and discrimination of children working and/or living on the street, including through awareness-raising campaigns and sensitization to the situation of these children;

6. *Calls upon States* to ensure that children working and/or living on the street enjoy all human rights fully and equally, and that they have access without discrimination to health care, education, safe drinking water and sanitation, and social and other basic services;

7. *Also calls upon States* to address the vulnerabilities of children working and/or living on the street to multiple health risks, including HIV infection, through social protection and primary health-care services that would build relationships of trust with these children and ensure their access to information on risky behaviours, counselling and testing and adequate protection against health risks, including HIV;

8. *Calls on States* to ensure appropriate care and protection of children who work and/or live on the street without any parental contact or supervision, including through measures to support their sustainable reintegration into their family and, when family reintegration is not possible or appropriate, through a case-by-case approach to provide alternative care that is appropriate and in the best interests of the child;

9. *Encourages States* to develop, strengthen and implement, as appropriate, national systems for collecting, monitoring and evaluating disaggregated national data on children, including on children working and/or living on the street;

10. *Calls upon* all States to strengthen international commitment, cooperation and mutual assistance in preventing the phenomenon of children working and/or living on the street, in protecting such children, including against all forms of violence, and in improving their situation, including through sharing good practices, research, policies, monitoring and capacity-building;

11. *Encourages* States parties to the Convention on the Rights of the Child, in preparing their reports for the Committee on the Rights of the Child, to take into account this issue and to consider requesting technical advice and assistance for initiatives aimed at improving the situation of children living and/or working on the street, in accordance with article 45 of the Convention;

12. *Calls upon* all States, requests relevant United Nations bodies and agencies and invites regional organizations, the private sector, employers' and workers' organizations, civil society organizations, including child-led organizations and any other actors, to accelerate action against child labour, especially its worst forms, in line with international obligations and declared commitments;

13. *Also calls upon* all States and invites United Nations entities and agencies, regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on violence against children in promoting further implementation of the recommendations of the United Nations study on violence against children,²¹ and encourages States to provide support, including financial support, for the effective and independent performance of her mandate, as set out by the General Assembly in its resolution 62/141 of 18 December 2007, while promoting and ensuring country ownership and national plans and programmes in this regard, and calls upon States and institutions concerned and invites the private sector to provide voluntary contributions for that purpose;

14. *Urges* all States that have not yet become parties to the Convention on the Rights of the Child and the Optional Protocols thereto to do so as a matter of priority;

15. *Urges* all States parties to withdraw reservations that are incompatible with the object and purpose of the Convention on the Rights of the Child or the Optional Protocols thereto;

16. *Urges* all States that have not yet ratified both the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182) and the Convention concerning Minimum Age for Admission to Employment, 1973 (No. 138) of the International Labour Organization to consider doing so as a matter of priority;

17. *Requests* the High Commissioner to prepare a summary of the full-day meeting on the rights of the child, as a follow-up to paragraph 7 of Council resolution 7/29 of 28 March 2008, before the seventeenth session of the Council;

18. *Invites* the Office of the High Commissioner to conduct a study on challenges, lessons learned and best practices in a holistic, child rights and gender-based approach to protect and promote the rights of children working and/or living on the street, including practices in the collection of disaggregated data and experiences on access to child-friendly counselling, complaint and reporting mechanisms to protect the rights of children living and/or working on the streets, in close collaboration with relevant stakeholders, including States, the United Nations Children's Fund and other United Nations bodies and agencies, the Special Representative of the Secretary-General on

²¹ A/61/299.

violence against children, the Special Representative of the Secretary-General for children and armed conflict, the Special Rapporteur on the sale of children, child prostitution and child pornography and other relevant special procedures mandate holders, regional organizations, civil society, national human rights institutions and children themselves, and to present the study to the Human Rights Council at its nineteenth session;

19. *Decides* to continue its consideration of the question of the rights of the child in accordance with its programme of work and Human Rights Council resolution 7/29, and to focus its next full-day meeting on children and the administration of justice;

20. *Welcomes* the work and contributions of the Special Rapporteur on the sale of children, child prostitution and child pornography, and decides to extend for a period of three years the mandate of the Special Rapporteur, in accordance with Human Rights Council resolution 7/13 of 27 March 2008.

*46th meeting
24 March 2011*

[Adopted without a vote.]

16/13 Freedom of religion or belief

The Human Rights Council,

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

Recalling also article 18 of the International Covenant on Civil and Political Rights, article 18 of the Universal Declaration of Human Rights and other relevant human rights provisions,

Recalling further Human Rights Council resolution 14/11 of 18 June 2010, and other resolutions adopted by the General Assembly and the Commission on Human Rights on the elimination of all forms of intolerance and of discrimination based on religion or belief,

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

Stressing that everyone should be able to live safely, regardless of his or her religion or belief,

Recalling that States have the primary responsibility for promoting and protecting human rights, including the human rights of persons belonging to religious minorities, including their right to exercise their religion or belief freely,

Noting with regret that no part of the world is exempt from religious intolerance, discrimination and violence,

Expressing solidarity with States and individuals combating violence against persons belonging to religious minorities, and paying tribute to the commitment of States to prevent these acts,

Underlining that educational institutions may offer unique possibilities for constructive dialogue among all parts of society and that human rights education in particular can contribute to the elimination of negative stereotypes that often adversely affect members of religious minorities,

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

2. *Emphasizes* that freedom of religion or belief and freedom of expression are interdependent, interrelated and mutually reinforcing, and stresses the role that these rights can play in the fight against all forms of intolerance and discrimination based on religion or belief;

3. *Also emphasizes* the importance of the promotion of religious tolerance and respect for diversity in view of creating an environment conducive to the full enjoyment of freedom of religion or belief;

4. *Expresses deep concern* at the emerging obstacles to the enjoyment of the right to freedom of religion or belief as well as at instances of religious intolerance, discrimination and violence, inter alia:

(a) The increasing number of acts of violence directed against individuals and or persons belonging to religious minorities in various parts of the world;

(b) The rise of religious extremism in various parts of the world that affects the rights of individuals and persons belonging to religious minorities;

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

(d) Attacks on religious places, sites and shrines, as well as vandalism of cemeteries, in violation of international law, in particular human rights and humanitarian law;

5. *Condemns* all forms of violence, intolerance and discrimination based on or in the name of religion or belief, and violations of the freedom of thought, conscience, religion or belief, as well as any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audio-visual or electronic media or any other means;

6. *Also condemns* violence and acts of terrorism, which are increasing in number, targeting persons belonging to religious minorities across the world;

7. *Emphasizes* that no religion should be equated with terrorism, as this may have adverse consequences for the enjoyment of the right to freedom of religion or belief of all members of the religious community concerned;

8. *Also emphasizes* that States should exercise due diligence to prevent, investigate and punish acts of violence against persons belonging to religious minorities, regardless of the perpetrator, and that failure to do so may constitute a human rights violation;

9. *Urges* States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief and, to this end:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction by, inter alia, the provision of access to justice and effective remedies in cases where the right to freedom of thought, conscience and religion or belief or the right to freely practise one's religion, including the right to change one's religion or belief, is violated;

(b) To ensure that no one within their jurisdiction is deprived of the right to life, liberty or security of person because of religion or belief, and that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, or arbitrary arrest or detention on that account, and to bring to justice all perpetrators of violations of these rights;

(c) To end violations of the human rights of women and to devote particular attention to abolishing practices and legislation that discriminates against women, including in the exercise of their right to freedom of thought, conscience and religion or belief;

(d) To ensure that no one is discriminated against on the basis of his or her religion or belief in their access to, inter alia, education, medical care, employment, humanitarian assistance or social benefits, and to ensure that everyone has the right and the opportunity to have access, on general terms of equality, to public services in their country, without any discrimination on the basis of religion or belief;

(e) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all persons to manifest their religion or belief, either alone or in community with others and in public or private;

(f) To ensure that no official documents are withheld from the individual on the grounds of religion or belief and that everyone has the right to refrain from disclosing information concerning their religious affiliation in such documents against their will;

(g) To ensure, in particular, the right of all persons to worship, assemble or teach in connection with a religion or belief and their right to establish and maintain places for these purposes, and the right of all persons to seek, receive and impart information and ideas in these areas;

(h) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(i) To ensure that all public officials and civil servants, including members of law enforcement bodies, and personnel of detention facilities, the military and educators, in the course of fulfilling their official duties, respect freedom of religion or belief and do not discriminate for reasons based on religion or belief, and that all necessary and appropriate awareness-raising, education or training is provided;

(j) To take all necessary and appropriate action, in conformity with international human rights obligations, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as any advocacy of religious hatred that constitutes incitement to discrimination, hostility and violence, with particular regard to members of religious minorities in all parts of the world;

(k) To promote, through the educational system and other means, mutual understanding, tolerance, non-discrimination and respect in all matters relating to freedom of religion or belief by encouraging, in society at large, a wider knowledge of different religions and beliefs and of the history, traditions, languages and cultures of the various religious minorities existing within their jurisdiction;

(l) To prevent any distinction, exclusion, restriction or preference based on religion or belief that impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis, and to detect signs of intolerance that may lead to discrimination based on religion or belief;

10. *Stresses* the importance of a continued and strengthened dialogue in all its forms, including among and within religions or beliefs, and with broader participation,

including of women, to promote greater tolerance, respect and mutual understanding, and takes note of different initiatives in this regard, including the Alliance of Civilizations and the programmes led by the United Nations Educational, Scientific and Cultural Organization;

11. *Welcomes and encourages* the continuing efforts of all actors in society, including non-governmental organizations and bodies and groups based on religion or belief, to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and also encourages their work in promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

12. *Calls upon* States to make use of the potential of education for the eradication of prejudices and stereotypes against members of other religions or beliefs;

13. *Welcomes* the work of the Special Rapporteur, takes notes with interest of his report on freedom of religion or belief and school education,²² and requests him to submit a report annually to the Human Rights Council in accordance with its annual programme of work;

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

*46th meeting
24 March 2011*

[Adopted without a vote.]

16/14

Mandate 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

The Human Rights Council,

Reaffirming all previous resolutions and decisions adopted by the Commission on Human Rights in connection with the effects of structural adjustment and economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights, including resolutions 1998/24 of 17 April 1998, 1999/22 of 23 April 1999, 2000/82 of 26 April 2000, 2004/18 of 16 April 2004 and 2005/19 of 14 April 2005, as well as Human Rights Council decision 2/109 of 27 November 2006 and resolutions 7/4 of 27 March 2008, 11/5 of 17 June 2009, and 14/4 of 17 June 2010,

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,

Noting that, despite the efforts made, the effects of the debt problem are not over and that heavy debt burdens continue to contribute to extreme poverty and to undermine the capacity of Governments, particularly in developing countries, to create the conditions

²² A/HRC/16/53.

necessary for the achievement of sustainable human development and the realization of human rights,

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 low- and middle-income 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,

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

1. *Welcomes* the work and contributions 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;

2. *Decides* to extend the mandate of the independent expert for a period of three years, and requests the independent expert to pay particular attention to:

(a) The effects of foreign debt and the policies adopted to address them on the full enjoyment of all human rights, in particular, economic, social and cultural rights in developing countries;

(b) The impact of foreign debt and other related international financial obligations on the capacity of States to design and implement their policies and programmes, including national budgets that respond to vital requirements for the promotion of the realization of social rights;

(c) Measures taken by Governments, the private sector and international financial institutions to alleviate such effects in developing countries, especially the poorest and heavily indebted countries;

(d) New developments and actions and initiatives being taken by international financial institutions, other United Nations bodies and intergovernmental and non-governmental organizations with respect to economic reform policies and human rights;

(e) Quantification of minimum standards to support the realization of the Millennium Development Goals;

(f) Enhancement of consultations with all relevant stakeholders in the fulfilment of this mandate;

3. *Requests* the independent expert to explore further, in his/her analytical annual report to the Human Rights Council, the interlinkages with trade and other issues, including HIV/AIDS, when examining 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, 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 the broad scope of his/her mandate to its attention;

4. *Also requests* the independent expert to continue to seek the views and suggestions of States, international organizations, United Nations agencies, funds and programmes, regional economic commissions, international and regional financial institutions and non-governmental organizations on the draft general guidelines with a view to improving them, as appropriate, and to present the updated guidelines to the Human Rights Council;

5. *Further requests* the independent expert to cooperate, in accordance with his/her mandate, with the Committee on Economic, Social and Cultural Rights, as well as with the Advisory Committee, special procedures, mechanisms and relevant working

groups of the Human Rights Council related to economic, social and cultural rights and the right to development, in his/her work towards the improvement of the above-mentioned draft general guidelines;

6. *Requests* the independent expert to report regularly to the Human Rights Council and the General Assembly in accordance with their respective programmes of work;

7. *Requests* the Secretary-General to provide the independent expert with all necessary assistance, in particular the staff and resources required for the effective fulfilment of his or her mandate, including sufficient budgetary resources for the implementation of the activities envisaged in Human Rights Council resolution 11/5, as well as to facilitate his/her participation in and contribution to the follow-up process of the International Conference on Financing for Development;

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

9. *Decides* to continue its consideration of this matter under the same agenda item.

*46th meeting
24 March 2011*

[Adopted by a recorded vote of 29 to 13, with 4 abstentions. The voting was as follows:

In favour:

Angola, Argentina, Bahrain, Bangladesh, Brazil, Burkina Faso, Cameroon, China, Cuba, Djibouti, Ecuador, Ghana, Guatemala, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay, Zambia

Against:

Belgium, France, Hungary, Japan, Poland, Republic of Korea, Republic of Moldova, Slovakia, Spain, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Chile, Gabon, Mexico, Norway]

16/15

Role of international cooperation in support of national efforts for the realization of the rights of persons with disabilities

The Human Rights Council,

Reaffirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed the full enjoyment of their rights and freedoms without discrimination,

Reaffirming also Human Rights Council resolutions 7/9 of 27 March 2008, 10/7 of 26 March 2009 and 13/11 of 25 March 2010, and welcoming the efforts of all stakeholders to implement those resolutions,

Recalling the recognition by States parties to the Convention on the Rights of Persons with Disabilities of the importance of international cooperation and its promotion, in support of national efforts for the realization of the purpose and objectives of the

Convention, and that such measures are without prejudice to the obligation of each State party to fulfil their obligations under the Convention,

Recalling also the recognition of the importance of international cooperation for improving the living conditions of persons with disabilities in every country, particularly in developing countries, and highlighting the fact that the majority of persons with disabilities live in conditions of poverty and, in this regard, recognizing the critical need to address the negative impact of poverty on persons with disabilities,

Emphasizing that international cooperation measures that are not inclusive of and accessible to persons with disabilities may create new barriers to their equal participation in society,

Emphasizing also the need for States parties to consult closely with and actively involve persons with disabilities in decision-making processes concerning issues related to persons with disabilities, including to enable and empower them to participate in international cooperation,

1. *Welcomes* the fact that, to date, one hundred and forty-seven States and one regional integration organization have signed and ninety-nine States ratified or acceded to the Convention on the Rights of Persons with Disabilities, and that ninety States have signed and sixty-one States have ratified or acceded to the Optional Protocol to the Convention, and calls upon those States and regional integration organizations that have not yet ratified or acceded to the Convention and the Optional Protocol thereto to consider doing so as a matter of priority;

2. *Encourages* States that have ratified the Convention and have submitted one or more reservations to it to implement a process to review regularly the effect and continued relevance of such reservations, and to consider the possibility of withdrawing them;

3. *Welcomes* the outcome document of the High-level Plenary Meeting contained in General Assembly resolution 65/1 of 22 September 2010, entitled “Keeping the promise: united to achieve the Millennium Development Goals”, particularly the recognition that policies and actions must also focus on persons with disabilities in order that they may benefit from progress towards achieving the Millennium Development Goals;

4. *Also welcomes* the work of the Office of the United Nations High Commissioner for Human Rights on the role of international cooperation in support of national efforts for the realization of the rights of persons with disabilities, including the thematic study,²³ and calls upon all stakeholders to consider the findings and recommendations of the study, and invites the High Commissioner to make the study available to the high-level meeting at the sixty-seventh session of the General Assembly on strengthening efforts to ensure accessibility for and inclusion of persons with disabilities in all aspects of development efforts;

5. *Calls upon* States parties to the Convention to ensure that all international cooperation measures in the disability field are consistent with their obligations under the Convention; such measures could include, in addition to disability-specific initiatives, ensuring that international cooperation is inclusive of and accessible to persons with disabilities;

²³ A/HRC/16/38.

6. *Encourages* all actors, when taking appropriate and effective international cooperation measures in support of national efforts for the realization of the rights of persons with disabilities, to ensure:

(a) That appropriate attention be given to all persons with disabilities, including those with disabilities relating to physical, mental, intellectual and sensory impairments, and that appropriate attention be given also to gender issues, including the connection between gender and disability;

(b) Adequate coordination between and among actors involved in international cooperation;

7. *Encourages* States to reinforce international cooperation in support of national efforts for the realization of the rights of persons with disabilities;

8. *Welcomes* the initiative by the United Nations Development Programme, the Office of the High Commissioner, the Department of Economic and Social Affairs of the United Nations Secretariat and the United Nations Children's Fund to promote a new multi-donor trust fund through the establishment of the United Nations partnership for the rights of persons with disabilities to support the inclusion of the rights of persons with disabilities within the development cooperation programmes of the United Nations system, and encourages States, bilateral and multilateral donors and private donors to give favourable consideration to contributing to it once it has been established;

9. *Invites* the Office of the High Commissioner, within two years of the establishment of the United Nations partnership for the rights of persons with disabilities, to provide information to the Human Rights Council on the status and operation of the partnership;

10. *Encourages* States to reinforce international cooperation measures in fields of research or on transfer of technology, such as assistive technologies;

11. *Encourages* all actors to give appropriate consideration to the rights of persons with disabilities in all phases of humanitarian operations, from preparedness to assistance, transition and handover of relief operations;

12. *Acknowledges* the importance of international cooperation at all levels, including South-South and triangular cooperation, which complement North-South cooperation, as well as regional cooperation and cooperation involving and within civil society, including national human rights institutions and persons with disabilities and their representative organizations;

13. *Recalls* that international cooperation is without prejudice to the obligation of each State party to the Convention to fulfil its obligations under the Convention;

14. *Takes note with interest* of the ongoing discussions at the World Intellectual Property Organization on exceptions and limitations to copyright to enhance access to copyrighted works for persons with disabilities;

15. *Decides* to continue to integrate the rights of persons with disabilities into its work, in accordance with Human Rights Council resolution 7/9;

16. *Also decides* that its next annual interactive debate on the rights of persons with disabilities will be held at its nineteenth session, and that it will focus on participation in political and public life;

17. *Requests* the Office of the High Commissioner to prepare a study on the participation of persons with disabilities in political and public life, in consultation with relevant stakeholders, including States, regional organizations, including regional integration organizations, United Nations agencies, the Special Rapporteur on disability of

the Commission for Social Development of the Economic and Social Council, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, and requests that the study be made available on the website of the Office of the High Commissioner, in an accessible format, prior to the nineteenth session of the Human Rights Council;

18. *Encourages* organizations of persons with disabilities, national monitoring bodies and human rights institutions to participate actively in the debate referred to in paragraph 16 above, as well as in regular and special sessions of the Human Rights Council and its working groups;

19. *Encourages* the special procedures mandate holders of the Human Rights Council to cooperate, as appropriate and in accordance with their respective mandates, with the Special Rapporteur on disability of the Commission for Social Development;

20. *Requests* the Secretary-General to continue to ensure that the Office of the High Commissioner, in its mandates on the rights of persons with disabilities, and the Committee on the Rights of Persons with Disabilities are given adequate resources for the fulfilment of their tasks;

21. *Requests* the Secretary-General and the High Commissioner to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, also taking into account relevant provisions of the Convention on the Rights of Persons with Disabilities, and underlines that the Human Rights Council, including its Internet resources, should be fully accessible to persons with disabilities.

*46th meeting
24 March 2011*

[Adopted without a vote.]

16/16 Enforced or involuntary disappearances

The Human Rights Council,

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

Recalling Commission on Human Rights resolution 20 (XXXVI) of 29 February 1980, in which the Commission decided to establish a working group of five members to serve as experts in their individual capacity and to examine questions relevant to enforced or involuntary disappearances, and also all previous resolutions on this subject, in particular Human Rights Council resolution 7/12 of 27 March 2008, in which the Council renewed by consensus the mandate of the Working Group on Enforced or Involuntary Disappearances,

Recalling also General Assembly resolution 47/133 of 18 December 1992, by which the Assembly adopted the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for States,

Welcoming the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance on 23 December 2010 and the fact that eighty eight States have signed it and twenty three States have ratified or acceded to it, and

recognizing that its implementation will be a significant contribution to ending impunity and to the promotion and the protection of all human rights for all,

Deeply concerned in particular by the increase in enforced or involuntary disappearances in various regions of the world, including arrest, detention and abduction, when these are part of or amount to enforced disappearances, and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Recalling that the Convention sets out the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and the result of the investigation and the fate of the disappeared person, and sets forth State party obligations to take appropriate measures in this regard,

Taking note with interest of the general comment of the Working Group on the right to the truth in relation to enforced disappearances,

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

Taking note with interest of the general comment of the Working Group on enforced disappearances as a crime of a continuous nature and, in this regard, recalling the relevant provisions of the Convention and the Declaration,

Welcoming the decision of the General Assembly to declare 30 August International Day of the Victims of Enforced Disappearances and its call upon Member States, the United Nations system and other international and regional organizations, as well as civil society, to observe this day,

Acknowledging that many Governments have cooperated with the Working Group,

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. *Calls upon* all States that have not yet signed, ratified or acceded to the International Convention for the Protection of All Persons from Enforced Disappearance to consider doing so as a matter of priority, and to consider as well the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances;

2. *Notes* that 2012 will mark the twentieth anniversary of the adoption by the General Assembly of the Declaration on the Protection of All Persons from Enforced Disappearance, and encourages all States to translate the Declaration into their languages in order to assist its global dissemination and the ultimate goal of prevention of enforced disappearances;

3. *Takes note* of the report of the Working Group on Enforced or Involuntary Disappearances on best practices on enforced disappearances in domestic criminal legislation,²⁴ and encourages States to give due consideration to the good practices identified in the report;

4. *Decides* to extend the mandate of the Working Group for a further period of three years, in conformity with the terms set forth in the Human Rights Council resolution 7/12;

²⁴ A/HRC/16/48/Add.3 and Corr.1.

5. *Calls upon* States that have not provided for a long period of time substantive replies concerning claims of enforced disappearances in their countries to do so, and to give due consideration to relevant recommendations concerning this issue made by the Working Group in its reports;

6. *Encourages* the Working Group, in accordance with its working methods, to continue to provide concerned States with relevant and detailed information concerning allegations of enforced disappearances in order to facilitate a prompt and substantive response to these communications without prejudice to the need for concerned States to cooperate with the Working Group;

7. *Notes with concern* that, according to the Working Group, it has insufficient resources to effectively exercise its mandate, particularly in relation to human resources, where there is an acute need,²⁵ and requests the Secretary-General to provide the assistance necessary to the Working Group to fulfil its mandate, in particular by putting adequate human and material resources at its disposal;

8. *Decides* to continue consideration of the question of enforced disappearances in accordance with the programme of work of the Human Rights Council.

*46th meeting
24 March 2011*

[Adopted without a vote.]

16/17 Human rights in the occupied Syrian Golan

The Human Rights Council,

Deeply concerned at the suffering of the Syrian citizens in the occupied Syrian Golan due to the systematic and continuous violation of their fundamental and human rights by Israel since the Israeli military occupation of 1967,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also all relevant General Assembly resolutions, the most recent being resolution 65/106 of 10 December 2010, in which the Assembly declared that Israel had failed to comply with Security Council resolution 497 (1981) and demanded that Israel withdraw from all the occupied Syrian Golan,

Reaffirming once more the illegality of the decision by Israel of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force in accordance with the Charter of the United Nations and the principles of international law,

Taking note with deep concern of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/65/237) of 27 August 2010 and, in this connection, deploring the Israeli settlement in the occupied Arab territories and expressing regret at the constant refusal of Israel to cooperate with and to receive the Special Committee,

²⁵ A/HRC/16/48, para. 585.

Guided by the relevant provisions of the Charter of the United Nations, international law and the Universal Declaration of Human Rights and reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and the relevant provisions of the Hague Conventions of 1899 and 1907 to the occupied Syrian Golan,

Reaffirming the importance of the peace process, which started in Madrid on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the principle of land for peace, and expressing its concern at the halting of the peace process in the Middle East and its hope that peace talks will be resumed on the basis of the full implementation of Security Council resolutions 242 (1967) and 338 (1973) for the establishment of a just and comprehensive peace in the region,

Reaffirming also the previous relevant resolutions of the Commission on Human Rights and of the Human Rights Council, the most recent being resolution 13/5 of 24 March 2010,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions of the General Assembly, the Security Council and the Human Rights Council, in particular Security Council resolution 497 (1981), in which the Council decided, *inter alia*, that the decision of Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and without international legal effect, and demanded that Israel rescind forthwith its decision;

2. *Also calls upon* Israel to desist from its continuous building of settlements, the most recent of which is the settlement campaign being conducted by the so-called Golan Regional Council under the slogan "Come to the Golan", and to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan, and emphasizes that the displaced persons of the population of the occupied Syrian Golan must be allowed to return to their homes and to recover their property;

3. *Further calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and to desist from its repressive measures against them and from all other practices that obstruct the enjoyment of their fundamental rights and their civil, political, economic, social and cultural rights, some of which are mentioned in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;

4. *Calls upon* Israel to allow the Syrian population of the occupied Syrian Golan to visit their families and relatives in the Syrian motherland through the Quneitra checkpoint and under the supervision of the International Committee of the Red Cross, and to rescind its decision to prohibit these visits, as it is in flagrant violation of the Fourth Geneva Convention and the International Covenant on Civil and Political Rights;

5. *Also calls upon* Israel to release immediately the Syrian detainees in Israeli prisons, some of whom have been detained for more than 25 years, and calls on Israel to treat them in conformity with international humanitarian law;

6. *Further calls upon* Israel, in this connection, to allow delegates of the International Committee of the Red Cross to visit Syrian prisoners of conscience and detainees in Israeli prisons accompanied by specialized physicians to assess the state of their physical and mental health and to protect their lives;

7. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, including the Knesset's decision of 22 November 2010 to hold a referendum before any withdrawal from the occupied Syrian

Golan and East Jerusalem, that seek to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

8. *Again calls upon* States Members of the United Nations not to recognize any of the above-mentioned legislative or administrative measures;

9. *Requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations, to disseminate it as widely as possible and to report on this matter to the Council at its next main session;

10. *Decides* to continue the consideration of the human rights violations in the occupied Syrian Golan at its next main session.

*46th meeting
24 March 2011*

[Adopted by a recorded vote of 29 to 1, with 16 abstentions. The voting was as follows:

In favour:

Angola, Argentina, Bahrain, Bangladesh, Brazil, Burkina Faso, Chile, China, Cuba, Djibouti, Ecuador, Ghana, Kyrgyzstan, Jordan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay, Zambia

Against:

United States of America

Abstaining:

Belgium, Cameroon, France, Gabon, Guatemala, Hungary, Japan, Norway, Poland, Republic of Korea, Republic of Moldova, Slovakia, Spain, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland]

16/18

Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief

The Human Rights Council,

Reaffirming the commitment made by all States under the Charter of the United Nations to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to, inter alia, religion or belief,

Reaffirming also the obligation of States to prohibit discrimination on the basis of religion or belief and to implement measures to guarantee the equal and effective protection of the law,

Reaffirming further that the International Covenant on Civil and Political Rights provides, inter alia, that everyone shall have the right to freedom of thought, conscience and religion or belief, which shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching,

Reaffirming the positive role that the exercise of the right to freedom of opinion and expression and the full respect for the freedom to seek, receive and impart information can play in strengthening democracy and combating religious intolerance,

Deeply concerned about incidents of intolerance, discrimination and violence against persons based on their religion or belief in all regions of the world,

Deploring any advocacy of discrimination or violence on the basis of religion or belief,

Strongly deploring all acts of violence against persons on the basis of their religion or belief, as well as any such acts directed against their homes, businesses, properties, schools, cultural centres or places of worship,

Concerned about actions that wilfully exploit tensions or target individuals on the basis of their religion or belief,

Noting with deep concern the instances of intolerance, discrimination and acts of violence in many parts of the world, including cases motivated by discrimination against persons belonging to religious minorities, in addition to the negative projection of the followers of religions and the enforcement of measures that specifically discriminate against persons on the basis of religion or belief,

Recognizing the valuable contribution of people of all religions or beliefs to humanity and the contribution that dialogue among religious groups can make towards an improved awareness and understanding of the common values shared by all humankind,

Recognizing also that working together to enhance implementation of existing legal regimes that protect individuals against discrimination and hate crimes, increase interfaith and intercultural efforts, and to expand human rights education are important first steps in combating incidents of intolerance, discrimination and violence against individuals on the basis of religion or belief,

1. *Expresses deep concern* at the continued serious instances of derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief, as well as programmes and agendas pursued by extremist organizations and groups aimed at creating and perpetuating negative stereotypes about religious groups, in particular when condoned by Governments;

2. *Expresses its concern* that incidents of religious intolerance, discrimination and related violence, as well as of negative stereotyping of individuals on the basis of religion or belief, continue to rise around the world, and condemns, in this context, any advocacy of religious hatred against individuals that constitutes incitement to discrimination, hostility or violence, and urges States to take effective measures, as set forth in the present resolution, consistent with their obligations under international human rights law, to address and combat such incidents;

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

4. *Recognizes* that the open public debate of ideas, as well as interfaith and intercultural dialogue, at the local, national and international levels can be among the best protections against religious intolerance and can play a positive role in strengthening democracy and combating religious hatred, and convinced that a continuing dialogue on these issues can help overcome existing misperceptions;

5. *Notes* the speech given by Secretary-General of the Organization of the Islamic Conference at the fifteenth session of the Human Rights Council, and draws on his call on States to take the following actions to foster a domestic environment of religious tolerance, peace and respect, by:

(a) Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education;

(b) Creating an appropriate mechanism within Governments to, inter alia, identify and address potential areas of tension between members of different religious communities, and assisting with conflict prevention and mediation;

(c) Encouraging training of Government officials in effective outreach strategies;

(d) Encouraging the efforts of leaders to discuss within their communities the causes of discrimination, and evolving strategies to counter these causes;

(e) Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence;

(f) Adopting measures to criminalize incitement to imminent violence based on religion or belief;

(g) Understanding the need to combat denigration and negative religious stereotyping of persons, as well as incitement to religious hatred, by strategizing and harmonizing actions at the local, national, regional and international levels through, inter alia, education and awareness-building;

(h) Recognizing that the open, constructive and respectful debate of ideas, as well as interfaith and intercultural dialogue at the local, national and international levels, can play a positive role in combating religious hatred, incitement and violence;

6. *Calls upon* all States:

(a) To take effective measures to ensure that public functionaries in the conduct of their public duties do not discriminate against an individual on the basis of religion or belief;

(b) To foster religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion, and to contribute openly and on an equal footing to society;

(c) To encourage the representation and meaningful participation of individuals, irrespective of their religion, in all sectors of society;

(d) To make a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questionings, searches and other law enforcement investigative procedures;

7. *Encourages* States to consider providing updates on efforts made in this regard as part of ongoing reporting to the Office of the United Nations High Commissioner for Human Rights;

8. *Calls upon* States to adopt measures and policies to promote the full respect for and protection of places of worship and religious sites, cemeteries and shrines, and to take measures in cases where they are vulnerable to vandalism or destruction;

9. *Calls for* strengthened international efforts to foster a global dialogue for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religions and beliefs, and decides to convene a panel discussion on this issue at its seventeenth session, within existing resources.

*46th meeting
24 March 2011*

[Adopted without a vote.]

16/19

Cooperation between Tunisia and the Office of the United Nations High Commissioner for Human Rights

The Human Rights Council,

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

Welcoming the process of political transition that has started in Tunisia and the commitment of the transitional Government of Tunisia to fully realize the universal values of human dignity, liberty, democracy and human rights,

Acknowledging that, in spite of the rapidity with which this transition is unfolding, peace and order has prevailed in the country,

Welcoming the process of constitutional reform and the commitment to bring legislation into line with international treaty obligations, as well as the intent expressed by the transitional Government to strengthen the independence of the judiciary and the implementation of legislation,

Welcoming also the efforts of the transitional Government to release all political prisoners through a general amnesty and to bring transparency to the prison system, in particular by granting access to international and non-governmental organizations,

Welcoming further the standing invitation issued to all special procedures,

Noting the ongoing ratification process of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the first Optional Protocol to the International Covenant on Civil and Political Rights, the Rome Statute of the International Criminal Court and the International Convention for the Protection of All Persons from Enforced Disappearance,

1. *Salutes* the courage of the people of Tunisia and strongly supports the efforts of the transitional Government towards a swift and peaceful political transition and the full realization of human rights;

2. *Takes note* of the assessment mission of the Office of the United Nations High Commissioner for Human Rights to Tunisia and its report, as well as the decision, upon the invitation extended by the transitional Government, to set up a country office of the Office of the High Commissioner in Tunisia;

3. *Encourages* the transitional Government to continue to implement the recommendations, contained in the mission report, that it has accepted, with the support of the Office of the High Commissioner;

4. *Also encourages* the transitional Government to continue its efforts to ensure accountability for human rights violations;

5. *Invites* all parts of the United Nations system, including the Office of the High Commissioner and Member States, to assist the transitional process in Tunisia, including by supporting the mobilization of resources to tackle the economic and social challenges faced by Tunisia, in coordination with and according to the priorities set by the Government of Tunisia;

6. *Commends* the Tunisian people for the solidarity shown to refugees and the assistance extended to them;

7. *Invites* the High Commissioner to continue to cooperate with the Government of Tunisia on the matter.

*46th meeting
24 March 2011*

[Adopted without a vote.]

16/20

Follow-up to the report of the independent international fact-finding mission on the incident of the humanitarian flotilla

The Human Rights Council,

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

Considering that the promotion of respect for the obligations arising from the Charter and the other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Taking into consideration the relevant provisions of international humanitarian and human rights law,

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

Recalling Human Rights Council resolution 14/1 of 2 June 2010, in which the Council decided to dispatch an independent international fact-finding mission to investigate violations of human rights law and international humanitarian law resulting from the Israeli attacks on the flotilla of ships carrying humanitarian assistance,

Recalling also Human Rights Council resolution 15/1 of 29 September 2010, in which the Council endorsed the conclusions contained in the report of the independent international fact-finding mission, called upon all concerned parties to ensure the immediate implementation of the conclusions contained in the report of the fact-finding mission and requested the United Nations High Commissioner for Human Rights to submit a report on the status of implementation of those conclusions,

Welcoming the establishment by the Secretary-General of a panel of inquiry and recalling that its work has not been completed,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights;²⁶
2. *Regrets* the non-cooperation of the occupying Power, Israel, with the independent international fact-finding mission on the Gaza flotilla incident;
3. *Calls upon* concerned parties to ensure the immediate implementation of the conclusions contained in the report of the fact-finding mission;
4. *Encourages* the panel of inquiry established by the Secretary-General to complete its work without delay;
5. *Requests* the High Commissioner to submit a report on the status of the implementation of paragraph 3 above to the Human Rights Council at its seventeenth session;
6. *Decides* to follow up the implementation of the present resolution at its seventeenth session.

*47th meeting
25 March 2011*

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

In favour:

Angola, Argentina, Bahrain, Bangladesh, Belgium, Brazil, Burkina Faso, Chile, China, Cuba, Djibouti, Ecuador, France, Gabon, Ghana, Guatemala, Japan, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Norway, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Spain, Switzerland, Thailand, Uganda, United Kingdom of Great Britain and Northern Ireland, Uruguay

Against:

United States of America

Abstaining:

Cameroon, Hungary, Poland, Republic of Korea, Republic of Moldova, Slovakia, Ukraine, Zambia]

16/21

Review of the work and functioning of the Human Rights Council

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in paragraph 16 of resolution 60/251 of 15 March 2006, in which the Assembly decided that the Human Rights Council should review its work and functioning five years after its establishment and report to the Assembly,

Having considered the report of the open-ended intergovernmental working group on the review of work and functioning of the Human Rights Council,²⁷ established by the Council in its resolution 12/1 of 1 October 2009,

1. *Takes note* of the report of the open-ended intergovernmental working group on the review of work and functioning of the Human Rights Council;

²⁶ A/HRC/16/73.

²⁷ A/HRC/WG.8/2/1.

2. *Adopts* the “Outcome of the review of the work and functioning of the United Nations Human Rights Council” as annexed to the present resolution, to be submitted to the General Assembly;

3. *Decides* that the “Outcome of the review of the work and functioning of the United Nations Human Rights Council” shall be a supplement to the institution-building package contained in Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007, as well as in other related Council resolutions, decisions and President’s statements;

4. *Also decides* to submit the following draft resolution to the General Assembly for its consideration:

“The General Assembly,

“Taking note of Human Rights Council resolution 16/21 of 25 March 2011,

“Endorses the text entitled ‘Outcome of the review of the work and functioning of the United Nations Human Rights Council’.”

*47th meeting
25 March 2011*

[Adopted without a vote.]

16/22

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 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,

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 implement recommendations emanating from the universal periodic review in consultation with, and with the consent of, the country concerned,

Reaffirming that dialogue among 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 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 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 in international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *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;

8. *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;

9. *Takes note* of the information provided orally by the Office of the United Nations High Commissioner for Human Rights on the progress achieved in operationalizing the Universal Periodic Review Voluntary Trust Fund and the Voluntary Fund for Financial and Technical Assistance, and requests the Office to provide the Council with a written update on the operations of both funds and the resources available to them;

10. *Requests* the Office of the High Commissioner to seek the views of States and relevant stakeholders on the contribution of the Voluntary Fund for Financial and Technical Assistance, 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 require financial support, and also requests the Office to provide the Council with a compilation of those views at its nineteenth session;

11. *Urges* States to continue to support the Universal Periodic Review Voluntary Fund and the Voluntary Fund for Financial and Technical Assistance;

12. *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;

13. *Urges* States to take the measures necessary 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;

14. *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;

15. *Takes note* of the discussions held in the Human Rights Council Advisory Committee in fulfilment of the mandate given to the Committee to explore ways and means to enhance international cooperation in the field of human rights, in accordance with Council resolution 13/23 of 26 March 2010;

16. *Decides* to continue its consideration of the matter in 2012, in accordance with its annual programme of work.

*47th meeting
25 March 2011*

[Adopted without a vote.]

16/23

Torture and other cruel, inhuman or degrading treatment or punishment: mandate of the Special Rapporteur

The Human Rights Council,

Reaffirming that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right under international law that must be respected and protected under all circumstances, including in times of international and internal armed conflict or internal disturbance or any other public emergency; that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in the relevant international instruments; and that legal and procedural safeguards against such acts must not be subject to measures that would circumvent this right,

Recalling also that the prohibition of torture is a peremptory norm of international law, and that international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, without prejudice to any international instrument or national legislation that contains or may contain provisions of wider application,

Noting that, under the Geneva Conventions of 1949, torture and inhuman treatment are a grave breach and that, under the Statute of the International Criminal Tribunal for the Former Yugoslavia, the Statute of the International Criminal Tribunal for Rwanda and the Rome Statute of the International Criminal Court, acts of torture can constitute crimes against humanity and, when committed in a situation of armed conflict, constitute war crimes,

Welcoming the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance, the implementation of which will make a significant contribution to the prevention and prohibition of torture, including by prohibiting places of secret detention and encouraging all States that have not ratified or acceded to the Convention to consider doing so,

Commending the persistent efforts of civil society, in particular non-governmental organizations, national human rights institutions and national preventive mechanisms, and the considerable network of centres for the rehabilitation of torture victims to prevent and combat torture and to alleviate the suffering of victims of torture,

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 or her duties in accordance with those resolutions and the annexes thereto,

Recalling also all relevant resolutions of the General Assembly, the Economic and Social Council, the Human Rights Council and the Commission on Human Rights on the subject,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Condemns in particular* any action or attempt by States or public officials to legalize, authorize or acquiesce to torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security or through judicial decisions, and urges States to ensure accountability for all such acts;

3. *Decides* to extend the mandate of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for a further period of three years:

(a) To seek, receive, examine and act on information from Governments, intergovernmental and civil society organizations, individuals and groups of individuals regarding issues and alleged cases concerning torture or other cruel, inhuman or degrading treatment or punishment;

(b) To conduct country visits with the consent or at the invitation of Governments;

(c) To study, in a comprehensive manner, trends, developments and challenges in relation to combating and preventing torture and other cruel, inhuman or degrading treatment or punishment, and to make recommendations and observations concerning appropriate measures to prevent and eradicate such practices;

(d) To identify, exchange and promote best practices on measures to prevent, punish and eradicate torture and other cruel, inhuman or degrading treatment or punishment;

(e) To integrate a gender perspective throughout the work of his or her mandate;

(f) To continue to cooperate with the Committee against Torture, the Subcommittee for the Prevention of Torture and relevant United Nations mechanisms and bodies and, as appropriate, regional organizations and mechanisms, national human rights institutions, national preventive mechanisms and civil society, including non-governmental organizations;

(g) To report on all of his or her activities, observations, conclusions and recommendations to the Human Rights Council, in accordance with its programme of work, and annually on the overall trends and developments with regard to his or her mandate to the General Assembly, with a view to maximizing benefits of the reporting process;

4. *Takes note with appreciation* of the report of the Special Rapporteur²⁸ and his victim-oriented approach;

5. *Emphasizes* that acts of torture are serious violations of international human rights law and humanitarian law and can constitute crimes against humanity and, when committed in a situation of armed conflict, war crimes, and that the perpetrators thereof are liable to prosecution and punishment;

6. *Urges* States:

(a) To cooperate with and assist the Special Rapporteur in the performance of his or her task, to supply all necessary information requested by him or her and to fully and expeditiously respond to his or her urgent appeals, and urges those Governments that have not yet responded to communications transmitted to them by the Special Rapporteur to answer without further delay;

(b) To give serious consideration to responding favourably to the Special Rapporteur's requests to visit their countries, and to enter into a constructive dialogue with the Special Rapporteur on requested visits to their countries;

(c) To ensure, as an important element in the prevention and combat of torture and other cruel, inhuman and degrading treatment or punishment, that no authority or official orders, applies, permits or tolerates any sanction or other prejudice against any

²⁸ A/HRC/16/52.

person or organization for having been in contact with the Special Rapporteur or any other international or national monitoring or preventive body active in the prevention and combat of torture and other cruel, inhuman or degrading treatment or punishment;

(d) To ensure proper follow-up to the recommendations and conclusions of the Special Rapporteur;

7. *Also urges* States:

(a) To implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including education and training for personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment, and ensure that conditions of detention respect the dignity and human rights of detainees;

(b) To take persistent, determined and effective measures to have all allegations of torture or other cruel, inhuman or degrading treatment or punishment investigated promptly, effectively and impartially by an independent, competent domestic authority, as well as whenever there is reasonable ground to believe that such an act has been committed; to hold persons who encourage, order, tolerate or perpetrate such acts responsible, to have them brought to justice and punished in a manner commensurate with the gravity of the offence, including the officials in charge of the place of detention where the prohibited act is found to have been committed; and to take note, in this respect, of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the updated set of principles for the protection of human rights through action to combat impunity as a useful tool in efforts to prevent and combat torture;

(c) To ensure that no statement established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made, and calls upon States to consider extending that prohibition to statements made as a result of cruel, inhuman or degrading treatment or punishment, recognizing that adequate corroboration of statements, including confessions, used as evidence in any proceedings constitutes one safeguard for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

(d) Not to expel, return (*refouler*), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture, stressing the importance of effective legal and procedural safeguards in this regard, and recognizing that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

(e) To ensure that victims of torture or other cruel, inhuman or degrading treatment or punishment obtain redress, are awarded fair and adequate compensation and receive appropriate social, psychological, medical and other relevant specialized rehabilitation, and urges States to establish, maintain, facilitate or support rehabilitation centres or facilities where victims of torture can receive such treatment and where effective measures for ensuring the safety of their staff and patients are taken;

(f) To ensure that all acts of torture are offences under domestic criminal law, and encourages States to prohibit under domestic law acts constituting cruel, inhuman or degrading treatment or punishment;

(g) To ensure that persons convicted of torture or other cruel, inhuman or degrading treatment or punishment have no subsequent involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other

deprivation of liberty, and that persons charged with torture or cruel, inhuman or degrading treatment or punishment have no involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty while such charges are pending;

(h) Not to punish personnel for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

(i) To protect medical and other personnel for their role in documenting torture or any other form of cruel, inhuman or degrading treatment or punishment and in treating victims of such acts;

(j) To ensure appropriate follow-up to conclusions, recommendations, requests for further information and views on individual communications of the relevant treaty bodies, including the Committee against Torture and the Subcommittee on the Prevention of Torture;

(k) To adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to gender-based violence that constitutes torture or other cruel, inhuman or degrading treatment or punishment;

(l) To become parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as a matter of priority, and to give early consideration to signing and ratifying the Optional Protocol thereto and to designating or establishing truly independent and effective national preventive mechanisms for the prevention of torture and other cruel, inhuman or degrading treatment or punishment in a timely manner;

8. *Reminds* States that:

(a) Intimidation and coercion, as described in article 1 of the Convention against Torture, including serious and credible threats, as well as death threats, to the physical integrity of the victim or of a third person can amount to cruel, inhuman or degrading treatment or to torture;

(b) Prolonged incommunicado detention or detention in secret places can facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and the dignity of the person and to ensure that secret places of detention and interrogation are abolished;

9. *Welcomes* the reports of the Committee against Torture and the Subcommittee on the Prevention of Torture;

10. *Takes note* of the reports of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture, and calls upon the Board of the Fund to report to the Human Rights Council in accordance with its annual programme of work;

11. *Requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of an adequate and stable level of staffing and the necessary facilities and resources for the Special Rapporteur, commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture;

12. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, and appeals to all Governments, organizations and individuals to contribute annually to the Fund, preferably with a substantial increase in

contributions, and encourages contributions to the Special Fund established by the Optional Protocol to the Convention to help finance the implementation of the recommendations made by the Subcommittee on Prevention, as well as education programmes of national preventive mechanisms;

13. *Calls upon* all Governments, the United Nations High Commissioner for Human Rights and United Nations bodies and agencies, as well as relevant intergovernmental and non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture, as proclaimed by the General Assembly in its resolution 52/149 of 12 December 1997;

14. *Decides* to continue to consider this matter in conformity with its annual programme of work.

*47th meeting
25 March 2011*

[Adopted without a vote.]

16/24 Situation of human rights in Myanmar

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights, and reaffirming also previous resolutions of the Commission on Human Rights, the Human Rights Council and the General Assembly on the situation of human rights in Myanmar, including Council resolutions 10/27 of 27 March 2009, 12/20 of 2 October 2009 and 13/25 of 26 March 2010, and General Assembly resolutions 64/238 of 24 December 2009 and 65/241 of 24 December 2010,

Welcoming the work of the Special Rapporteur on the situation of human rights in Myanmar, taking note of his latest report,²⁹ in which he urges the implementation of the recommendations contained therein and those within previous reports, concerned about the lack of implementation of previous recommendations and regretting that no visit of the Special Rapporteur has been allowed to the country since February 2010,

Increasingly concerned that the urgent calls contained in the above-mentioned resolutions and reports and in those of other United Nations bodies concerning the human rights situation in Myanmar have still not been met, and emphasizing the urgent need for significant progress towards meeting the calls of the international community,

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 or her duties in accordance with those resolutions and the annexes thereto,

Reaffirming that it is the responsibility of the Government of Myanmar to ensure the full enjoyment of all human rights and fundamental freedoms of the entire population of the country, as stated in the Charter, the Universal Declaration of Human Rights and other applicable human rights instruments,

²⁹ A/HRC/16/59.

Particularly concerned by the restrictions imposed on the representatives of the National League for Democracy and other political parties and other relevant stakeholders, including a number of ethnic groups, thus preventing a genuine process of dialogue, national reconciliation and transition to democracy,

Noting the stated intention of the Government of Myanmar to implement a democratic transitional process and, desirous of seeing the full restoration of democracy and full enjoyment of human rights for all, underlining the importance of its prompt implementation,

Noting also that free, fair, transparent and inclusive elections must be the cornerstone of any democratic reform process, regretting that the 2010 general elections represent a missed opportunity in this regard, and noting in particular in this respect the restrictions imposed by the electoral laws as enacted and implemented by the Government and the lack of independence of the electoral commission, and also expressing concern at the failure of the electoral commission to follow up on complaints about the electoral process, including voting procedures,

Taking note of the participation by the Government of Myanmar in the universal periodic review in January 2011 as the State under review, acknowledging in this regard its support for certain recommendations, expressing hope for the due consideration and acceptance of as many pending recommendations as possible and for the implementation in practice of the many important recommendations that were rejected,

Noting with serious concern that the grave human rights situation in Myanmar forces thousands of people to seek refuge in neighbouring countries,

1. *Strongly condemns* the ongoing systematic violations of human rights and fundamental freedoms of the people of Myanmar;

2. *Urges* the Government of Myanmar to begin an inclusive post-election process of national reconciliation for a credible transition to democracy, including through meaningful dialogue and the participation of representatives of all groups in the political life of the country, within the framework of a transition to a civilian, legitimate and accountable system of government, based on the rule of law and respect for human rights and fundamental freedoms, and to these ends to take immediate measures to engage in a meaningful and substantive dialogue through all channels with all opposition parties, political, ethnic and civil society groups and actors, including Daw Aung San Suu Kyi;

3. *Welcomes* the release of Daw Aung San Suu Kyi following the most recent period of her arbitrary house arrest, and noting that her release is unconditional, calls on the Government of Myanmar to guarantee the full enjoyment of all human rights, including civil and political rights, and fundamental freedoms, for all people in Myanmar, including Daw Aung San Suu Kyi, in particular with regard to unrestricted movement in and outside the country and unrestricted contact with all domestic stakeholders;

4. *Calls on* the Government of Myanmar to protect the physical safety of all people in Myanmar, including Daw Aung San Suu Kyi, in a manner that is consistent with respect for human rights and fundamental freedoms;

5. *Calls upon* the Government to recognize the pre-election registration status of all political parties, including the National League for Democracy, and to lift all restrictions imposed on the representatives of political parties as well as on other political and civil society actors in the country;

6. *Strongly calls upon* the Government of Myanmar to cooperate with the international community in order to achieve concrete progress with regard to human rights and fundamental freedoms, and political processes;

7. *Strongly urges* the unconditional release of all prisoners of conscience without delay, while expressing concern over their continuing high number, and also strongly urges the Government of Myanmar to desist from carrying out further politically motivated arrests and to release, without delay and without conditions, all prisoners of conscience, whose number is estimated to be approximately two thousand two hundred, including the Chairman of the Shan Nationalities League for Democracy, U Khun Tun Oo, the leader of the 88 Generation Students' Group, U Min Ko Naing, and one of the founders of the 88 Generation Students' Group, Ko Ko Gyi, and to allow their full participation in the political process;

8. *Strongly calls upon* the Government of Myanmar to lift restrictions on the freedom of assembly, association, movement and expression, including for free and independent media, by ensuring the openly available and accessible use of Internet and mobile telephone services and ending the use of censorship, including the use of the Electronic Transactions Law to prevent the reporting of views critical of the Government;

9. *Calls upon* the Government of Myanmar to undertake a transparent, inclusive and comprehensive review of compliance of all national legislation with international human rights law while engaging fully with democratic opposition, political, ethnic and civil society groups and actors, and recalling once more that the procedures established for the drafting of the Constitution resulted in a de facto exclusion of opposition groups from the process;

10. *Urges* the Government of Myanmar to ensure the independence and impartiality of the judiciary, the independence of lawyers, to guarantee due process of law and to fulfil previous assurances given by the authorities of Myanmar to the Special Rapporteur with respect to beginning a dialogue on judicial reform;

11. *Strongly calls upon* the Government of Myanmar to take urgent measures to put an end to the continuing grave violations of international human rights and humanitarian law, including the targeting of persons based on their belonging to particular ethnic groups, the targeting of civilians as such in military operations, and rape and other forms of sexual violence, and to end impunity for such acts without delay;

12. *Expresses serious concern* that previous calls to end impunity have not been heeded, and therefore strongly renews its calls upon the Government of Myanmar to undertake, without delay, a full, transparent, effective, impartial and independent investigation into all reports of human rights violations, including enforced disappearances, forced displacements, forced labour, arbitrary detention, rape and other forms of sexual violence, and torture and other forms of ill-treatment, and to bring to justice those responsible in order to end impunity for violations of human rights, and also strongly calls on the Government of Myanmar to do so as a matter of priority and with appropriate attention from the United Nations;

13. *Calls upon* the Government of Myanmar to address, as a matter of urgency, consistent reports of torture and ill-treatment of prisoners of conscience, and to ensure that proper investigations are conducted on all deaths in prison, with family members duly informed of the findings, as well as to improve conditions in prisons and other detention facilities and to avoid the dispersal of prisoners of conscience to isolated prisons far from their families where they cannot receive regular visits or deliveries of supplementary supplies, including food and medicine;

14. *Strongly recommends* that the Government of Myanmar resume cooperation with the International Committee of the Red Cross;

15. *Strongly urges* the Government of Myanmar to end all forms of discrimination and to protect civil, political, economic, social and cultural rights on the

basis of the Universal Declaration of Human Rights and, in particular, to comply with its human rights obligations under the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child in this regard;

16. *Expresses its serious concern* at the continuing discrimination, human rights violations, violence, displacement and economic deprivation affecting numerous ethnic minorities, including, but not limited to, the Rohingya ethnic minority in Northern Rakhine State, and calls upon the Government of Myanmar to take immediate action to bring about an improvement in their respective situations and to recognize the right of members of the Rohingya ethnic minority to nationality and to protect all of their human rights;

17. *Welcomes* the prolongation in February 2011 of the Supplementary Understanding between the International Labour Organization and the Government of Myanmar, the Government's commitment to introduce new legislation making forced labour illegal and repealing the provisions of the Villages and Towns Acts 1907, and the joint Government-International Labour Organization awareness-raising activities, but strongly condemns the continued and serious harassment of complainants and facilitators and urgently calls for the release of those who remain in detention, and urges the Government to proactively intensify measures to end forced labour, including the agreement to produce information brochures in local languages and to facilitate the strengthening of cooperation of the International Labour Organization in Myanmar to further enhance the efficiency of the educative and complaints-management activities undertaken by the liaison officer of the International Labour Organization;

18. *Strongly calls upon* the Government of Myanmar to end the practice of systematic forced displacement of large numbers of people within their country and to neighbouring countries, and to end other causes of refugee flows, including the targeting of persons based on their belonging to particular ethnic groups;

19. *Also strongly calls upon* the Government of Myanmar to put an immediate end to the recruitment and use of child soldiers in violation of international law by all parties, welcomes the recent engagement of the Government on this issue and urges it to intensify measures to ensure the protection of children from armed conflict and to pursue its collaboration with the Special Representative of the Secretary-General for children and armed conflict, including by granting access to areas where children are recruited, for the purpose of implementing a plan of action to halt this practice;

20. *Urges* the Government of Myanmar to provide, in cooperation with the Office of the United Nations High Commissioner for Human Rights, adequate human rights and international humanitarian law training for its armed forces, police and prison personnel, to ensure their strict compliance with international human rights law and international humanitarian law, and to hold them accountable for any violations thereof;

21. *Calls upon* the Government of Myanmar to ensure timely, safe, full and unhindered access to all parts of Myanmar, including conflict and border areas, for the United Nations, international humanitarian organizations and their partners, and to cooperate fully with those actors to ensure that humanitarian assistance is delivered throughout the country to all persons in need, including displaced persons;

22. *Also calls upon* the Government of Myanmar to consider acceding to the remaining international core human rights treaties, which would enable a dialogue with other human rights treaty bodies;

23. *Further calls upon* the Government of Myanmar to allow human rights defenders to pursue their activities unhindered and to ensure their safety, security and freedom of movement in that pursuit;

24. *Decides* to extend for one year the mandate of the Special Rapporteur on the situation of human rights in Myanmar, in accordance with Commission on Human Rights resolutions 1992/58 of 3 March 1992 and 2005/10 of 14 April 2005, and Human Rights Council resolutions 7/32 of 28 March 2008, 10/27 of 27 March 2009 and 13/25 of 26 March 2010;

25. *Strongly urges* the Government of Myanmar to respond favourably and on a more timely basis to the Special Rapporteur's requests to visit the country, to extend its full cooperation, including by providing access to all relevant information, bodies, institutions and persons, so as to enable him to fulfil his mandate effectively, and to implement, without delay, the recommendations addressed to the Government contained in his reports³⁰ and in Human Rights Council resolutions S-5/1 of 2 October 2007, 6/33 of 14 December 2007, 7/31 of 28 March 2008, 8/14 of 18 June 2008, 10/27, 12/20 and 13/25;

26. *Requests* the Special Rapporteur to submit a progress report, and encourages him to provide an assessment of any progress made by the Government in relation to its stated intention to transition to a democracy to the General Assembly at its sixty-sixth session, and to the Human Rights Council in accordance with its annual programme of work;

27. *Calls upon* the Office of the High Commissioner to provide the Special Rapporteur with all the assistance and resources necessary to enable him to discharge his mandate fully;

28. *Calls upon* the Government of Myanmar to continue to engage in a dialogue with the Office of the High Commissioner with a view to ensuring full respect for all human rights and fundamental freedoms;

29. *Expresses its strong support* for the good offices mission and commitment of the Secretary-General, and calls upon the Government of Myanmar to ensure full cooperation with the Secretary-General, his Special Adviser on Myanmar and the Special Rapporteur.

47th meeting
25 March 2011

[Adopted without a vote.]

16/25 Situation of human rights in Côte d'Ivoire

The Human Rights Council,

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

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

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

Recalling further Human Rights Council resolution S-14/1, adopted by the Council on 23 December 2010 at its special session on the situation of human rights in Côte d'Ivoire in relation to the conclusion of the 2010 presidential election,

³⁰ A/HRC/6/14, A/HRC/7/18, A/HRC/7/24, A/HRC/8/12, A/HRC/10/19, A/HRC/13/48 and A/HRC/16/59.

Reaffirming that all States are bound to promote and protect all human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights and international human rights treaties to which they are party,

Reaffirming also its conviction that the post-electoral crisis in Côte d'Ivoire requires an overall political solution that preserves democracy and peace and promotes lasting reconciliation among all Ivoirians,

Noting the role played by the international community, in particular the African Union and the Economic Community of West African States, in efforts to put an end to violence, halt clashes, work towards a peaceful solution to the ongoing crisis and take action to strengthen the rule of law and improve the situation of human rights in Côte d'Ivoire,

Reaffirming that it is the responsibility of Côte d'Ivoire to promote and protect all human rights and fundamental freedoms, to investigate alleged violations of human rights and international law and to bring to justice the perpetrators of such acts, who are answerable for their deeds before the judicial process,

Noting with appreciation the report presented by the United Nations High Commissioner for Human Rights³¹ as a follow-up to Human Rights Council resolution S-14/1,

1. *Commends* the efforts made by the Economic Community of West African States and the African Union, in particular the decision adopted by the Peace and Security Council of the African Union at its two hundred and fifty-ninth session, held on 28 January 2011, to establish, under the auspices of the African Union, a high-level group for the settlement of the crisis in conditions respecting peace and democracy;

2. *Welcomes* the decision of the above-mentioned high-level group, endorsed by the Peace and Security Council at its meeting of 10 March 2011, recognizing the election of Alassane Ouattara as President of Côte d'Ivoire;

3. *Expresses concern* at the seriousness and extent of the abuses and violations of international human rights law and international humanitarian law;

4. *Reiterates its firm condemnation* of all atrocities and other violations of human rights, threats and acts of intimidation, as well as of acts of obstruction directed at the operations of the United Nations Operation in Côte d'Ivoire, and deeply regrets the loss of life and destruction of property that has occurred in parts of Côte d'Ivoire;

5. *Urges* all media outlets in Côte d'Ivoire, in particular the State-owned corporation Radiodiffusion Télévision Ivoirienne and other public and private media controlled by supporters of Laurent Gbagbo, to refrain from inciting violence, hostility and the propaganda of hate speech, and calls for an end to the restriction on media outlets;

6. *Calls for* an immediate end to the violence, including violence against women, and the respect of all human rights and fundamental freedoms;

7. *Notes with concern* the deteriorating humanitarian situation on the ground, and calls on all Ivorian parties to cooperate fully with United Nations agencies and other actors working to assist refugees and internally displaced persons;

8. *Calls upon* States Members of the United Nations, relevant United Nations agencies and international financial institutions to provide technical assistance and capacity-building to Côte d'Ivoire, upon its request;

³¹ A/HRC/16/79.

9. *Acknowledges* the standing invitation issued by President Ouattara to all United Nations special procedures mandate holders on thematic issues, including the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;

10. *Decides* to dispatch an independent, international commission of inquiry, to be appointed by the President of the Human Rights Council, taking into consideration the importance of ensuring the equal participation and full involvement of women, to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d'Ivoire following the presidential election of 28 November 2010, in order to identify those responsible for such acts and to bring them to justice, and to present its findings to the Council at its seventeenth session, and calls upon all Ivorian parties to cooperate fully with the commission of inquiry;

11. *Decides* to recommend that the General Assembly transmit the findings of the commission of inquiry, when available, to all relevant bodies;

12. *Requests* the United Nations High Commissioner for Human Rights to provide the administrative, technical and logistical support necessary to allow the commission of inquiry to carry out its mandate;

13. *Decides* to transmit the report of the High Commissioner³¹ to the General Assembly;

14. *Requests* the High Commissioner to present a report on the situation of human rights in Côte d'Ivoire at its seventeenth session;

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

*47th meeting
25 March 2011*

[Adopted without a vote.]

16/26 The Social Forum

The Human Rights Council,

Recalling all previous resolutions and decisions adopted on the Social Forum by the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights, as well as by the Economic and Social Council,

Recalling also Human Rights Council resolutions 5/1 of 18 June 2007, 6/13 of 28 September 2007, 10/4 of 25 March 2009, 10/29 of 27 March 2009 and 13/17 of 25 March 2010,

Bearing in mind that the reduction of poverty and the elimination of extreme poverty remain an ethical and moral imperative of humankind, based on the respect for human dignity, and noting the report of the Chairperson-Rapporteur of the 2010 Social Forum,³² held in Geneva from 4 to 6 October 2010, which focused on the adverse effects of climate change on the full enjoyment of human rights, including the right to life and economic, social and cultural rights,

³² A/HRC/16/62 and Corr.1.

Reaffirming the unique nature within the United Nations of the Social Forum, which makes possible a dialogue and an exchange between the representatives of Member States and civil society, including grass-roots organizations and intergovernmental organizations, and stressing that the current reform of the United Nations should take into account the contribution of the Social Forum as a vital space for open and fruitful dialogue on issues linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all,

1. *Takes note* of the report of the Chairman-Rapporteur of the 2010 Social Forum;

2. *Also takes note* of the conclusions and recommendations of the 2010 Social Forum and the innovative nature of many of them, and calls upon States, international organizations, in particular those with a mandate for poverty eradication, non-governmental organizations, civil society organizations, trade unions and other relevant actors to take them into account when designing and implementing poverty eradication programmes and strategies;

3. *Reaffirms* the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including the contribution of civil society and grass-roots organizations, and stresses the need to ensure greater participation of grass-roots organizations and of those living in poverty, particularly women, especially from developing countries, in the sessions of the Forum, and, to this end, considers, *inter alia*, the possibility of the establishment of a voluntary United Nations fund to contribute to providing resources to these organizations so that they may participate in and contribute to the deliberations of future sessions;

4. *Underlines* the importance of coordinated efforts at the national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity and of addressing the social dimension and challenges of the ongoing globalization process and the negative impact of the current economic and financial crises;

5. *Stresses* the need for increased and sustained participation and contribution of civil society and all other relevant actors listed in the present resolution to the promotion and effective realization of the right to development, bearing in mind that 2011 marks the twenty-fifth anniversary of the adoption of the Declaration on the Right to Development;

6. *Decides* that the Social Forum will meet for three working days in 2011, in Geneva, on dates suitable for the participation of representatives of States Members of the United Nations and of the broadest possible range of other stakeholders, especially from developing countries, and decides that, at its next meeting, the Social Forum should focus on:

(a) The promotion and effective realization of the right to development, in the context of the commemoration of the twenty-fifth anniversary of the Declaration on the Right to Development;

(b) Measures and actions needed to make the right to development a reality for everyone at the local, national, regional and international levels, including the role and contribution of civil society and non-governmental organizations;

(c) International assistance and cooperation, as well as the promotion of an enabling environment for the realization of the right to development;

7. *Requests* the President of the Human Rights Council to appoint, as early as possible, from candidates nominated by regional groups, the Chairperson-Rapporteur for the 2011 Social Forum, bearing in mind the principle of regional rotation;

8. *Requests* the United Nations High Commissioner for Human Rights to consult all actors identified in the present resolution on the issues referred to in paragraph 6 above, and to submit a report as a background contribution for the dialogues and debates held at the 2011 Social Forum;

9. *Also requests* the High Commissioner to facilitate participation in the 2011 Social Forum, in order to contribute to interactive dialogues and debate at the Forum and assist the Chairperson-Rapporteur as resource persons, of up to ten experts, including relevant Council thematic procedures mandate holders, in particular the independent expert on the question of human rights and extreme poverty and the independent expert on human rights and international solidarity, as well as relevant representatives from civil society and grass-roots organizations in developing countries;

10. *Decides* that the Social Forum will remain open to the participation of representatives of States Members of the United Nations and all other interested stakeholders, such as intergovernmental organizations, different components of the United Nations system, especially mandate holders of thematic procedures and mechanisms of the human rights machinery, regional economic commissions and specialized agencies and organizations, as well as representatives designated by human rights national institutions and non-governmental organizations in consultative status with the Economic and Social Council, and shall also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, in particular newly emerging actors such as small groups and rural and urban associations from the North and the South, anti-poverty groups, peasants' and farmers' organizations and their national and international associations, voluntary organizations, environmental organizations and activists, youth associations, community organizations, trade unions and associations of workers, as well as representatives of the private sector, on the basis of arrangements including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure, in accordance with the rules of procedure of the Human Rights Council, while ensuring the most effective contribution of these entities;

11. *Requests* the Office of the High Commissioner to seek effective means of ensuring consultation and the broadest possible participation of representatives from every region, especially those from developing countries, in the Social Forum, including by establishing partnerships with non-governmental organizations, the private sector and international organizations;

12. *Requests* the Secretary-General to take appropriate measures to disseminate information about the Social Forum, to invite relevant individuals and organizations to the Social Forum and to take all practical measures required for the success of this initiative;

13. *Invites* the 2011 Social Forum to submit a report containing its conclusions and recommendations to the Human Rights Council;

14. *Requests* the Secretary-General to provide the Social Forum with all the services and facilities necessary to fulfil its activities, and requests the High Commissioner to provide all the support necessary to facilitate the convening and proceedings of the Forum;

15. *Decides* to continue consideration of this issue under the relevant agenda item when the report of the 2011 Social Forum is submitted to the Human Rights Council.

*47th meeting
25 March 2011*

[Adopted without a vote.]

16/27 The right to food

The Human Rights Council,

Recalling all previous resolutions of the General Assembly and the Human Rights Council on the right to food, in particular Assembly resolution 65/220 of 21 December 2010 and Council resolution 13/4 of 24 March 2010, as well as all resolutions of the Commission on Human Rights on the issue,

Recalling also the seventh special session of the Human Rights Council, at which the Council analysed the negative impact of the worsening of the world food crisis on the realization of the right to food for all, and Council resolutions S-7/1 of 22 May 2008, 9/6 of 18 September 2008 and 12/10 of 1 October 2009,

Recalling further the Universal Declaration of Human Rights, which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration,

Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights, in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security, the World Food Summit Plan of Action and the Declaration of the World Food Summit, adopted on 13 June 2002, the Declaration of the World Summit on Food Security, adopted on 16 November 2009, and the Marrakesh Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least Developed and Net Food-importing Countries, adopted on 15 April 1994,

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,

Recalling the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted on 16 November 2009,

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

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

Reaffirming also that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State should adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained

in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies, where coordinated efforts and shared responsibilities are essential,

Recognizing that, despite the efforts made, the problems of hunger and food insecurity have a global dimension and that there has been insufficient progress made in reducing hunger, and that they could increase dramatically in some regions unless urgent, determined and concerted action is taken,

Recognizing also the complex character of the global food crisis as a combination of several major factors, including speculation on food commodities and macroeconomic factors, also affected negatively by environmental degradation, desertification and global climate change, natural disasters and the lack of development and transfer of relevant technology to address this issue, particularly in developing countries and least developed countries,

Concerned by the fact that the effects of the world food crisis continue to have serious consequences on the most vulnerable people, particularly in developing countries, which have been further aggravated by the world economic and financial crisis, and alarmed at the particular effects of this crisis on many net food-importing countries, especially on least developed countries in Africa, Asia, Latin America and the Caribbean,

Convinced that the elimination of the current distortions in the agricultural trading system will allow local producers and poor farmers to compete and sell their products, thereby facilitating the realization of the right to adequate food,

Noting that environmental degradation, desertification and global climate change are factors contributing to destitution and desperation and have a negative impact on the realization of the right to food, in particular in developing countries,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Stressing the importance of reversing the substantial decline of assistance devoted to agriculture since 1980, both in real terms and as a share of total official development assistance, while noting the recent partial inversion of this trend,

Recalling the pledges made to increase official development assistance devoted to agriculture, as well as that the realization of the right to food not only entails an increase in productivity but also a holistic approach that includes a focus on smallholder and traditional farmers and the most vulnerable groups, as well as national and international policies that are conducive to the realization of this right,

Recognizing the need to increase sustainable investment in agriculture from all relevant sources for the realization of the right to food,

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,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Expresses grave concern* at the evolution of the world food crisis, which seriously undermines the realization of the right to food for all, especially for one sixth of the world population, mainly in developing and least developed countries, who suffer from hunger, malnutrition and food insecurity;

4. *Considers it intolerable* that, according to an estimation by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 years do so from hunger-related illness, and that, according to an estimation by the Food and Agriculture Organization of the United Nations, the number of people who are undernourished is nine hundred and twenty five million worldwide, and that there is an additional one billion people suffering from serious malnutrition, including as a result of the global food crisis, even though, according to the latter organization, the planet could produce enough food to feed twelve billion people;

5. *Expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women as men suffer from malnutrition;

6. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families;

7. *Stresses the need* to guarantee fair and non-discriminatory access to land rights for smallholders, traditional farmers and their organizations, including, in particular, rural women and vulnerable groups;

8. *Encourages* the Special Rapporteur on the right to food to ensure the mainstreaming of a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms that address the right to food and food insecurity to integrate and effectively implement a gender perspective and a human rights perspective into their relevant policies, programmes and activities regarding access to food;

9. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive and accessible to persons with disabilities;

10. *Encourages* States to mainstream a human rights perspective in building and reviewing their national strategies for the realization of the right to food for all, and to take steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food and, where appropriate, to consider establishing appropriate institutional mechanisms, in order to:

(a) Identify, at the earliest stage possible, emerging threats to the right to adequate food, with a view to facing them;

(b) Strengthen the overall national human rights protection system with a view to contributing to the realization of the right to food;

(c) Improve coordination between the different relevant ministries and between national and subnational levels of government;

(d) Improve accountability, with a clear allocation of responsibilities, and the setting of precise time frames for the realization of the dimensions of the right to food that require progressive implementation;

(e) Ensure adequate participation, particularly of the most food-insecure segments of the population;

(f) Pay specific attention to the need to improve the situation of the most vulnerable segments of society;

11. *Stresses* that the primary responsibility of States is to promote and protect the right to food and that the international community should provide, through a coordinated response and upon request, international cooperation in support for national and regional efforts by providing the assistance necessary to increase food production, particularly through agricultural development assistance, the transfer of technology, food crop rehabilitation assistance and food aid ensuring food security, with a special focus on the gender-sensitive dimension;

12. *Calls upon* States parties to the International Covenant on Economic, Social and Cultural Rights to fulfil their obligations under article 2, paragraph 1, and article 11, paragraph 2 thereof, in particular with regard to the right to adequate food;

13. *Calls upon* States, individually and through international cooperation and assistance, relevant multilateral institutions and other relevant stakeholders, to take all the measures necessary to ensure the realization of the right to food as an essential human rights objective, and to consider reviewing any policy or measure that could have a negative impact on the realization of the right to food, particularly the right of everyone to be free from hunger, before instituting such a policy or measure;

14. *Stresses* that improving access to productive resources and investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investments in appropriate, small-scale irrigation and water management technologies in order to reduce vulnerability to droughts as well as in programmes, practices and policies to scale up agroecological approaches, and encourages States and donors, both public and private, to examine and consider ways to integrate, where applicable and according to national contexts, the recommendations contained in the latest report of the Special Rapporteur on the right to food³³ in policies and programmes;

15. *Recognizes* that 80 per cent of people suffering from hunger live in rural areas, and 50 per cent are small-scale and traditional farm holders, and that these people are especially vulnerable to food insecurity, given the increasing cost of various inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises is a key element to food security and the provision of the right to food;

16. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to

³³ A/HRC/16/49.

the risk of drylands and, in this regard, calls for the full implementation of the United Nations Convention to Combat Desertification in countries experiencing serious drought and/or desertification, particularly in Africa;

17. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples, and acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face to the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

18. *Requests* all States and private actors, and international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in ongoing negotiations in different fields;

19. *Encourages* all relevant international organizations and agencies to bring a human rights perspective and the need for the realization of the right to food for all to their studies, research, reports and resolutions on the issue of food security;

20. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with affected countries, towards the full realization and protection of the right to food and, in particular, to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

21. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

22. *Encourages* the Special Rapporteur to continue to cooperate with States in order to enhance the contribution of development cooperation and food aid to the realization of the right to food, within existing mechanisms, taking into account the views of all stakeholders;

23. *Stresses* that all States should make every effort to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

24. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

25. *Recognizes* that the commitments made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in that regard, and urges all States and international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority and provide the necessary funding to realize the aim of halving by 2015 the number, or at least the proportion, of people who suffer from hunger, as stated in Millennium Development Goal 1, as well as the right to food, as set out in the Rome Declaration on World Food Security and the United Nations Millennium Declaration;

26. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

27. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

28. *Stresses* the importance of international cooperation and development assistance, as an effective contribution to both the expansion and improvement of agriculture and its environmental sustainability and the provision of humanitarian food assistance in activities relating to emergency situations, for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

29. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to promote such policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

30. *Encourages* developing countries to establish regional arrangements where they do not exist, with the support of the international community and development partners to ensure adequate food production and thereby contribute to ensuring food security, in particular in developing countries that have scarce fertile land;

31. *Welcomes* the adoption by the Food and Agriculture Organization of the United Nations of a regional approach towards ensuring food security, and expresses its appreciation at the current collaboration with all Rome-based institutions working comprehensively towards the realization of the right to food;

32. *Encourages* the Special Rapporteur on the right to food and the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises to cooperate on the subject of the contribution of the private sector to the realization of the right to food, including the importance of ensuring sustainable water resources for human consumption and agriculture;

33. *Encourages* the Special Rapporteur to continue his collaboration with relevant international organizations and United Nations agencies, programmes and funds, in particular the Rome-based ones, including the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the World Food Programme, in order to contribute to ensuring that the right to food is promoted further within these organizations, in accordance with their respective mandates, including for the advancement of smallholders and agricultural workers in both developing and least developed countries;

34. *Expresses concern* at the negative impact on the full enjoyment of the right to adequate food of insufficient purchasing power and the increased price volatility of agricultural commodities on international markets, particularly on people in developing countries and on net food-importing countries;

35. *Encourages* the Special Rapporteur, within his existing mandate, to explore, in consultation with Member States and relevant stakeholders, ways and means of raising the capacity of countries, particularly developing countries, including least developed and net food-importing developing countries, to ensure the realization and protection of the right to adequate food for their populations, and to report on his findings to the Council;

36. *Takes note with appreciation* of the report of the Special Rapporteur³³ and the recommendations contained therein;

37. *Supports* the fulfilment of the mandate of the Special Rapporteur, as extended for a period of three years by the Council in its resolution 13/4, and takes note with appreciation of the work conducted by the Special Rapporteur in the fulfilment of his mandate;

38. *Requests* the Special Rapporteur, as part of his mandate, to continue to monitor the evolution of the world food crisis and, in the context of his mandate and regular reports, to keep the Council informed of the impact of the crisis on the enjoyment of the right to food and to alert it to possible further actions in this regard;

39. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the continuation of the effective fulfilment of the mandate of the Special Rapporteur;

40. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its general comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights), in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies at both the national and international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

41. *Recalls* general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant), in which the Committee noted, inter alia, the importance of ensuring sustainable water resources for human consumption and agriculture in the realization of the right to adequate food;

42. *Reaffirms* that the Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security represent a practical tool in the promotion of the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the Millennium Declaration;

43. *Acknowledges* the work being carried out by the Advisory Committee on the right to food and, in that regard, welcomes its submission to the Council of the final study on discrimination in the context of the right to food,³⁴ and requests the Committee to undertake, as appropriate, comprehensive studies on the following topics:

(a) The urban poor and their enjoyment of the right to food, including strategies to improve their protection and best practices;

(b) Rural women and their enjoyment of the right to food, including patterns of discrimination, strategies and policies for their protection and best practices, with a special focus on female-headed households and temporary or seasonal workers;

(c) The relationship between severe malnutrition and childhood diseases, taking children affected by noma as an example, and ways to improve the protection of malnourished children;

³⁴ A/HRC/16/40.

44. *Requests* the Office of the High Commissioner to collect the views and comments of all Member States, all relevant United Nations special agencies and programmes and all other relevant stakeholders on the topics listed in paragraph 43 above, in order that the Advisory Committee may take them into account for the conclusion of its comprehensive studies;

45. *Requests* the Advisory Committee to continue to work on the issue of discrimination in the context of the right to food and, in that regard, takes note of its preliminary study on ways and means to further advance the rights of people working in rural areas, including women, in particular smallholders engaged in the production of food and/or other agricultural products, including from directly working the land, traditional fishing, hunting and herding activities;³⁵

46. *Requests* the Office of the High Commissioner to collect the views and comments of all Member States, all relevant United Nations special agencies and programmes, in particular the Food and Agriculture Organization of the United Nations, and all other relevant stakeholders on the preliminary study referred to in paragraph 45 above, in order that the Advisory Committee may take them into account in the preparation of the final study to be presented to the Council at its nineteenth session;

47. *Welcomes* the continued cooperation of the High Commissioner, the Advisory Committee and the Special Rapporteur, and encourages them to continue their cooperation;

48. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task by supplying all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable him to fulfil his mandate more effectively;

49. *Recalls* the requests made by the General Assembly, in its resolution 64/159, that the Special Rapporteur submit to the Assembly an interim report at its sixty-fifth session on the implementation of that resolution and to continue his work, including by examining the emerging issues with regard to the realization of the right to food within his existing mandate;

50. *Invites* Governments, 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 Special Rapporteur in the fulfilment of his mandate through, inter alia, the submission of comments and suggestions on ways and means of realizing the right to food;

51. *Requests* the Special Rapporteur to submit a report on the implementation of the present resolution to the Council at its nineteenth session;

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

*48th meeting
25 March 2011*

[Adopted without a vote.]

³⁵ A/HRC/16/63.

16/28**The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS)**

The Human Rights Council,

Recalling Human Rights Council resolution 12/27 of 2 October 2009 and relevant Commission on Human Rights resolutions, the Political Declaration on HIV/AIDS, adopted by the General Assembly on 2 June 2006 and the Declaration of Commitment on HIV/AIDS, adopted by the Assembly on 27 June 2001,

Recalling also the Guidelines on HIV/AIDS and Human Rights (hereinafter referred to as “the Guidelines”) referred to in the above-mentioned resolutions and annexed to Commission on Human Rights resolution 1997/33, which provide guidance to ensuring the respect, protection and fulfilment of human rights in the context of HIV,

Emphasizing the significance of the comprehensive review in 2011, as requested by the General Assembly in its resolution 65/180 of 20 December 2010, which will mark three decades of the HIV/AIDS pandemic, the ten-year review of the Declaration of Commitment on HIV/AIDS and its time-bound measurable goals and targets, and the five-year review of the Political Declaration on HIV/AIDS with the goal of achieving universal access to comprehensive HIV prevention, treatment, care and support by 2010,

Recalling Human Rights Council resolution 15/22 of 30 September 2010, on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

Noting with concern that almost fourteen million six hundred thousand HIV-positive people in low- and middle-income countries lack access to antiretroviral therapy, particularly in sub-Saharan Africa, that an estimated one million end-stage AIDS patients have no access to treatment for moderate to severe pain, and that many people in need fail to receive treatment for tuberculosis and other HIV-related opportunistic infections,

Recalling that access to medicine 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, and that it is the responsibility of States to ensure access for all, without discrimination, to medicines, in particular essential medicines that are affordable, safe, effective and of good quality,

Reaffirming the right to use, to the fullest extent, the provisions contained in the World Trade Organization Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS Agreement), the Doha Declaration on the TRIPS Agreement and Public Health, the decision of the General Council of the World Trade Organization of 30 August 2003 on the implementation of paragraph 6 of the Doha Declaration and, when formal acceptance procedures are completed, the amendments to article 31 of the TRIPS Agreement, as proposed by the General Council of the World Trade Organization in its decision of 6 December 2005, which provide flexibilities for the protection of public health, and, in particular, to promote access to medicines for all, encouraging the provision of assistance to developing countries in this regard and calling for a broad and timely acceptance of the amendments to article 31 of the TRIPS Agreement,

Recalling the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property, adopted by the World Health Assembly on 24 May 2008,

Reaffirming the urgent need to scale up efforts significantly towards the goal of universal access to comprehensive HIV prevention, treatment, care and support,

Recalling World Health Assembly resolutions 62.12, on primary health care, including health system strengthening, and 62.14, on reducing health inequities through action on the social determinants of health, of 22 May 2009,

Expressing deep concern that HIV infection significantly increases the risk of maternal mortality and morbidity and that, in countries with high HIV prevalence, AIDS-related complications are one of the leading causes of maternal mortality,

Noting with concern that more than sixteen million children under the age of 18 have been orphaned by AIDS, and that about fourteen million eight hundred thousand of these children live in sub-Saharan Africa,

Concerned at the continuing high prevalence of HIV among key populations at higher risk, as defined in the 2011–2015 Strategy of the Joint United Nations Programme on HIV/AIDS, endnote 41 (hereinafter referred to as “key populations”), and the need to ensure their unimpeded access to HIV-related prevention, treatment, care and support,

Mindful of the importance of ensuring national, regional and international legal environments that ensure universal access to HIV-related prevention, treatment, care and support, including for key populations,

Concerned at the instances of multiple or aggravated forms of discrimination, stigma, violence and abuses that affect the enjoyment of human rights and often lead to particular targeting of people living with, presumed to be living with or affected by HIV/AIDS and members of key populations, as well as to increased vulnerability to HIV, and also recalling the importance that States adopt or strengthen programmes or measures to eradicate multiple or aggravated forms of discrimination, violence and abuse, in particular by adopting or improving penal or civil legislation to address these phenomena,

Reaffirming the importance of achieving Millennium Development Goal 6 (to combat HIV/AIDS, malaria and other diseases), and noting that poverty, inequality and food insecurity increase people’s vulnerability to HIV, posing increased risks of infection to populations in every region while at the same time undermining the socio-economic conditions of people living with HIV or those affected by the epidemic,

Recalling that stigma and discrimination are major obstacles to an effective HIV response, that discrimination on the basis of HIV status, actual or presumed, is prohibited by existing international human rights standards, and that the term “or other status” in non-discrimination provisions in international human rights texts should be interpreted as covering health status, including HIV/AIDS,

Reaffirming that the full realization of human rights and fundamental freedoms for all is an essential element in the global response to the HIV/AIDS pandemic, including in the areas of prevention, care, support and treatment, and that such a response reduces people’s vulnerability to HIV/AIDS and prevents stigma and related discrimination against people living with or at risk of HIV/AIDS,

Emphasizing, in view of the increasing challenges presented by HIV/AIDS, including apparent trends to enact criminal and other laws that are counterproductive to HIV prevention, treatment, care and support efforts and the ongoing application of HIV-specific restrictions on the entry, stay and residence of HIV-positive people, the need for intensified efforts to ensure universal respect for and observance of human rights and fundamental freedoms for all in order to reduce vulnerability to HIV, prevent HIV/AIDS-related discrimination and stigma and reduce the impact of AIDS,

Recalling Commission on the Status of Women resolutions 53/2 of 13 March 2009 and 54/2 of 12 March 2010,

Bearing in mind the vision of zero new infections, zero AIDS-related deaths and zero discrimination in the global HIV/AIDS response, referred to in the 2011–2015 Strategy of the Joint United Nations Programme on HIV/AIDS,

Recalling Commission on Narcotic Drugs resolutions 53/9, on achieving universal access to prevention, treatment, care and support for people who use drugs and people living with or affected by HIV, and 53/4, on promoting adequate availability of internationally controlled licit drugs for medical and scientific purposes while preventing their diversion and abuse, of 12 March 2010, and encouraging their implementation within the framework of national legislation,

Noting International Labour Organization Recommendation concerning HIV and AIDS and the World of Work, 2010 (No. 200), adopted at the ninety-ninth International Labour Conference,

Noting also resolution 63.19 of 21 May 2010, entitled “WHO HIV/AIDS strategy for 2011–2015”, of the World Health Assembly,

Reaffirming the outcome document of the High-level Plenary Meeting of the General Assembly, entitled “Keeping the promise: united to achieve the Millennium Development Goals”, contained in General Assembly resolution 65/1 of 22 September 2010,

Recalling General Assembly resolutions 63/33 of 26 November 2008, 64/108 of 10 December and 65/95 of 9 December 2010, on global health and foreign policy,

Noting the establishment, in June 2010, of the Global Commission on HIV and the Law,

1. *Affirms* that the protection of human rights in the context of HIV/AIDS, including universal access to HIV-related prevention, treatment, care and support, is an essential element to achieve progressively the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

2. *Takes note* of the report of the Secretary-General on the protection of human rights in the context of HIV/AIDS;³⁶

3. *Recalls* the 2011–2015 Strategy of the Joint United Nations Programme on HIV/AIDS, and encourages States to ensure its implementation, in accordance with their national contexts and priorities, in cooperation with relevant United Nations funds, programmes and specialized agencies and international and non-governmental organizations;

4. *Calls upon* all States and relevant United Nations funds, programmes and specialized agencies and international and non-governmental organizations to continue to take all steps necessary to ensure the respect, protection and fulfilment of human rights in the context of HIV/AIDS, as referred to in the Guidelines, as an essential part of efforts to achieve the goal of universal access to HIV prevention, treatment, care and support;

5. *Urges* States to ensure full and unimpeded access for all, particularly key populations, to HIV prevention, treatment, care and support, in a public health environment free from discrimination, harassment or persecution against those seeking HIV-related services;

6. *Calls upon* States, United Nations funds, programmes and specialized agencies and international and non-governmental organizations to assist developing

³⁶ A/HRC/16/69.

countries, upon their request, in their efforts to prevent the spread of the epidemic and alleviate and control the detrimental impact of HIV/AIDS on the human rights of their people;

7. *Reiterates* the commitment to significantly intensify prevention efforts and increase access to treatment, in accordance with relevant national circumstances, by, inter alia, strengthening health systems, scaling up strategically aligned programmes aimed at reducing the risks and vulnerability of persons more likely to be infected with HIV, and combining biomedical, behavioural, social and structural interventions, and through the empowerment of women and adolescents so as to increase their capacity to protect themselves from the risk of HIV infection, and through the promotion and protection of all human rights;

8. *Also reiterates* that prevention programmes should be at the core of national, regional and international responses to the pandemic, and recalls the commitment to intensify efforts to ensure that a wide range of prevention programmes that are evidence-informed and take into account local circumstances, ethics and cultural values is available in all countries, especially most affected countries, and include information and education based on scientific evidence, and communication in languages most understood by local communities and in accessible formats for persons with disabilities, with the aim of:

(a) Reducing risk-taking behaviours and encouraging responsible sexual behaviour;

(b) Expanding access to essential commodities, including male and female condoms and sterile injecting equipment;

(c) Providing age-appropriate education on sexual and reproductive health, as well as human rights education to all persons, including children and young people;

(d) Considering harm-reduction programmes in relation to HIV as enumerated in the technical guide for countries to set targets for universal access to HIV prevention, treatment and care for injecting drug users, published by the World Health Organization, the United Nations Office on Drugs and Crime and the Joint United Nations Programme on HIV/AIDS, in accordance with relevant national circumstances;

(e) Expanding access to voluntary and confidential counselling and testing, and safe blood supplies;

(f) Promoting testing and ensuring early and effective treatment of sexually transmitted, co- and opportunistic infections;

(g) Promoting policies that ensure effective prevention and accelerate research and development into new tools for prevention, including microbicides and vaccines with proven efficacy, as well as universal access to them;

9. *Calls upon* all States, United Nations funds, programmes and specialized agencies, international and non-governmental organizations and relevant stakeholders to integrate HIV/AIDS services into comprehensive health-care services, and to facilitate the incorporation of migrants, refugees and internally displaced persons into national and regional HIV/AIDS strategies;

10. *Urges* all States to eliminate gender-based discrimination, stigma, violence and abuse to ensure that women can decide freely and responsibly on matters relating to their sexuality through, inter alia, the provision of health-care services, including sexual and reproductive health, information and education based on scientific evidence, and to integrate the promotion and protection of reproductive rights, as understood in previous international commitments, as components of national strategies on HIV/AIDS;

11. *Calls upon* States and United Nations funds, programmes and specialized agencies and international organizations, within their respective mandates, as well as non-governmental organizations, and relevant stakeholders, to ensure the availability, accessibility and affordability of medicines and health-care services for HIV-positive pregnant women, with a view to eliminating vertical transmission and securing the health of these women;

12. *Requests* States to develop further and, where necessary, to establish coordinated, participatory, gender-sensitive, transparent, evidence-informed and accountable national HIV/AIDS policies and programmes, and to implement them at all levels, including in prisons or other detention facilities, in cooperation with civil society, including faith- and community-based organizations, women's organizations, advocacy groups and representatives of people living with HIV and other key populations;

13. *Calls upon* States to address as a priority the vulnerabilities faced by children and adolescents affected by and living with HIV, providing those children and their families with support and rehabilitation, including social and psychological rehabilitation and care, including paediatric services and medicines, and intensifying efforts to develop early diagnosis tools, child-friendly medicine combinations and new treatments for children, particularly for infants living in resource-limited settings, and building, where needed, and supporting social security systems that protect them;

14. *Encourages* all States to consider eliminating HIV-specific restrictions on entry, stay and residence and ensure that people living with HIV are no longer excluded, detained or deported on the basis of their HIV status;

15. *Encourages* States, United Nations programmes and agencies and relevant stakeholders to ensure that HIV/AIDS programmes and services are inclusive of and accessible to persons with disabilities and consistent with their human rights;

16. *Urges* States to ensure confidentiality and informed consent in the provision of health care, in particular with regard to sexual and reproductive health, to persons living with or affected by HIV/AIDS, including children, according to their evolving capacities;

17. *Encourages* States, as appropriate, in the context of HIV prevention, treatment, care and support, to ensure education and training for health workers on non-discrimination, informed consent, confidentiality and the duty to provide treatment, and to ensure education and training for police and other law enforcement officials on non-discrimination and non-harassment, so as to allow outreach and other service activities;

18. *Encourages* States, United Nations funds, programmes and agencies, international and non-governmental organizations and relevant stakeholders to ensure the meaningful participation of people living with or affected by HIV/AIDS and key populations in both decision-making processes related to and implementation of policies and programmes on HIV/AIDS;

19. *Encourages* all States to apply measures and procedures to enforce intellectual property rights in a manner that avoids the creation of barriers to the legitimate trade of medicines, and to provide for safeguards against the abuse of such measures and procedures, taking into account, inter alia, the Doha Declaration on the Agreement on Trade-related Aspects of Intellectual Property Rights and Public Health;

20. *Urges* all States to consider taking steps towards the elimination of criminal and other laws that are counterproductive to HIV prevention, treatment, care and support efforts, including laws directly mandating disclosure of HIV status or that violate the human rights of people living with HIV and members of key populations, and also urges States to consider the enactment of laws protecting these persons from discrimination, abuse and violence in HIV prevention, treatment, care and support efforts;

21. *Invites* the human rights treaty bodies, when considering national reports, to give particular attention to the protection of human rights in the context of HIV/AIDS;
22. *Invites* all special procedures to contribute further to the analysis of the human rights dimensions of the HIV/AIDS epidemic;
23. *Encourages* all States to include information on human rights in the context of HIV/AIDS in their national reports to be submitted to the Council in the framework of the universal periodic review mechanism and in their reports submitted to treaty bodies;
24. *Encourages* the 2011 World Conference on Social Determinants of Health, organized by the World Health Organization, to address the issue of human rights as a central element in the context of HIV/AIDS;
25. *Requests* the Office of the United Nations High Commissioner for Human Rights to engage actively with the 2011 General Assembly High-level Meeting on AIDS, providing a human rights-based perspective, and to inform the Human Rights Council thereon;
26. *Decides* to hold a panel discussion at its nineteenth session, within existing resources, in consultation with all regional groups, to give voice to people living with or affected by HIV/AIDS, in particular young people, women and orphaned children, with a view to taking into account their experiences in reinforcing the centrality of human rights in the response to HIV/AIDS, in the context of the timely achievement of Millennium Development Goal 6 and in compliance with the Political Declaration on HIV/AIDS and the Declaration of Commitment on HIV/AIDS.

*48th meeting
25 March 2011*

[Adopted without a vote.]

16/29

Human rights situation in the Occupied Palestinian Territory, including East Jerusalem

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Considering that the promotion of respect for the obligations arising from the Charter and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Affirming the responsibility of the international community to promote human rights and ensure respect for international law,

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

Affirming the applicability of the fourth Geneva Convention relative to the protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem,

Recalling the obligations of the High Contracting Parties to the Fourth Geneva Convention, and reaffirming that each High Contracting Party to the Fourth Geneva Convention is under the obligation to respect and ensure respect of their obligations arising from that Convention, in all circumstances,

Affirming the applicability of international human rights law to the Occupied Palestinian Territory, including East Jerusalem,

Emphasizing that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Guided by the right of the Palestinian people to self-determination and the inadmissibility of the acquisition of land by the use of force, as enshrined in the Charter,

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

Deeply concerned at the illegal actions by Israel undermining the sanctity and inviolability of religious sites in the occupied Palestinian territories, in particular in and around the holy city of Jerusalem,

Expressing serious concern at the lack of implementation by all parties to the conflict of the resolutions and recommendations of the Security Council, the General Assembly and the Human Rights Council relating to the situation of human rights in the Occupied Palestinian Territory, including East Jerusalem,

Condemning all forms of violence against civilians by all the parties to the conflict, and deploring the loss of human lives in the context of the current situation,

Recognizing that the continuous Israeli military attacks and operations in the Occupied Palestinian Territory have caused severe violations of international humanitarian law and of the human rights of the Palestinian people therein, and undermine international efforts to achieve a just and lasting peace in the region based on the two-State solution,

Recognizing also that the continuous launching of rockets from the occupied Gaza Strip against civilians constitutes a severe violation of international humanitarian and human rights law and undermines international efforts to achieve a peace settlement,

Recognizing further that the Israeli siege imposed on the occupied Gaza Strip, including the closure of border crossings, constitutes collective punishment and leads to disastrous humanitarian, economic, social and environmental consequences,

1. *Demands* that the occupying Power, Israel, end its occupation of the Palestinian land occupied since 1967 and that it respect its commitments within the peace process towards the establishment of the independent sovereign Palestinian State, with East Jerusalem as its capital, living in peace and security with all its neighbours;

2. *Strongly condemns* the continuous Israeli military attacks and operations in the Occupied Palestinian Territory, including its regular military incursions, and calls for their immediate cessation;

3. *Condemns* the indiscriminate rocket and mortar fire from the occupied Gaza Strip against civilians, and calls for their immediate cessation;

4. *Demands* that the occupying Power, Israel, stop the targeting of civilians and halt its administrative decisions and practices that directly or indirectly coerce Palestinian citizens to leave East Jerusalem, including evictions, demolitions, forced displacements, cancellation of residence permits and the systematic destruction of the cultural heritage of the Palestinian people, in addition to the destruction of public and private properties, as laid down in the Fourth Geneva Convention;

5. *Condemns* the disrespect of the religious and cultural rights provided for in core human rights instruments and humanitarian law by the occupying Power, Israel, in the Occupied Palestinian Territory, including al-Haram al Ibrahimi in Hebron and Bilal

Mosque (“Tomb of Rachel”) in Bethlehem and the walls of the old city of Jerusalem, which are on its list of national heritage sites;

6. *Demands* that the occupying Power, Israel, respect religious and cultural rights in the occupied Palestinian territories, particularly in occupied East Jerusalem, as provided for in the Universal Declaration of Human Rights, the core international human rights instruments, the Hague Conventions and the Geneva Conventions, and that it allow Palestinian citizens and worshippers unhindered access to their properties and religious sites therein;

7. *Expresses its grave concern* at the excavation of ancient tombs and removal of hundreds of human remains from part of the historic Ma’man Allah (Mamila) Cemetery in the holy city of Jerusalem in order to construct a “museum of tolerance”, and calls upon the Government of Israel to immediately desist from such illegal activities therein;

8. *Demands* that the occupying Power, Israel, immediately cease all ongoing diggings and excavation work beneath and around the Al-Aqsa mosque compound and other religious sites in the old city of Jerusalem, and refrain from any act that may endanger the structure or foundations or change the nature of the holy sites, both Islamic and Christian, in the Occupied Palestinian Territory, particularly in and around Jerusalem;

9. *Calls for* immediate international protection for the Palestinian people in the Occupied Palestinian Territory, in compliance with international human rights and humanitarian law, applicable in the Occupied Palestinian Territory, including East Jerusalem;

10. *Demands* that the occupying Power, Israel, take the necessary measures to ensure the respect of internationally recognized sports principles as enshrined in the Charter of the International Olympic Committee, particularly the free movement and circulation of Palestinian sports teams and athletes within the Occupied Palestinian Territory, including administrative staff, and in relation with the external world, and facilitate the access of internationally donated equipment and sports materials, and that it grant regional and international teams and sports figures unhindered access to the Occupied Palestinian Territory and desist from imposing illegal measures on the construction of sports facilities throughout the Occupied Palestinian Territory, including in East Jerusalem;

11. *Also demands* that the occupying Power, Israel, immediately stop its illegal decisions to demolish a large number of Palestinian houses in East Jerusalem, including in the neighbourhood area of Al-Bustan in Selwan, and the evacuation of Palestinian families in Al-Sheikh Jarrah and Beit Hanina areas of East Jerusalem, which is resulting in the displacement of a large number of resident Palestinians of East Jerusalem;

12. *Further demands* that the occupying Power, Israel, release Palestinian prisoners and detainees, including women, children and elected members of the Palestinian Legislative Council;

13. *Calls upon* the occupying Power, Israel, to lift checkpoints and open all crossing points and borders according to relevant international agreements;

14. *Demands* that the occupying Power, Israel, immediately lift the siege imposed on the occupied Gaza Strip and that it open all borders and crossing points and allow the free access of fuel, humanitarian needs and medicine in addition to all necessary materials and equipment for the reconstruction and rehabilitation of Gaza, as agreed upon at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009;

15. *Decides* to continue the consideration of this question at its nineteenth session.

*48th meeting
25 March 2011*

[Adopted by a recorded vote of 30 to 1, with 15 abstentions. The voting was as follows:

In favour:

Angola, Argentina, Bahrain, Bangladesh, Brazil, Burkina Faso, Chile, China, Cuba, Djibouti, Ecuador, Gabon, Ghana, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Switzerland, Thailand, Uganda, Uruguay

Against:

United States of America

Abstaining:

Belgium, Cameroon, France, Guatemala, Hungary, Japan, Norway, Poland, Republic of Korea, Republic of Moldova, Slovakia, Spain, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zambia]

16/30

Right of the Palestinian people to self-determination

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, in particular the provisions of Articles 1 and 55 thereof, which affirm the right of peoples to self-determination, and reaffirming the need for the scrupulous respect of the principle of refraining in international relations from the threat or use of force, as specified in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, adopted by the General Assembly in its resolution 2625 (XXV) of 24 October 1970,

Guided also by the provisions of article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, which affirm that all peoples have the right to self-determination,

Guided further by the International Covenants on Human Rights, the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples and by the provisions of the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights,³⁷ and in particular part I, paragraphs 2 and 3 thereof, relating to the right of self-determination of all peoples and especially those subject to foreign occupation,

Recalling General Assembly resolutions 181 A and B (II) of 29 November 1947 and 194 (III) of 11 December 1948, as well as all other resolutions that confirm and define the inalienable rights of the Palestinian people, particularly their right to self-determination,

Recalling also Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002 and 1402 (2002) of 30 March 2002,

³⁷ A/CONF.157/23.

Recalling further the conclusion of the International Court of Justice, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,

Recalling the resolutions adopted in this regard by the Commission on Human Rights, the last of which was resolution 2005/1 of 7 April 2005,

Reaffirming the right of the Palestinian people to self-determination in accordance with the provisions of the Charter, relevant United Nations resolutions and declarations and the provisions of international covenants and instruments relating to the right to self-determination as an international principle and as a right of all peoples in the world, as it is a *jus cogens* in international law and a basic condition for achieving a just, lasting and comprehensive peace in the region of the Middle East,

1. *Reaffirms* the inalienable, permanent and unqualified right of the Palestinian people to self-determination, including their right to live in freedom, justice and dignity and to establish their sovereign, independent, democratic and viable contiguous State;

2. *Also reaffirms* its support for the solution of two States, Palestine and Israel, living side by side in peace and security;

3. *Stresses* the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

4. *Urges* all Member States and relevant bodies of the United Nations system to support and assist the Palestinian people in the early realization of their right to self-determination;

5. *Decides* to continue the consideration of this question at its nineteenth session.

*48th meeting
25 March 2011*

[Adopted by a recorded vote of 45 to 1, with no abstentions. The voting was as follows:

In favour:

Angola, Argentina, Bahrain, Bangladesh, Belgium, Brazil, Burkina Faso, Cameroon, Chile, China, Cuba, Djibouti, Ecuador, France, Gabon, Ghana, Guatemala, Hungary, Japan, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Norway, Pakistan, Poland, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Saudi Arabia, Senegal, Slovakia, Spain, Switzerland, Thailand, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Zambia

Against:

United States of America]

16/31

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan

The Human Rights Council,

Guided by the principles of the Charter of the United Nations and affirming the inadmissibility of the acquisition of territory by force,

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

Recalling relevant resolutions of the Commission on Human Rights, the Human Rights Council, the Security Council and the General Assembly, reaffirming, inter alia, the illegality of the Israeli settlements in the occupied territories, including in East Jerusalem,

Mindful that Israel is a party to the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable de jure to Palestinian and all Arab territories occupied by Israel since 1967, including East Jerusalem and the Syrian Golan, and recalling the declaration adopted by the Conference of High Contracting Parties to the Fourth Geneva Convention, held in Geneva on 5 December 2001,

Considering that the transfer by the occupying Power of parts of its own civilian population to the territory it occupies constitutes a breach of the Fourth Geneva Convention and relevant provisions of customary law, including those codified in Additional Protocol I to the Geneva Conventions of 12 August 1949,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and its conclusion that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, were established in breach of international law,

Recalling also General Assembly resolution ES-10/15 of 20 July 2004 and other relevant United Nations resolutions,

Affirming that the Israeli settlement activities in the Occupied Palestinian Territory, including in East Jerusalem, are illegal under international law and constitute very serious violations of the international humanitarian law and of the human rights of the Palestinian people therein, and undermine international efforts, including the Annapolis Peace Conference of 27 November 2007 and the Paris International Donors' Conference for the Palestinian State of 17 December 2007, aimed at invigorating the peace process and establishing a viable, contiguous, sovereign and independent Palestinian State by the end of 2008,

Recalling the statement made by the Quartet on 21 September 2010 and its attachment to the implementation by the parties of their obligations under the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,³⁸ and noting specifically its call for a freeze on all settlement activities,

Expressing its grave concern about the continuation by Israel, the occupying Power, of settlement building and expansion in the Occupied Palestinian Territory, including in East Jerusalem, in violation of international humanitarian law and relevant United Nations resolutions, including plans to expand and connect Israeli settlements around Occupied East Jerusalem, thus threatening the creation of a contiguous Palestinian State,

Expressing its concern that continuing Israeli settlement activities undermine the realization of a two-State solution,

Expressing grave concern about the continuing construction, contrary to international law, by Israel of the wall inside the Occupied Palestinian Territory, including

³⁸ S/2003/529, annex.

in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which could prejudice future negotiations and make the two-State solution physically impossible to implement and which is causing the Palestinian people further humanitarian hardship,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Expressing its concern at the failure of the Government of Israel to cooperate fully with relevant United Nations mechanisms, in particular the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,

1. *Welcomes* the Council of the European Union conclusions on the Middle East Peace Process of 8 December 2009, in which the European Union Council of Ministers reiterated that settlements, the separation barrier where built on occupied land, demolition of homes and evictions are illegal under international law, constitute an obstacle to peace and threaten to make a two-State solution impossible, and particularly its urgent call upon the Government of Israel to immediately end all settlement activities, in East Jerusalem and the rest of the West Bank and including natural growth, and to dismantle all outposts erected since March 2001;

2. *Welcomes with appreciation* the statements made by the majority of the States Members of the United Nations on the illegality of settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and reaffirming the urgent calls by the international community upon the Government of Israel to immediately stop all settlement activities, including in East Jerusalem;

3. *Condemns* the recent Israeli announcements of the construction of new housing units for Israeli settlers in and around occupied East Jerusalem, as they undermine the peace process, constitute a threat to the two-State solution and the creation of a contiguous, sovereign and independent Palestinian State, and are in violation of international law, and calls upon the Government of Israel to immediately reverse its decisions, which would further undermine and jeopardize the ongoing efforts by the international community to reach a final settlement compliant with relevant United Nations resolutions;

4. *Expresses its grave concern* at:

(a) The continuing Israeli settlement and related activities, in violation of international law, including the expansion of settlements, the expropriation of land, the demolition of houses, the confiscation and destruction of property, the expulsion of Palestinians and the construction of bypass roads, which change the physical character and demographic composition of the occupied territories, including East Jerusalem and the Syrian Golan, and constitute a violation of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular article 49 of that Convention, and recalls that settlements are a major obstacle to the establishment of a just and comprehensive peace and to the creation of an independent, viable, sovereign and democratic Palestinian State;

(b) Planned Israeli settlement construction in the vicinity of the Adam settlements in the occupied West bank, which constitutes a new settlement block;

(c) The increasing number of newly built structures, in 2008, 2009, 2010 and 2011 amounting to several thousand, including a large number of permanent buildings and structures, which undermine the efforts of the international community to advance the Middle East peace process;

(d) The so-called E-1 plan aimed at expanding the Israeli settlement of Maale Adumim and building the wall around it, thereby further disconnecting occupied East Jerusalem from the northern and southern parts of the West Bank and isolating its Palestinian population;

(e) The implications for the final status negotiations of Israel's announcement that it will retain the major settlement blocks in the Occupied Palestinian Territory, including the settlements located in the Jordan Valley;

(f) The expansion of Israeli settlements and the construction of new ones on the occupied Palestinian territory rendered inaccessible behind the wall, which create a fait accompli on the ground that could well be permanent, in which case it would be tantamount to de facto annexation;

(g) The Israeli decision to establish and operate a tramway between West Jerusalem and the Israeli settlement of Pisgat Zeev, which is in clear violation of international law and relevant United Nations resolutions;

(h) The continued closures of and within the Occupied Palestinian Territory and the restriction of the freedom of movement of people and goods, including the repeated closure of the crossing points of the Gaza Strip, which have created an extremely precarious humanitarian situation for the civilian population, as well as having impaired the economic and social rights of the Palestinian people;

(i) The continued construction, contrary to international law, of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem;

(j) The latest Israeli plans to demolish hundreds of houses in occupied East Jerusalem, including their decision to demolish more than eighty eight houses in the Al-Bustan neighbourhood of Silwan, which would result in the displacement of more than two thousand Palestinian residents of East Jerusalem, in addition to the Israeli decision to evacuate Palestinian families from their houses in Al-Sheikh Jarrah and Beit Hanina areas of East Jerusalem and to replace them with Israeli settlers;

5. *Urges* Israel, the occupying Power:

(a) To reverse the settlement policy in the occupied territories, including East Jerusalem and the Syrian Golan, and, as a first step towards their dismantlement, to stop immediately the expansion of the existing settlements, including "natural growth" and related activities, including in East Jerusalem;

(b) To prevent any new installation of settlers in the occupied territories, including in East Jerusalem;

6. *Urges* the full implementation of the Access and Movement Agreement of 15 November 2005, particularly the urgent reopening of the Rafah and Karni crossings, which is crucial to ensuring the passage of foodstuffs and essential supplies, as well as the access of United Nations agencies to and within the Occupied Palestinian Territory;

7. *Calls upon* Israel to implement the relevant resolutions and recommendations of the Security Council, the General Assembly and the Human Rights Council relating to the situation of human rights in the Occupied Palestinian Territory, including East Jerusalem;

8. *Also calls upon* Israel to take and implement serious measures, including confiscation of arms and enforcement of criminal sanctions, with the aim of preventing acts of violence by Israeli settlers, and other measures to guarantee the safety and protection of the Palestinian civilians and Palestinian properties in the Occupied Palestinian Territory, including East Jerusalem;

9. *Demands* that Israel, the occupying Power, comply fully with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;

10. *Urges* the parties to give renewed impetus to the peace process in line with the Annapolis Peace Conference and the Paris International Donors' Conference for the Palestinian State, and to implement fully the road map endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, with the aim of reaching a comprehensive political settlement in accordance with the resolutions of the Security Council, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 1850 (2008) of 16 December 2008, and other relevant United Nations resolutions, the principles of the Peace Conference on the Middle East, held in Madrid on 30 October 1991, the Oslo Accords, the Arab Peace initiative and subsequent agreements, which will allow two States, Israel and Palestine, to live in peace and security;

11. *Decides* to continue the consideration of this question at its nineteenth session.

48th meeting
25 March 2011

[Adopted by a recorded vote of 45 to 1, with no abstentions. The voting was as follows:

In favour:

Angola, Argentina, Bahrain, Bangladesh, Belgium, Brazil, Burkina Faso, Cameroon, Chile, China, Cuba, Djibouti, Ecuador, France, Gabon, Ghana, Guatemala, Hungary, Japan, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Norway, Pakistan, Poland, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Saudi Arabia, Senegal, Slovakia, Spain, Switzerland, Thailand, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Zambia

Against:

United States of America]

16/32

Follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict

The Human Rights Council,

Recalling its relevant resolutions, including resolution S-9/1, adopted on 12 January 2009, and resolution S-12/1, adopted on 16 October 2009, in follow-up to the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the report of the United Nations Fact-Finding Mission on the Gaza Conflict,

Recalling also relevant General Assembly resolutions, including resolution 64/10, adopted on 5 November 2009, and resolution 64/254, adopted on 26 February 2010, in follow-up to the report of the Fact-Finding Mission,

Recalling further the relevant rules and principles of international law, including international humanitarian law and human rights law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to the Occupied Palestinian Territory, including East Jerusalem,

Recalling the Universal Declaration of Human Rights and other international human rights instruments, including the International Covenant on Civil and Political Rights, the

International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

Reaffirming the obligation of all parties to respect international humanitarian law and international human rights law,

Reiterating the importance of the safety and well-being of all civilians, and reaffirming the obligation to ensure the protection of civilians in armed conflict,

Stressing the need to ensure accountability for all violations of international humanitarian law and international human rights law in order to prevent impunity, ensure justice, deter further violations and promote peace,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive, just and lasting peace and stability in the Middle East,

Recalling the report of the Secretary-General submitted to the General Assembly pursuant to paragraph 6 of Assembly resolution 64/10,³⁹

Recalling also the report of the Secretary-General on the status of implementation of paragraph 3 of section B of Human Rights Council resolution S-12/1,⁴⁰

1. *Takes note* of the reports of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1,⁴¹ and endorses the recommendations contained therein;

2. *Also takes note* of the reports of the committee of independent experts in international humanitarian and human rights law to monitor and assess any domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian side, in the light of General Assembly resolution 64/254,⁴² and calls for the implementation of its conclusions;

3. *Reiterates its call* upon all concerned parties, including United Nations bodies, to ensure the full and immediate implementation of the recommendations contained in the report of the United Nations Fact-Finding Mission on the Gaza Conflict, in accordance with their respective mandates;

4. *Regrets* the non-cooperation by the occupying power, Israel, with the members of the committee of independent experts, and its failure to comply with the calls of the Human Rights Council and the General Assembly to conduct investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian and international human rights law reported by the Fact-Finding Mission, and calls on all the parties to the conflict including the Palestinian side, to take into account the conclusions of the committee;

5. *Welcomes* the efforts made by the Government of Switzerland, in its capacity as depositary of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, to reconvene, as soon as possible, a conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure its respect in accordance with common article 1, bearing in mind the statement adopted on 15 July 1999, as well as the reconvening of the conference and the declaration adopted on 5 December 2001, and

³⁹ A/64/651.

⁴⁰ A/HRC/13/55.

⁴¹ A/HRC/13/54 and A/HRC/16/71.

⁴² A/HRC/15/50 and A/HRC/16/24.

recommends that the Government of Switzerland continue to pursue its efforts with the aim of resuming the above-mentioned conference before September 2011;

6. *Calls upon* the High Commissioner to follow up on the determination of the appropriate modalities for the establishment of an escrow fund for the provision of reparations to Palestinians who suffered loss and damage as a result of unlawful acts attributable to the State of Israel during the military operations conducted from December 2008 to January 2009, also taking into consideration Israelis who suffered loss and damage as a result of unlawful acts attributable to the Palestinian side;

7. *Reiterates its call* to the General Assembly to promote an urgent discussion on the future legality of the use of certain munitions, as referred to in the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict, drawing on, inter alia, the expertise of the International Committee of the Red Cross;

8. *Recommends* that the General Assembly reconsider the report of the United Nations Fact-Finding Mission on the Gaza Conflict at its sixty-sixth session, and urges the Assembly to submit that report to the Security Council for its consideration and appropriate action, including consideration of referral of the situation in the Occupied Palestinian Territory to the prosecutor of the International Criminal Court, pursuant to article 13 (b) of the Rome Statute;

9. *Also recommends* that the General Assembly remain apprised of the matter until it is satisfied that appropriate action has been taken at the domestic or international level to ensure justice for victims and accountability for perpetrators, and also remain ready to consider whether additional action within its powers is required in the interests of justice;

10. *Requests* the Secretary-General to present a comprehensive report on the progress made in the implementation of the recommendations of the Fact-Finding Mission by all concerned parties, including United Nations bodies, in accordance with paragraph 3 of section B of Human Rights Council resolution S-12/1, to the Council at its eighteenth session;

11. *Requests* the High Commissioner to submit a progress report on the implementation of the present resolution to the Human Rights Council at its eighteenth session;

12. *Decides* to follow up on the implementation of the present resolution at its nineteenth session.

*48th meeting
25 March 2011*

[Adopted by a recorded vote of 27 to 3, with 16 abstentions. The voting was as follows:

In favour:

Angola, Argentina, Bahrain, Bangladesh, Brazil, Chile, China, Cuba, Djibouti, Ecuador, Gabon, Ghana, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay

Against:

Slovakia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Belgium, Burkina Faso, Cameroon, France, Guatemala, Hungary, Japan, Mexico, Norway, Poland, Republic of Korea, Republic of Moldova, Spain, Switzerland, Ukraine, Zambia]

16/33**Mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance**

The Human Rights Council,

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

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

Recalling all previous resolutions and decisions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the elimination of racism, racial discrimination, xenophobia and related intolerance,

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

1. *Decides* to extend the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance for a further period of three years, in accordance with the terms of reference contained in Human Rights Council resolution 7/34 of 28 March 2008;

2. *Requests* all Governments to cooperate fully with the Special Rapporteur in the discharge of his/her mandate, including by responding promptly to the Special Rapporteur's communications, including urgent appeals, and by providing the information requested;

3. *Requests* the Special Rapporteur to submit an annual report to the Human Rights Council and to the General Assembly on all activities relating to his/her mandate with a view to maximizing the benefits of the reporting process;

4. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the human, technical and financial assistance necessary for the effective fulfilment of his/her mandate;

5. *Decides* to remain seized of this priority issue.

*48th meeting
25 March 2011*

[Adopted without a vote.]

16/34**Advisory services and technical assistance for Burundi**

The Human Rights Council,

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

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter, the Universal Declaration of

Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

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

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

Acknowledging the agreement reached by the Human Rights Council at its fifteenth session to hold an interactive dialogue on Burundi at its sixteenth session,

Recognizing the major changes in the Government and the representation of Burundi following the elections held in that country from June to September 2010,

Cognizant of the fact that the new Government has welcomed the process of concluding the establishment of a national human rights institution in line with the Paris Principles, as called for by the Human Rights Council in its resolution 9/19,

Resolves that the independent expert on the situation of human rights in Burundi will report to the Human Rights Council at its seventeenth session, to be followed by an interactive dialogue.

*48th meeting
25 March 2011*

[Adopted without a vote.]

16/35

The human rights situation in the Democratic Republic of the Congo and the strengthening of technical cooperation and advisory services

The Human Rights Council,

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

Recalling also Human Rights Council resolutions 5/1 of 18 June 2007, 7/20 of 27 March 2008 and S-8/1 of 1 December 2008,

Recalling further Human Rights Council resolution 10/33 of 27 March 2009, in which the Council requested the international community to support the establishment of a local cooperation mechanism by the Government of the Democratic Republic of the Congo, the United Nations High Commissioner for Human Rights and the human rights liaison entity in the Democratic Republic of the Congo,

Taking into account Human Rights Council resolution 13/22 of 26 March 2010, in which the Council requested the Government of the Democratic Republic of the Congo to develop a plan, with specific timelines, for the implementation of recommendations on human rights, particularly regarding the fight against impunity and the administration of justice,

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

Expressing concern at the current human rights situation in the Democratic Republic of the Congo, and calling upon the Government to respect human rights law and international humanitarian law,

Strongly supporting the efforts of the Government of the Democratic Republic of the Congo to put an end to the cycle of impunity for grave international crimes by strengthening its justice system,

Noting with concern the continuing high level of sexual violence, including the Walikale and Fizi rapes, and noting with appreciation the progress in the follow-up by the authorities of the Democratic Republic of the Congo with convictions of perpetrators and reparations to victims,

Acknowledging the joint role played by the Office of the High Commissioner in the Democratic Republic of the Congo and the Human Rights Section of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo in improving the human rights situation in the country,

Recognizing the existence of a national programme for the promotion and protection of human rights in the Democratic Republic of the Congo and the resolve of the Government to implement it,

Taking note of the decision by the independent electoral commission to set 27 November 2011 as the date for presidential and national parliamentary elections, and the creation of a new independent national electoral commission,

Noting the third joint report of seven United Nations experts on the situation of human rights in the Democratic Republic of the Congo,⁴³

Noting also the report of the High Commissioner on the human rights situation in the Democratic Republic of the Congo and the activities undertaken in the country by her Office,⁴⁴

1. *Takes note* of the commitment of the Government of the Democratic Republic of the Congo to cooperate with the Office of the United Nations High Commissioner for Human Rights in the Democratic Republic of the Congo and with the special procedures of the Human Rights Council;

2. *Encourages* the Government of the Democratic Republic of the Congo to continue to cooperate with the human rights liaison entity of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo as a framework for consultation and collaboration in the field of human rights in the country;

3. *Commends* the role played by the international community, in particular the African Union, the European Union, the Southern African Development Community, the Economic Community of the Great Lake Countries and the Economic Community of Central African States, in supporting the efforts of the Democratic Republic of the Congo to strengthen the rule of law and improve the human rights situation in the country;

4. *Urges* the Government of the Democratic Republic of the Congo to redouble its efforts, with the support of the international community, to expeditiously put an end to all violations of human rights and bring perpetrators to justice;

5. *Welcomes* the efforts of the Government of the Democratic Republic of the Congo to put an end to all human rights violations and to assist victims of such violations;

6. *Takes note* of the initiatives taken by the Government of the Democratic Republic of the Congo to promote the administration of justice, including the recruitment of 2,000 new magistrates, the establishment of juvenile courts and the drafting of a bill that,

⁴³ A/HRC/16/68.

⁴⁴ A/HRC/16/27.

upon passage, would establish specialized chambers, within Congolese courts, to address serious violations of human rights law and international humanitarian law;

7. *Encourages* the Government of the Democratic Republic of the Congo to continue to ratify international and regional human rights instruments;

8. *Calls upon* the Government of the Democratic Republic of the Congo to ensure free and fair elections, protecting the rights of all citizens;

9. *Encourages* the Government of the Democratic Republic of the Congo to complete the establishment of a national human rights commission, in accordance with the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles);

10. *Welcomes with satisfaction* the readiness of the Government of the Democratic Republic of the Congo to present an assessment report on its plan of action for the implementation of recommendations on human rights to the Human Rights Council at its nineteenth session;

11. *Invites* the Government of the Democratic Republic of the Congo to promote and protect human rights, including through human rights education;

12. *Calls upon* the international community to support the national efforts of the Democratic Republic of the Congo and its institutions with a view to improving the human rights situation in the country, and to respond to its requests for technical assistance;

13. *Invites* the Office of the High Commissioner, through its presence in the Democratic Republic of the Congo, to increase and enhance its technical assistance programmes and activities, and to report to the Human Rights Council at its nineteenth session;

14. *Decides* to follow up on the situation of human rights in the Democratic Republic of the Congo at its nineteenth session.

*48th meeting
25 March 2011*

[Adopted without a vote.]

16/36 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 resolution 13/21 of 26 March 2010,

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

Noting with appreciation that the situation of human rights and security in Guinea has improved significantly since the adoption by the Human Rights Council of its resolution 13/21 on March 2010,

Recognizing that the important political transition over the past year has laid a good foundation for improving the human right situation in the country,

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

1. *Commends* the efforts of the Economic Community of West African States, the African Union and all relevant authorities, in particular former interim President Sékouba Konaté and current President Alpha Condé, in the restoration of the rule of law, fundamental freedoms and respect of human rights;

2. *Notes with satisfaction* the holding of presidential elections in Guinea and the measures taken by the Government in order to, inter alia, establish a commission of peace, justice and reconciliation;

3. *Invites* the Guinean authorities to pursue their efforts to implement the recommendations of the international commission of inquiry established by the Secretary-General and supported by the Economic Community of West African States and the African Union, relating to:

(a) Combating impunity for those responsible for or involved in serious human rights violations, and in particular acts of sexual violence against women and girls, and adapting national legislation to the Rome Statute of the International Criminal Court;

(b) Protection for, and the granting of assistance of every kind and appropriate reparation to, the victims of acts of violence;

(c) The reform of the justice system;

(d) The reform of the security sector;

(e) The adoption of a national plan to combat all forms of discrimination;

(f) The harmonization of national legislation with Security Council resolution 1820 (2008) of 19 June 2008 on violence against women and girls;

4. *Welcomes* the initiatives taken by the Office of the United Nations High Commissioner for Human Rights through its office in Guinea, in particular in the monitoring of the human rights situation before and during the presidential election process, to support the strengthening of local institutional capacities in promoting and protecting human rights as well as in the fight against impunity;

5. *Reiterates strongly* its call to the international community:

(a) To provide the Guinean authorities with appropriate assistance to promote respect for human rights, including the achievement of the Millennium Development Goals, combating impunity, and reform of the security and justice sectors;

(b) To support the Office of the High Commissioner in Guinea;

6. *Invites* the High Commissioner to report to the Council at its nineteenth session on the situation of human rights and the work of her Office in Guinea.

*48th meeting
25 March 2011*

[Adopted without a vote.]

II. Decisions adopted by the Human Rights Council at its sixteenth session

16/101

Outcome of the universal periodic review: Liberia

The Human Rights Council,

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

Having conducted the review of Liberia on 1 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Liberia which is constituted of the report of the Working Group on Liberia (A/HRC/16/3), together with the views of Liberia 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/16/2, chapter VI and A/HRC/16/3/Add.1).

*31st meeting
16 March 2011*

[Adopted without a vote.]

16/102

Outcome of the universal periodic review: Malawi

The Human Rights Council,

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

Having conducted the review of Malawi on 1 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Malawi which is constituted of the report of the Working Group on Malawi (A/HRC/16/4), together with the views of Malawi 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/16/2, chapter VI).

*31st meeting
16 March 2011*

[Adopted without a vote.]

16/103**Outcome of the universal periodic review: Mongolia**

The Human Rights Council,

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

Having conducted the review of Mongolia on 2 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Mongolia which is constituted of the report of the Working Group on Mongolia (A/HRC/16/5), together with the views of Mongolia 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/16/2, chapter VI).

*31st meeting
16 March 2011*

[Adopted without a vote.]

16/104**Outcome of the universal periodic review: Panama**

The Human Rights Council,

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

Having conducted the review of Panama on 2 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Panama which is constituted of the report of the Working Group on Panama (A/HRC/16/6), together with the views of Panama 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/16/2, chapter VI and A/HRC/16/6/Add.1).

*32nd meeting
16 March 2011*

[Adopted without a vote.]

16/105**Outcome of the universal periodic review: Maldives**

The Human Rights Council,

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

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

Having conducted the review of Maldives on 3 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Maldives which is constituted of the report of the Working Group on Maldives (A/HRC/16/7), together with the views of Maldives 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/16/2, chapter VI and A/HRC/16/7/Add.1).

*32nd meeting
16 March 2011*

[Adopted without a vote.]

16/106

Outcome of the universal periodic review: Andorra

The Human Rights Council,

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

Having conducted the review of Andorra on 3 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Andorra which is constituted of the report of the Working Group on Andorra (A/HRC/16/8), together with the views of Andorra 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/16/2, chapter VI and A/HRC/16/8/Add.1).

*32nd meeting
16 March 2011*

[Adopted without a vote.]

16/107

Outcome of the universal periodic review: Bulgaria

The Human Rights Council,

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

Having conducted the review of Bulgaria on 4 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Bulgaria which is constituted of the report of the Working Group on Bulgaria (A/HRC/16/9), together with

the views of Bulgaria 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/16/2, chapter VI and A/HRC/16/9/Add.1).

*33rd meeting
17 March 2011*

[Adopted without a vote.]

16/108

Outcome of the universal periodic review: Honduras

The Human Rights Council,

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

Having conducted the review of Honduras on 4 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Honduras which is constituted of the report of the Working Group on Honduras (A/HRC/16/10), together with the views of Honduras 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/16/2, chapter VI).

*33rd meeting
17 March 2011*

[Adopted without a vote.]

16/109

Outcome of the universal periodic review: Lebanon

The Human Rights Council,

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

Having conducted the review of Lebanon on 10 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Lebanon which is constituted of the report of the Working Group on Lebanon (A/HRC/16/18), together with the views of Lebanon 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/16/2, chapter VI).

33rd meeting
17 March 2011

[Adopted without a vote.]

16/110

Outcome of the universal periodic review: Marshall Islands

The Human Rights Council,

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

Having conducted the review of the Marshall Islands on 5 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on the Marshall Islands which is constituted of the report of the Working Group on the Marshall Islands (A/HRC/16/12), together with the views of the Marshall Islands concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/16/2, chapter VI and A/HRC/16/12/Add.1).

34th meeting
17 March 2011

[Adopted without a vote.]

16/111

Outcome of the universal periodic review: Croatia

The Human Rights Council,

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

Having conducted the review of Croatia on 8 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Croatia which is constituted of the report of the Working Group on Croatia (A/HRC/16/13), together with the views of Croatia 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/16/2, chapter VI and A/HRC/16/13/Add.1).

34th meeting
17 March 2011

[Adopted without a vote.]

16/112**Outcome of the universal periodic review: Jamaica**

The Human Rights Council,

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

Having conducted the review of Jamaica on 8 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Jamaica which is constituted of the report of the Working Group on Jamaica (A/HRC/16/14), together with the views of Jamaica 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/16/2, chapter VI and A/HRC/16/14/Add.1).

*34th meeting
17 March 2011*

[Adopted without a vote.]

16/113**Outcome of the universal periodic review: Micronesia (Federated States of)**

The Human Rights Council,

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

Having conducted the review of the Federated States of Micronesia on 9 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on the Federated States of Micronesia which is constituted of the report of the Working Group on the Federated States of Micronesia (A/HRC/16/16), together with the views of the Federated States of Micronesia 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/16/2, chapter VI and A/HRC/16/16/Add.1).

*35th meeting
18 March 2011*

[Adopted without a vote.]

16/114

Outcome of the universal periodic review: Mauritania

The Human Rights Council,

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

Having conducted the review of Mauritania on 10 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Mauritania which is constituted of the report of the Working Group on Mauritania (A/HRC/16/17), together with the views of Mauritania 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/16/2, chapter VI and A/HRC/16/17/Add.1).

*35th meeting
18 March 2011*

[Adopted without a vote.]

16/115

Outcome of the universal periodic review: United States of America

The Human Rights Council,

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

Having conducted the review of the United States of America on 5 November 2010 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on the United States of America which is constituted of the report of the Working Group on the United States of America (A/HRC/16/11), together with the views of the United States of America 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/16/2, chapter VI and A/HRC/16/11/Add.1).

*36th meeting
18 March 2011*

[Adopted without a vote.]

16/116**Panel on the human rights of victims of terrorism**

At its 45th meeting, on 24 March 2011, the Human Rights Council decided to adopt the following text:

“The Human Rights Council,

Reaffirming the Universal Declaration on Human Rights, and in particular article 3 thereof, which states that everyone has the right to life, liberty and security of person,

Recalling previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on human rights and terrorism and on the promotion and protection of human rights while countering terrorism,

Recalling also all General Assembly resolutions on the United Nations Global Counter-Terrorism Strategy, including resolutions 46/51 of 9 December 1991, 60/288 of 8 September 2006, 62/272 of 15 September 2008 and 64/297 of 8 September 2010, and reaffirming the four categories of measures contained in the Strategy,

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Reaffirming also that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States and destabilizing legitimately constituted Governments, and that the international community should take the steps necessary to enhance cooperation to prevent and combat terrorism,

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

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Deploring the suffering caused by terrorism to the victims and their families, expressing its profound solidarity with them, and stressing the importance of providing them with assistance,

Recognizing the work of the Working Group on Supporting and Highlighting Victims of Terrorism of the Counter-Terrorism Implementation Task Force, including its workshop in Siracusa, Italy, held on 2 and 3 December 2010, on best practices on supporting victims of acts of terrorism, and taking note of other efforts made by the United Nations in this field, including the meetings of the Expert Group of the United Nations Office on Drugs and Crime, held on 26 and 27 May 2010, in Vienna, and on 26 and 27 January 2011, in Bogotá, on the criminal justice response to victims of terrorism,

Taking note of the work on victims of terrorism of the Special Rapporteur on Terrorism and Human Rights of the Subcommission for the Promotion and Protection of Human Rights,

Recognizing, therefore, the need to reflect on the question of human rights of victims of terrorist acts,

1. *Decides* to convene, within existing resources, at its seventeenth session, a panel discussion on the issue of the human rights of victims of terrorism, taking into account, inter alia, the recommendations of the Secretary-General's Symposium on Supporting Victims of Terrorism, held on 9 September 2008, in New York;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to liaise with the Special Rapporteur on the promotion and protection of human rights while countering terrorism and all concerned parties and stakeholders, including relevant United Nations bodies and agencies, with a view to ensuring their participation in the panel discussion;

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

*45th meeting
24 March 2011*

[Adopted without a vote.]

16/117 Right to development

At its 47th meeting, on 25 March 2011, the Human Rights Council decided to adopt the following text:

"The Human Rights Council,

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

Reaffirming Human Rights Council resolution 15/25 of 1 October 2010, and recalling all Commission on Human Rights, Council and General Assembly resolutions on the right to development,

Reaffirming also the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, and bearing in mind that 2011 marks the twenty-fifth anniversary of the Declaration,

1. *Decides* to hold a panel during the eighteenth session of the Human Rights Council to commemorate the twenty-fifth anniversary of the Declaration on the Right to Development, on the theme 'The way forward in the realization of the right to development: between policy and practice', with the participation of the United Nations High Commissioner for Human Rights;

2. *Also decides* to request the Office of the High Commissioner to organize the panel, within existing resources, and to invite relevant United Nations human rights mechanisms, specialized agencies, funds and programmes, as well as civil society and national human rights institutions, to the panel session;

3. *Further decides* to request the Office of the High Commissioner to prepare a summary of the panel discussions, to be submitted to the Working Group

on the Right to Development at its twelfth session and to the Human Rights Council at its nineteenth session.”

*47th meeting
25 March 2011*

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

In favour:

Angola, Argentina, Bahrain, Bangladesh, Belgium, Brazil, Burkina Faso, Cameroon, Chile, China, Cuba, Djibouti, Ecuador, France, Gabon, Ghana, Guatemala, Hungary, Japan, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Norway, Pakistan, Poland, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Saudi Arabia, Senegal, Slovakia, Spain, Switzerland, Thailand, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Zambia

Abstaining:

United States of America]

16/118

Postponement of the renewal of the mandate of the independent expert on human rights and international solidarity

At its 48th meeting, on 25 March 2011, the Human Rights Council decided to postpone the renewal of the mandate of the independent expert on human rights and international solidarity to its seventeenth session, and for that reason to extend the mandate of the independent expert until June 2011.

*48th meeting
25 March 2011*

[Adopted by a recorded vote of 32 to 14, with no abstentions. The voting was as follows:

In favour:

Angola, Argentina, Bahrain, Bangladesh, Brazil, Burkina Faso, Cameroon, Chile, China, Cuba, Djibouti, Ecuador, Gabon, Ghana, Guatemala, Jordan, Kyrgyzstan, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda, Uruguay, Zambia

Against:

Belgium, France, Hungary, Japan, Norway, Poland, Republic of Korea, Republic of Moldova, Slovakia, Spain, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America]

III. President's statements made at the sixteenth session

PRST/16/1

Reports of the Advisory Committee

At the 48th meeting, on 25 March 2011, the President of the Human Rights Council read out the following statement:

"The Human Rights Council,

1. *Takes note* of the reports of the Advisory Committee on its fifth and sixth sessions (A/HRC/16/60 and A/HRC/16/61);

2. *Notes* that, at the fifth session, four recommendations were made by the Advisory Committee relating to the following:

(a) A draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members;

(b) A study on discrimination in the context of the right to food;

(c) The promotion of the right of peoples to peace;

(d) The enhancement of international cooperation in the field of human rights;

3. *Also notes* that at the sixth session, five recommendations were made by the Advisory Committee relating to the following:

(a) Missing persons;

(b) A study on discrimination in the context of the right to food;

(c) The promotion of the right of peoples to peace;

(d) A preliminary study on ways and means to further advance the rights of people working in rural areas;

(e) The enhancement of international cooperation in the field of human rights;

4. *Further notes* that:

(a) Recommendation 5/3, on a draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members, has been addressed in the context of Human Rights Council resolution 15/10;

(b) Recommendations 5/1 and 6/2, on the study on discrimination in the context of the right to food, and recommendation 6/5, on the preliminary study on ways and means to further advance the rights of people working in rural areas, have been addressed in the context of Human Rights Council resolution 16/27;

(c) Recommendations 5/4 and 6/4, on the drafting group on enhancement of international cooperation in the field of human rights, have been addressed in the context of Human Rights Council resolution 16/22;

(d) Recommendations 5/2 and 6/3, on the drafting group on the promotion of the right of peoples to peace, will be addressed in the context of the work of the Human Rights Council at its seventeenth session;

(e) Recommendation 6/1, on missing persons, may be addressed in the context of the Human Rights Council at its future sessions.

It is my understanding that, after consulting with Member States, this procedure does not set any precedent for future reports of the Advisory Committee, which will be dealt with in accordance with Human Rights Council resolution 5/1.”

Part Two

Summary of proceedings

I. Organizational and procedural matters

A. Opening and duration of the session

1. The Human Rights Council held its sixteenth session at the United Nations Office at Geneva from 28 February to 25 March 2011. The President of the Council opened the session.
2. At the 1st meeting, on 28 February 2011, the United Nations High Commissioner for Human Rights, the President of the General Assembly and Micheline Calmy-Rey, President of Switzerland, addressed the plenary.
3. At the 16th meeting, on 8 March 2011, the High Commissioner made a statement for the International Women's Day.
4. At the 44th meeting, on 23 March 2011, Idriss Jazairy, Coordinator with the Human Rights Council review process in New York, provided a briefing on his joint mission with the Council President to New York to participate in the informal plenary meeting of the General Assembly on the review of the Council.
5. In accordance with rule 8 (b) of the rules of procedure of the Council, as contained in part VII of the annex to Council resolution 5/1, the organizational meeting on the sixteenth session was held on 14 February 2011.
6. The sixteenth session consisted of 48 meetings over 20 days (see paragraph 37 below).

B. Attendance

7. 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. High-level segment

8. At its 1st to 6th meetings, from 28 February to 2 March 2011, the Human Rights Council held a high-level segment, at which 80 dignitaries addressed the plenary, including 1 president, 1 vice-president, 7 vice-prime ministers, 43 ministers, 22 vice-ministers and 6 representatives of observer organizations.
9. The following dignitaries addressed the Council during the high-level segment, in the order that they spoke:
 - (a) At the 1st meeting, on 28 February 2011: the Vice-President of Colombia, Angelino Garzon; the Minister for Foreign Affairs of Australia, Kevin Rudd; the Minister for Foreign Affairs of the Russian Federation, Sergey Lavrov; the Minister of State for Foreign Affairs of Maldives, Ahmed Naseem; the Minister for Foreign Affairs and Cooperation of Spain, Trinidad Jiménez Garcia-Herrera; the Secretary (Minister) for

Foreign Affairs of Mexico, Patricia Espinosa Cantellano; the Minister for Plantation Industries of Sri Lanka, Mahinda Samarasinghe; the Minister of the Department of International Relations and Cooperation of South Africa, Maite Nkoana-Mashabane; the Minister and Head of the Human Rights Secretariat of Brazil, Maria do Rosário Nunes; the State Secretary at the Ministry of Foreign Affairs of Tunisia, Radhouane Nouicer; the Vice-Minister for Foreign Affairs of Portugal, João Cravinho; and the High Representative for Foreign Policy and Security and Vice-President of the Commission of the European Union, Catherine Ashton;

(b) At the 2nd meeting, on the same day: the Minister for Foreign Affairs of Bosnia and Herzegovina, Sven Alkalaj; the Vice-Prime Minister and Minister for Foreign Affairs of Belgium, Steven Vanackere; the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, William Hague; the Vice-Chancellor and Minister for Foreign Affairs of Germany, Guido Westerwelle; the Minister for Foreign Affairs of Finland, Alexander Stubb; the Minister for Justice of the Sudan, Mohamed Bushara Dosa; the Minister for Foreign Affairs of Norway, Jonas Gahr Støre; and the Minister for Foreign Affairs of Turkey, Ahmet Davutoğlu;

(c) At the 3rd meeting, on the same day: the Minister for Foreign Affairs of Uruguay, Luis Almagro; the Secretary of State of the United States of America, Hillary Rodham Clinton; the Minister for Foreign Affairs of Italy, Franco Frattini; the Minister for Foreign Affairs of Thailand, Kasit Piromya; the Minister for Foreign Affairs of Slovenia, Samuel Zbogar; the Vice-Minister for Justice of Egypt, Omar El Sherif; the Federal Minister for European and International Affairs of Austria, Michael Spindelegger; the Minister for Foreign Affairs of the Islamic Republic of Iran, Ali Akbar Salehi; the Minister for Foreign Affairs of Argentina, Héctor Marcos Timerman; the Chairman of the Human Rights Commission of Saudi Arabia, Bandar bin Mohammed Alaiban; the Vice-Minister for Foreign Affairs and Trade of the Republic of Korea, Min Dong-Seok; the Permanent Secretary of the Ministry of Foreign Affairs of Cyprus, Nicholas Emiliou; the Minister for Justice and Human Rights of Côte d'Ivoire, Ahoussou Jeannot; the Minister for Foreign Affairs of Canada, Lawrence Cannon; the First Vice-Minister of Foreign Affairs of Viet Nam, Pham Binh Minh; and the State Minister for Human Rights of Senegal, Coumba Gaye;

(d) At the 4th meeting, on 1 March 2011: the Deputy Prime Minister and Minister for Foreign Affairs and European Integration of the Republic of Moldova, Iurie Leanca; the Vice-Prime Minister and Minister for Foreign Affairs of Luxembourg, Jean Asselborn; the Minister for Human Rights of Yemen, Hoda Alban; the Minister for Social Development of Bahrain, Fatima Al Balooshi; the Minister for Justice, National Cohesion and Constitutional Affairs of Kenya, Mutula Kilonzo; the Minister for Foreign Affairs of the Netherlands, Uri Rosenthal; the Deputy Prime Minister and Minister for Foreign Affairs of the Czech Republic, Karel Schwarzenberg; the Minister for Foreign Affairs of Kazakhstan, Kanat Saudabayev; the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia, Antonio Milososki; the Foreign Minister of Bangladesh, Dipu Moni; the Minister for Foreign Affairs of Algeria, Mourad Medelci; the Minister for Justice and Human Rights of the Democratic Republic of the Congo, Luzolo Bambi Lessa; the Deputy Minister for Foreign Affairs of Zambia, Fashion Phiri; the Parliamentary Vice-Minister for Foreign Affairs of Japan, Ikuo Yamahana; the Vice-Minister for Foreign Affairs of Sweden, Frank Belfrage; the Vice-Minister for Foreign Affairs of Guatemala, Luis Raul Estevez Lopez; the Deputy Minister for Foreign Affairs of Bulgaria, Dimiter Tzantchev; and the Secretary-General of the Organization of the Islamic Conference, Ekmeleddin Ihsanoglu;

(e) At the 5th meeting, on the same day: the Vice Prime Minister in charge of Social Affairs and Human Rights of Equatorial Guinea, Salomon Nguema Owono; the

Minister for Foreign Affairs of Serbia, Vuk Jemerić; the Minister for Foreign Affairs of Denmark, Lene Espersen; the Minister for Foreign Affairs of Costa Rica, René Castro Salazar; the Minister for Foreign Affairs of Cameroon, Henri Eyebe Ayissi; the Vice-Minister for Foreign Affairs of Venezuela (Bolivarian Republic of), Temir Porrás Ponceleón; the Minister for Foreign Affairs of Cuba, Bruno Rodríguez Parrilla; the Vice-Minister of Foreign Affairs of Romania, Doru Costea; the Deputy Minister for Foreign Affairs of Albania, Edith Harxhi; the Secretary of State of External Affairs of Angola, Manuel Domingos Augusto; the State Secretary of the Ministry of Foreign Affairs of Montenegro, Nebojsa Kaludjerovic; and the Deputy Minister of Foreign Affairs of Armenia, Arman Kriakossian;

(f) At the 6th meeting, on 2 March 2011: the Deputy Prime Minister for Social Issues and Human Rights of Croatia, Slobodan Uzelac; the Minister for Human Rights of Burkina Faso, Salamata Sawadogo; the Minister for Human Rights of Iraq, Mohamed Al-Soodani; the Minister for Justice and Legal Affairs of Zimbabwe, Patrick Antony Chinamasa; the Secretary for Defence, Justice and Security of Botswana, Augustine Makgonatsotlhe; the Vice-Minister for Foreign Affairs of Lithuania, Asta Skaisgirytė-Liauskiene; the Under-Secretary of State in the Ministry of Foreign Affairs of Poland, Grazyna Bernatowicz; the Vice-Minister for Justice of Ecuador, Diego Falconi; the Chairperson of the National Centre for Human Rights of Uzbekistan, Akmal Saidov; the Secretary-General of the Inter-Parliamentary Union, Anders Johnsson; the Commissioner for Political Affairs of the African Union, Julia D. Joiner; the Secretary-General of the Commonwealth, Kamallesh Sharma; and the Assistant High Commissioner for Operations, United Nations High Commissioner for Refugees, Janet Lim.

10. At the 3rd meeting, on 28 February 2011, at the request of the representative of Egypt, the Human Rights Council observed a minute of silence to honour the memory of the martyrs of the Egyptian revolution.

11. At the 5th meeting, on 1 March 2011, statements in exercise of the right of reply were made by the representatives of Armenia, Azerbaijan, Cuba, the Democratic People's Republic of Korea, Estonia, Japan, Latvia and Morocco.

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

13. At the 8th meeting, on 2 March 2011, statements in exercise of the right of reply were made by the representatives of Belarus and Myanmar.

Panel on the enjoyment of human rights of people of African descent

14. At the 7th meeting, on 2 March 2011, pursuant to Human Rights Council resolution 14/16, the Council held a panel discussion on the full enjoyment of the human rights of people of African descent to mark the International Year for People of African Descent. The Council divided the panel discussion into two slots, both held at the 7th meeting, on 2 March 2011. The United Nations High Commissioner for Human Rights made introductory remarks for the panel. At the same meeting, the panellists Luis Almagro, Mirjana Najcevska, Pastor Murillo, Epsy Campbell and Florence Simbiri Jaoko made statements.

15. 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, Cuba, Djibouti, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), United States of America;

(b) Representatives of the following observer States: Colombia, Panama, Peru;

- (c) Observer for an intergovernmental organization: European Union;
- (d) Observer for a national human rights institution: Network of African National Human Rights Institutions;
- (e) Observer for a non-governmental organization: North-South XXI.

16. At the end of the first slot, at the same meeting, the panellists Mirjana Najcevska, Pastor Murillo, Epsy Campbell and Florence Simbiri Jaoko answered questions and made comments.

17. During the 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: China, Mauritania, Mexico, Spain;
- (b) Representatives of the following observer States: Algeria, Congo, Costa Rica, Haiti, Honduras, Morocco, Portugal, South Africa;
- (c) Observer for a non-governmental organization: African Commission of Health and Human Rights Promoters.

18. At the end of the second slot, at the same meeting, the panellists answered questions and made their concluding remarks.

D. General segment

19. At the 8th meeting, on 2 March 2011, a general segment was held, during which the following addressed the Human Rights Council:

- (a) Representatives of States Members of the Council: Chile, China, Djibouti, Jordan, Malaysia, Qatar, Slovakia;
- (b) Representatives of the following observer States: Afghanistan, Barbados, Belarus, Honduras, India, Indonesia, Israel, Morocco, Namibia, Nepal, Nicaragua, Oman, Philippines, United Arab Emirates;
- (c) Observer for the Holy See;
- (d) Observer for a national human rights institution: International Coordinating Committee of National Human Rights Institutions;
- (e) Invited members of civil society: Mervat Rishmawi, Mary Jean Real, Alexis Corthay and Pepe Julian Onziema.

E. Agenda and programme of work

20. At the 9th meeting, on 3 March 2011, the agenda and programme of work of the sixteenth session were adopted.

F. Organization of work

21. At the 7th meeting, on 2 March 2011, the President outlined the modalities for the interactive debate of panel discussions, which would be seven minutes for panellists, three minutes for States Members of the Council and two minutes for observer States and other observers.

22. At the 8th meeting, on 2 March 2011, the President outlined the modalities for the general segment, which would be five minutes for statements by States Members of the Council and three minutes for statements by observer States of the Council and other observers.
23. At the 9th meeting, on 3 March 2011, the President outlined the modalities for the interactive dialogue for the annual report of the High Commissioner, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.
24. At the 11th meeting, on 4 March 2011, the President outlined the modalities for the general debate for the reports of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Secretary-General, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.
25. At the 12th meeting, on 4 March 2011, the President revised the modalities for the annual interactive debate on the rights of persons with disabilities, which would be two minutes for States Members of the Council and two minutes for observer States, followed by other observers.
26. At the 13th meeting, on 7 March 2011, the President outlined the modalities for the interactive dialogue with special procedures mandate holders under agenda item 3, which would be 10 minutes for the presentation by the mandate holder of the main report, with a further 2 minutes to present each additional report; 5 minutes for concerned countries, if any, and States Members of the Council; 3 minutes for statements by observer States of the Council and other observers, including United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations; and 5 minutes for concluding remarks by the mandate holder.
27. At the 22nd meeting, on 10 March 2011, the President outlined the modalities for the general debate on agenda item 3, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.
28. At the 25th meeting, on 14 March 2011, the President outlined the modalities for the interactive dialogue with special procedures mandate holders under agenda item 4, which would be 10 minutes for the presentation by the mandate holder of the report, 5 minutes for concerned countries, 3 minutes for States Members of the Council and 2 minutes for observer States and other observers.
29. At the 27th meeting, on 14 March 2011, the President outlined the modalities for the general debate on agenda item 4, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.
30. At the 30th meeting, on 15 March 2011, the President outlined the modalities for the general debate on agenda item 5, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.
31. At the 31st meeting, on 16 March 2011, the President outlined the modalities for the consideration of the outcomes of the universal periodic review under agenda item 6, which would be 20 minutes for the State concerned to present its views; up to 20 minutes for States Members of the Council, observer States and United Nations agencies to express their views on the outcome of the review and whenever necessary, and in order to accommodate the maximum number of speakers; 2 minutes for States Members and observer States; and up to 20 minutes for stakeholders to make general comments on the outcome of the review, of which 2 minutes would be given to each speaker.

32. At the 36th meeting, on 18 March 2011, the President outlined the modalities for the general debate on agenda item 6, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

33. At the 39th meeting, on 21 March 2011, the President outlined the modalities for the general debate on agenda item 7, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

34. At the 40th meeting, on 22 March 2011, the President outlined the modalities for the general debate on agenda item 8, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

35. At the 41st meeting, on 22 March 2011, the President outlined the modalities for the general debate on agenda item 9, which would be three minutes for States Members of the Council and two minutes for observer States and other observers.

36. At the 43rd meeting, on 23 March 2011, the President outlined the modalities for the general debate on agenda item 10, which would be 3 minutes for States Members of the Council and 2 minutes for observer States and other observers.

G. Meetings and documentation

37. The Human Rights Council held 48 fully serviced meetings during its sixteenth session.

38. The resolutions and decisions adopted by the Human Rights Council are contained in part one of the present report.

H. Visits

39. At the 11th meeting, on 4 March 2011, the President of Italy, Giorgio Napolitano, delivered a statement to the Human Rights Council.

40. At the 43rd meeting, on 23 March 2011, the Minister of State at the Office of the Prime Minister of Somalia, Zahra Mohamed Ali Samantar, addressed the Human Rights Council.

I. Selection and appointment of mandate holders

41. At its 44th meeting, on 23 March 2011, the Human Rights Council appointed special procedures mandate holders in accordance with Council resolution 5/1 (see annex V).

J. Selection and appointment of members of the Expert Mechanism on the Rights of Indigenous Peoples

42. At its 44th meeting, on 23 March 2011, the Human Rights Council, pursuant to its resolutions 5/1 and 6/36, appointed five experts to the Expert Mechanism on the Rights of Indigenous Peoples. The Council had before it a note by the President of the Council containing nominations of candidates for appointment.

43. The Council appointed the members Vital Bambanze (Burundi), Anastasia Chukhman (Russian Federation), Jannie Lasimbang (Malaysia), Wilton Littlechild (Canada) and José Carlos Morales Morales (Costa Rica) (see annex VI).

44. As requested by the Human Rights Council in paragraph 8 of its resolution 12/13, the Council proceeded with the drawing of lots of the staggered terms of membership for the members of the Expert Mechanism. Vital Bambanze was appointed for one year, Anastasia Chukhman and José Carlos Morales Morales for two years and Jannie Lasimbang and Wilton Littlechild for three years.

K. Election of members of the Advisory Committee

45. At the 44th meeting, on 23 March 2011, the Human Rights Council elected, pursuant to its resolution 5/1, seven experts to the Advisory Committee. The Council had before it a note by the Secretary-General (A/HRC/16/19 and Add.1) containing nominations of candidates for election, in accordance with Council decision 6/102, and the biographical data of the candidates.

The candidates were as follows:

<i>Nominating Member State</i>	<i>Expert nominated</i>
African States	
Mauritius	Dheerujall Baramlall Seetulsingh
Nigeria	Obiora Chinedu Okafor
Asian States	
Pakistan	Ahmer Bilal Soofi
Philippines	Purificacion Quisumbing
Eastern European States	
Azerbaijan	Latif Hüseyinov
Latin American and Caribbean States	
Guatemala	Anantonia Reyes Prado
Western European and other States	
France	Laurence Boisson de Chazournes

46. The number of candidates for each regional group corresponded to the number of seats to be filled. The practice of holding a secret ballot pursuant to paragraph 70 of Council resolution 5/1 was dispensed with and Dheerujall Baramlall Seetulsingh, Obiora Chinedu Okafor, Ahmer Bilal Soofi, Purificacion Quisumbing, Latif Hüseyinov, Anantonia Reyes Prado and Laurence Boisson de Chazournes were elected as members of the Advisory Committee by consensus.

L. Adoption of the report of the session

47. At the 48th meeting, on 25 March 2011, the Rapporteur and Vice-President of the Human Rights Council made a statement in connection with the draft report of the Council.

48. At the same meeting, the draft report was adopted ad referendum and the Council decided to entrust the Rapporteur with the finalization of the report.

49. Also at the same meeting, the representative of International Service for Human Rights (also on behalf of the Asian Forum for Human Rights and Development and the Cairo Institute for Human Rights Studies) made general comments in connection with the session.

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

M. Consideration of and action on draft proposals

Follow-up to the report of the independent international fact-finding mission on the incident of the humanitarian flotilla

51. At the 47th meeting, on 25 March 2011, the representative of Pakistan, on behalf of the Organization of the Islamic Conference, introduced draft resolution A/HRC/16/L.5, sponsored by Pakistan, on behalf of the Organization of the Islamic Conference, and co-sponsored by Iraq on behalf of the Group of Arab States. Subsequently, Algeria, Bolivia (Plurinational State of), Cuba, Ireland, Malta, Nicaragua, Portugal, Slovenia and Venezuela (Bolivarian Republic of) joined the sponsors.

52. At the same meeting, the representative of Pakistan orally revised the draft resolution.

53. Also at the same meeting, the representative of Turkey made a statement as a concerned country.

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

55. Also at the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

56. At the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/HRC/16/L.5 as orally revised. The draft resolution as orally revised was adopted by 37 votes in favour, 1 against, with 8 abstentions.

57. For the text as adopted and voting results, see part one, chapter I, resolution 16/20.

58. At the 48th meeting, on 25 March 2011, the representative of the Republic of Korea made a statement in explanation of vote after the vote.

Review of the work and functioning of the Human Rights Council

59. At the 47th meeting, on 25 March 2011, the President of the Human Rights Council introduced draft resolution A/HRC/16/L.39.

60. At the same meeting, the representatives of Argentina, Brazil, Chile, China, Cuba, Hungary (on behalf of States members of the European Union that are members of the Council), Japan, Mexico, Nigeria (on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Saudi Arabia, Switzerland and Uganda made general comments in relation to the draft resolution.

61. 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.

62. At the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote, disassociating the delegation from consensus in relation to the draft resolution.

63. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 16/21).

Postponement of the renewal of the mandate of the independent expert on human rights and international solidarity

64. At the 48th meeting, on 25 March 2011, the representative of Cuba introduced draft decision A/HRC/16/L.40, sponsored by Cuba.

65. At the same meeting, the representative of Hungary, on behalf of States members of the European Union that are members of the Council, and the representative of the United States of America made statements in explanation of vote before the vote.

66. Also at the same meeting, at the request of the representative of Hungary, on behalf of States members of the European Union that are members of the Council, a recorded vote was taken on draft decision A/HRC/16/L.40. The draft decision was adopted by 32 votes in favour, 14 against, with no abstentions.

67. For the text as adopted and voting results, see part one, chapter II, decision 16/118.

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. Annual report of the United Nations High Commissioner for Human Rights

68. At the 9th meeting, on 3 March 2011, the United Nations High Commissioner for Human Rights made a statement in connection with her annual report (A/HRC/16/20).

69. During the ensuing interactive dialogue, at the 9th and 10th meetings, on 3 March 2011, the following made statements and asked the High Commissioner questions:

(a) Representatives of States Members of the Council: Bangladesh, Belgium, Brazil, Burkina Faso, Chile, China, Cuba, Ecuador, France, Ghana, Hungary (on behalf of the European Union), Iraq⁴⁵ (on behalf of the Group of Arab States), Japan, Jordan, Malaysia, Maldives, Mauritania, Mexico, Nigeria (on behalf of the Group of African States), Norway, Pakistan (also on behalf of the Organization of the Islamic Conference), Poland, Republic of Korea, Russian Federation, Saudi Arabia, Spain, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Azerbaijan, Belarus, Bulgaria, Canada, Chad, Colombia, Congo, Costa Rica, Czech Republic, Egypt, Ethiopia, Germany, Greece, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Morocco, New Zealand, Paraguay, Philippines, Romania, Slovenia, South Africa, Sri Lanka, Tunisia, Turkey, Uzbekistan;

(c) Observer for Palestine;

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

(e) Observers for the following national human rights institutions: International Coordinating Committee of National Human Rights Institutions, National Council on Human Rights of Egypt (on behalf of the national human rights institutions of Egypt, Jordan, Mauritania, Morocco, Palestine and Qatar);

(f) Observers for the following non-governmental organizations: Action Internationale pour la paix et le développement dans la région des Grands Lacs, Amnesty International, Cairo Institute for Human Rights Studies, Canadian HIV/AIDS Legal Network, 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, European Region of the International Lesbian and Gay Federation, Federation of Cuban Women, Human Rights Watch, International Commission of Jurists, International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Service for Human Rights, Foundation for Human Rights and Freedoms and Humanitarian Relief, United Nations Watch.

70. At the 9th and 10th meetings, on the same day, the High Commissioner answered questions.

⁴⁵ Observer of the Human Rights Council speaking on behalf of Member and observer States.

71. At the 10th meeting, on the same day, the High Commissioner answered questions and made her concluding remarks.

72. At the same meeting, a statement in exercise of the right of reply was made by the representative of the Democratic People's Republic of Korea.

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

73. At the 11th meeting, on 4 March 2011, the Deputy High Commissioner for Human Rights presented thematic reports prepared by OHCHR and the Secretary-General.

74. During the ensuing general debate on thematic reports at the same meeting, statements were made by the following:

(a) Representatives of States Members of the Human Rights Council: Brazil, Cuba, Hungary (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Maldives, Qatar, Russian Federation, Spain;

(b) Representatives of the following observer States: Australia, Costa Rica, India, Indonesia, Iran (Islamic Republic of), Nepal;

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

(d) Observers for a national human rights institution: Advisory Council on Human Rights of Morocco;

(e) Observers for the following non-governmental organizations: Associazione Comunità Papa Giovanni XXIII (also on behalf of Caritas Internationalis, the International Catholic Child Bureau, the International Volunteerism Organization for Women Education and Development and Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco), Association of World Citizens, Commission to Study the Organization of Peace, International Association for Democracy in Africa, International Club for Peace Research, International Institute for Peace, International Islamic Federation of Student Organizations, Liberation, North-South XXI, Tchad agir pour l'environnement.

75. At the 39th meeting, on 21 March 2011, the High Commissioner presented reports concerning the human rights situation in Palestine and other occupied Arab territories, prepared by the High Commissioner, OHCHR and the Secretary-General (see chapter VII).

76. At the 43rd meeting, on 23 March 2011, the Deputy High Commissioner for Human Rights presented country-specific reports prepared by the High Commissioner, OHCHR and the Secretary-General (see chapter X).

C. Consideration of and action on draft proposals

77. At the 46th meeting, on 24 March 2011, the representative of Cuba introduced draft resolution A/HRC/16/L.19, sponsored by Cuba and co-sponsored by Belarus, Bolivia (Plurinational State of), China, Djibouti, Ecuador, Indonesia, Nicaragua, Pakistan, Singapore, Sri Lanka and Venezuela (Bolivarian Republic of). Subsequently, Algeria, Angola, Bangladesh, Burkina Faso, Costa Rica, the Democratic People's Republic of Korea, Haiti, Iran (Islamic Republic of), Kenya, Lebanon, Malaysia, Nigeria, Palestine, Panama, the Philippines, the Russian Federation, the Sudan, the Syrian Arab Republic, Thailand, Uruguay, Viet Nam, Zambia and Zimbabwe joined the sponsors.

78. At the same meeting, the representatives of Hungary (on behalf of States members of the European Union that are members of the Council), Switzerland and the United States of America made statements in explanation of vote before the vote.

79. Also at the same meeting, at the request of the representative of Hungary, on behalf of States members of the European Union that are members of the Council, a recorded vote was taken on draft resolution A/HRC/16/L.19. The draft resolution was adopted by 31 votes in favour, 13 against, with 2 abstentions.

80. For the text as adopted and voting results, see part one, chapter I, resolution 16/10.

81. At the 48th meeting, on 25 March 2011, the representative of Algeria made comments in relation to the resolution.

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

A. Panels

Annual interactive debate on the rights of persons with disabilities

82. At its 12th meeting, on 4 March 2011, pursuant to Human Rights Council resolution 13/11, the Council held its annual interactive debate on the rights of persons with disabilities in the form of a panel discussion. The Council divided the panel discussion into two slots, both held at the 12th meeting, on 4 March 2011. The High Commissioner made introductory remarks for the panel. At the same meeting, the panellists Shuaib Chalklen, Monthian Buntan, Theresia Degener, María Verónica Reina and Nathalie Herlemont made statements.

83. 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: Cuba, Iraq⁴⁶ (on behalf of the Group of Arab States), Mexico, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Paraguay⁴⁶ (on behalf of the Common Market of the South (MERCOSUR), Bolivia (Plurinational State of), Colombia, Chile, Peru and Venezuela (Bolivarian Republic of)), Ukraine;

(b) Representatives of the following observer States: Algeria, Austria, Germany, Honduras, Indonesia, Morocco, New Zealand, Peru;

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

(d) Observer for United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF);

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

(f) Observers for the following non-governmental organizations: Conectas Direitos Humanos, Inclusion International (International League of Societies for Persons with Mental Handicaps).

84. At the end of the first slot, at the same meeting, the panellists answered questions and made comments.

85. 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: Belgium, Brazil, Malaysia, Norway, Republic of Korea, Qatar, Russian Federation, Spain, Thailand;

(b) Representatives of the following observer States: Argentina, Australia, Kuwait;

⁴⁶ Observer of the Human Rights Council speaking on behalf of Member and observer States.

(c) Observer for the Anti-Personnel Mine Ban Convention Implementation Support Unit;

(d) Observer for a non-governmental organization: World Blind Union.

86. At the same meeting, the panellists answered questions and made their concluding remarks.

Annual full-day meeting on the rights of the child

87. An annual full-day meeting on the rights of the child was held on 9 March 2011, in accordance with Human Rights Council resolution 13/20. The topic of the meeting was a holistic approach to the protection and promotion of the rights of children working and/or living on the street. The meeting was divided into two panel discussions: the first panel discussion was held at the 19th meeting, on 9 March 2011; the second panel discussion was held at the 20th meeting, on the same day.

88. At the 19th meeting, the High Commissioner made introductory remarks for the first panel. At the same meeting, the following panellists of the first panel made statements: Najat Maalla M'jid, Father Patrick Shanahan, Paulo Sergio Pinheiro, and youth representatives Riaz, Tania and Sévérine. The Council divided the first panel discussion into two slots, both held at the 19th meeting.

89. During the ensuing panel discussion for the first panel, 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: Belgium, Chile, Cuba, Ecuador, Guatemala, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Spain, Thailand, Uruguay (on behalf of the Group of Latin American and Caribbean States);

(b) Representatives of the following observer States: Germany, Peru, Sri Lanka;

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

(d) Observer for a national human rights institution: Ukrainian Parliamentary Commissioner;

(e) Observers for the following non-governmental organizations: Foundation ECPAT International (also on behalf of the Consortium for Street Children, Defence for Children International, the International Catholic Child Bureau, the International Federation of Social Workers, International Federation Terre des Hommes, the Women's World Summit Foundation and World Vision International), International Save the Children Alliance (also on behalf of the Consortium for Street Children, Foundation ECPAT International, International Federation Terre des Hommes, SOS Kinderdorf International and the Women's World Summit Foundation).

90. At the end of the first slot, at the same meeting, the panellists answered questions and made comments.

91. During the ensuing panel discussion for the first panel, 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: Argentina, Bangladesh, Brazil, China, Djibouti, Malaysia, Saudi Arabia;

(b) Representatives of the following observer States: Finland, Indonesia, Iran (Islamic Republic of), Slovenia, Turkey;

(c) Observers for the following non-governmental organizations: International Movement ATD Fourth World (also on behalf of Franciscans International, the International Catholic Child Bureau and the International Council of Women), World Vision International (also on behalf of the Consortium for Street Children, Defence for Children International, ECPAT International, the International Catholic Child Bureau, International Federation Terre des Hommes, the International Harm Reduction Association, Plan International, SOS Children's Villages International and the Women's World Summit Foundation).

92. At the same meeting, the panellists of the first panel answered questions and made their concluding remarks.

93. At the 20th meeting, on the same day, the Deputy High Commissioner made introductory remarks for the second panel. The following panellists of the second panel made statements: Marta Santos Pais, Abdul Khaliq Shaikh, Marco Antonio Da Silva Souza, Theresa Kilbane and Kari Tapiola. The Council divided the second panel discussion into two slots, both held at the 20th meeting.

94. During the ensuing panel discussion for the second panel, for the first slot, at the 20th meeting, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Angola, Maldives, Mexico, Pakistan, Paraguay⁴⁶ (on behalf of MERCOSUR, Bolivia (Plurinational State of), Chile, Colombia, Peru and Venezuela (Bolivarian Republic of)), Republic of Korea, Switzerland, Ukraine;

(b) Representatives of the following observer States: Algeria, Australia, Canada, Costa Rica, Honduras, Nepal;

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

(d) Observer for a national human rights institution: National Council on Human Rights of Morocco;

(e) Observers for the following non-governmental organizations: Defence for Children International (also on behalf of the African Child Policy Forum, the Consortium for Street Children, Covenant House/Casa Alianza, Foundation ECPAT International, the International Catholic Child Bureau, International Federation Terre des Hommes, the NGO Group for the Convention on the Rights of the Child, Plan International, SOS Kinderdorf International, War Child Holland, the Women's World Summit Foundation, the World Movement of Mothers, the World Organization against Torture and World Vision International), SOS Kinderdorf International (also on behalf of the African Child Policy Forum, the Consortium for Street Children, Defence for Children International, Foundation ECPAT International, the International Catholic Child Bureau, International Federation Terre des Hommes, International Movement ATD Fourth World, the International Social Service, the NGO Group for the Convention on the Rights of the Child, Plan International, Red Latinoamericana de Acogimiento Familiar, the Women's World Summit Foundation, the World Movement of Mothers and World Vision International).

95. At the end of the first slot, at the same meeting, the panellists answered questions and made comments.

96. During the ensuing panel discussion for the second panel, 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: Japan, Jordan, Norway, Poland, Qatar, United States of America;

(b) Representatives of the following observer States: Afghanistan, Cambodia, Egypt, Georgia, India, Indonesia, Morocco, Peru, Slovenia, Sudan, Viet Nam;

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

(d) Observers for the following non-governmental organizations: Consortium for Street Children (also on behalf of Defence for Children International, the International Catholic Child Bureau, International Federation Terre des Hommes, the International Harm Reduction Association, SOS Kinderdorf International and the Women's World Summit Foundation), Human Rights Advocates (also on behalf of the Consortium for Street Children, Defence for Children International and the Women's World Summit Foundation), International Harm Reduction Association (also on behalf of the Consortium for Street Children, Human Rights Watch, the International Catholic Child Bureau and World Vision International), Plan International (also on behalf of the Consortium for Street Children, Defence for Children International, Foundation ECPAT International, the International Catholic Child Bureau, the NGO Group for the Convention on the Rights of the Child, SOS Kinderdorf International, the Women's World Summit Foundation, the World Movement of Mothers, the World Organization against Torture and World Vision International).

97. At the same meeting, the panellists of the second panel answered questions and made their concluding remarks.

Panel on human rights and issues related to terrorist hostage-taking

98. At the 23rd meeting, on 11 March 2011, pursuant to its decision 15/116, the Human Rights Council held a panel discussion on human rights and issues related to terrorist hostage-taking. The Deputy High Commissioner made introductory remarks for the panel. At the same meeting, the panellists Martin Scheinin, Kamel Rezzag Bara, Cecilia Quisumbing, Soumeylou Maiga and Federico Andreu made statements.

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

(a) Representatives of States Members of the Human Rights Council: Burkina Faso, China, France, Iraq⁴⁶ (on behalf of the Group of Arab States), Nigeria (on behalf of the Group of African States), Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Colombia, Iran (Islamic Republic of), Morocco, Syrian Arab Republic.

100. At the same meeting, the panellists answered questions and made their concluding remarks.

101. At the 24th meeting, on 11 March 2011, statements in exercise of the right of reply were made by the representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America.

B. Interactive dialogue with special procedures mandate holders

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

102. At the 13th meeting, on 7 March 2011, the Special Rapporteur on the promotion and protection of human rights while countering terrorism, Martin Scheinin, presented his reports (A/HRC/16/51 and Add.1-3).

103. At the same meeting, the representatives of Peru and Tunisia made statements as concerned countries.

104. 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: Bangladesh, Brazil, Chile, China, Cuba, Djibouti, France, Iraq⁴⁶ (on behalf of the Group of Arab States), Mexico, Nigeria (on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Saudi Arabia, Spain, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Afghanistan, Algeria, Austria, Colombia, Denmark, Egypt, Indonesia, Iran (Islamic Republic of), Iraq, New Zealand;

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

(d) Observers for the following non-governmental organizations: Amnesty International, France Libertés: Fondation Danielle Mitterrand.

105. At the 14th meeting, on 7 March 2011, the Special Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

106. At the 13th meeting, on 7 March 2011, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan Ernesto Mendez, presented his reports (A/HRC/16/52 and Add.1-5).

107. At the same meeting, the representatives of Greece and Jamaica made statements as concerned countries.

108. 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: Brazil, Chile, China, Cuba, Djibouti, France, Jordan, Maldives, Mexico, Nigeria (also on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Republic of Moldova, Russian Federation, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Austria, Belarus, Czech Republic, Denmark, Egypt, Indonesia, Iran (Islamic Republic of), Ireland, Nepal, New Zealand, Paraguay, Sri Lanka, Sweden, Togo, Turkey;

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

(d) Observers for the following national human rights institutions: National Commission for Human Rights of Greece, Network of African National Human Rights Institutions;

(e) Observers for the following non-governmental organizations: Amnesty International, Asian Legal Resource Centre, Human Rights Advocates, International Federation of Action by Christians for the Abolition of Torture, Permanent Assembly for Human Rights, Regional Center for Human Rights and Gender Justice (also on behalf of Conectas Direitos Humanos), World Organization against Torture.

109. At the 14th meeting, on 7 March 2011, the Special Rapporteur answered questions and made his concluding remarks.

Working Group on Enforced or Involuntary Disappearances

110. At the 14th meeting, on 7 March 2011, the Chairperson-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, Jeremy Sarkin, presented the reports of the Working Group (A/HRC/16/48 and Add.1-3).

111. At the same meeting, the representative of Bosnia and Herzegovina made a statement as a concerned country.

112. During the ensuing interactive dialogue, at the 15th meeting, on 7 March 2011, and at the 16th meeting, on 8 March, the following made statements and asked the Chairperson-Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Angola, Argentina, Brazil, China, Cuba, France, Japan, Nigeria (on behalf of the Group of African States), Pakistan (also on behalf of the Organization of the Islamic Conference), Paraguay⁴⁶ (on behalf of MERCOSUR, Bolivia (Plurinational State of), Chile, Colombia, Peru and Venezuela (Bolivarian Republic of)), Spain, Switzerland, Thailand, United States of America, Uruguay;

(b) Representatives of the following observer States: Algeria, Colombia, Congo, Egypt, Honduras, Iran (Islamic Republic of), Morocco, Nepal, Peru, Sri Lanka;

(c) Observers for intergovernmental organizations: European Union, International Organization of La Francophonie;

(d) Observer for a national human rights institution: National Council on Human Rights of Morocco;

(e) Observers for the following non-governmental organizations: Asian Legal Resource Centre, International Commission of Jurists, International Movement against All Forms of Discrimination and Racism.

113. At the 16th meeting, on 8 March 2011, the Chairperson-Rapporteur answered questions and made his concluding remarks.

114. At the 15th meeting, on 7 March 2011, statements in exercise of the right of reply were made by the representatives of the Democratic People's Republic of Korea and Japan.

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

116. At the 18th meeting, on 8 March 2011, a statement in exercise of the right of reply was made by the representative of Thailand.

Working Group on Arbitrary Detention

117. At the 14th meeting, on 7 March 2011, the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, El Hadji Malick Sow, presented the reports of the Working Group (A/HRC/16/47 and Add.1-3).

118. At the same meeting, the representatives of Armenia and Malaysia made statements as concerned countries.

119. During the ensuing interactive dialogue, at the 15th meeting, on 7 March 2011, and at the 16th meeting, on 8 March, the following made statements and asked the Chairperson-Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Angola, Brazil, Chile, China, Cuba, France, Kyrgyzstan, Pakistan (on behalf of the Organization of the Islamic Conference), Nigeria (on behalf of the Group of African States), Russian Federation, Spain, Thailand, United States of America, Zambia;

(b) Representatives of the following observer States: Algeria, Austria, Belarus, Colombia, Egypt, Iran (Islamic Republic of), Iraq, Nepal, Peru, Venezuela (Bolivarian Republic of);

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

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

(e) Observers for the following non-governmental organizations: Asian Forum for Human Rights and Development, BADIL Resource Center for Palestinian Residency and Refugee Rights, Federation of Cuban Women (also on behalf of the American Association of Jurists), Human Rights Watch, International Association for Democracy in Africa, International Commission of Jurists, International Movement against All Forms of Discrimination and Racism.

120. At the 16th meeting, on 8 March 2011, the Chairperson-Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on the human rights of internally displaced persons

121. At the 14th meeting, on 7 March 2011, the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, presented the reports of the mandate (A/HRC/16/43 and Add.1-5).

122. At the same meeting, the representative of Iraq made a statement as a concerned country.

123. During the ensuing interactive dialogue, at the 15th meeting, on 7 March 2011, and at the 16th meeting, on 8 March, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Brazil, China, Djibouti, Nigeria (on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Switzerland, United States of America;

(b) Representatives of the following observer States: Algeria, Armenia, Australia, Austria, Azerbaijan, Colombia, Democratic Republic of the Congo, Egypt, Georgia, Nepal, Sri Lanka, Turkey;

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

(d) Observers for the following non-governmental organizations: Colombian Commission of Jurists, Commission to Study the Organization of Peace, International Movement against All Forms of Discrimination and Racism.

124. At the 16th meeting, on 8 March 2011, the Special Rapporteur answered questions and made his concluding remarks.

125. At the 15th meeting, on 7 March 2011, statements in exercise of the right of reply were made by the representatives of Armenia, Azerbaijan, Georgia and the Russian Federation.

126. At the same meeting, statements in exercise of a second right of reply were made by the representatives of Armenia, Azerbaijan and Georgia.

Special Rapporteur on the right to food

127. At the 16th meeting, on 8 March 2011, the Special Rapporteur on the right to food, Olivier De Schutter, presented his reports (A/HRC/16/49 and Add.1-3).

128. At the same meeting, the representative of the Syrian Arab Republic made a statement as a concerned country.

129. During the ensuing interactive dialogue, at the 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, Bangladesh, Brazil, China, Cuba, Djibouti, Ecuador, Ghana, Nigeria (on behalf of the Group of African States), Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Saudi Arabia, Switzerland, Thailand, United States of America, Uruguay, Zambia;

(b) Representatives of the following observer States: Algeria, Australia, Canada, Iran (Islamic Republic of), Israel, Luxembourg, Morocco, Netherlands, South Africa, Sudan, Venezuela (Bolivarian Republic of);

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

(d) Observer for the Holy See;

(e) Observers for the following non-governmental organizations: China NGO Network for International Exchange, Human Rights Advocates, Indian Movement “Tupaj Amaru”, International Institute for Non-Aligned Studies, Society for Threatened Peoples.

130. At the 17th meeting, on the same day, the Special Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

131. At the 16th meeting, on 8 March 2011, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Raquel Rolnik, presented her reports (A/HRC/16/42 and Add.1-4).

132. At the same meeting, the representatives of Croatia and Kazakhstan made statements as concerned countries.

133. During the ensuing interactive dialogue, at the 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: Bangladesh, Brazil, Chile, Cuba, Ecuador, Maldives, Nigeria (also on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), United States of America, Uruguay, Zambia;

(b) Representatives of the following observer States: Algeria, Finland, Germany, Honduras, India, Morocco, Rwanda, Serbia, South Africa, Sudan, Timor-Leste;

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

(d) Observer for Palestine;

(e) Observer for a national human rights institution: Croatian Ombudsman;

(f) Observers for the following non-governmental organizations: BADIL Resource Center for Palestinian Residency and Refugee Rights, European Disability Forum, Permanent Assembly for Human Rights.

134. At the 17th meeting, on the same day, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on the sale of children, child prostitution and child pornography

135. At the 18th meeting, on 8 March 2011, the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid, presented her reports (A/HRC/16/57 and Add.1-5) and the joint report with the Special Representative of the Secretary-General on violence against children (A/HRC/16/56).

136. At the same meeting, the representatives of El Salvador, Senegal, the United Arab Emirates and the United States of America made statements as concerned countries.

137. During the ensuing interactive dialogue at the same meeting, on the same day, and at the 19th meeting, on 9 March 2011, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Belgium, Brazil, Burkina Faso, Chile, China, Cuba, Djibouti, Indonesia⁴⁷ (on behalf of the Association of Southeast Asian Nations (ASEAN)), Iraq⁴⁷ (on behalf of the Group of Arab States), Malaysia, Maldives, Mexico, Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Slovakia, Thailand, Uruguay;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Congo, Costa Rica, Egypt, Finland, Kuwait, Morocco, Slovenia, Sudan;

(c) Observer for United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF);

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

(e) Observer for a non-governmental organization: International Movement ATD Fourth World.

138. At the 19th meeting, on 9 March 2011, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on the situation of human rights defenders

139. At the 21st meeting, on 10 March 2011, the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, presented her reports (A/HRC/16/44 and Add.1-3).

140. At the same meeting, the representative of Armenia made a statement as a concerned country.

141. During the ensuing interactive dialogue at the 21st and 22nd 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: Angola, Bangladesh, Brazil, Chile, China, Ecuador, France, Guatemala, Mexico, Nigeria, Norway,

⁴⁷ Observer of the Human Rights Council speaking on behalf of Member and observer States.

Pakistan (also on behalf of the Organization of the Islamic Conference), Poland, Russian Federation, Slovakia, Spain, Switzerland, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Belarus, Canada, Colombia, Czech Republic, Democratic Republic of the Congo, Denmark, Egypt, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Morocco, New Zealand, Serbia, Slovenia, Sudan, Tunisia, Uzbekistan;

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

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

(e) Observers for the following non-governmental organizations: Asian Forum for Human Rights and Development, CIVICUS, Front Line (on behalf of the Women Human Rights Defenders International Coalition), Human Rights First (also on behalf of the International Federation for Human Rights Leagues and the World Organization against Torture), International Service for Human Rights, Mouvement contre le racisme et pour l'amitié entre les peuples (also on behalf of France Libertés: Fondation Danielle Mitterrand), Pax Romana.

142. At the 22nd meeting, on the same day, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on freedom of religion or belief

143. At the 21st meeting, on 10 March 2011, the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, presented his reports (A/HRC/16/53 and Add.1).

144. During the ensuing interactive dialogue, at the 21st and 22nd 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: Angola, Bangladesh, Belgium, Brazil, China, Ecuador, France, Ghana, Hungary, Nigeria, Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Poland, Russian Federation, Slovakia, Switzerland, Uganda, United States of America;

(b) Representatives of the following observer States: Algeria, Armenia, Australia, Austria, Belarus, Canada, Czech Republic, Denmark, Egypt, Germany, Indonesia, Ireland, Italy, Kuwait, Luxembourg, Paraguay, Slovenia, Sudan;

(c) Observers for the Holy See and the Sovereign Military Order of Malta;

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

(e) Observer for a national human rights institution: Indonesian Human Rights Commission Komnas HAM;

(f) Observers for the following non-governmental organizations: Baha'i International Community, Human Rights First (also on behalf of the International Federation for Human Rights Leagues and the World Organization against Torture), Pax Romana.

145. At the 22nd meeting, on the same day, the Special Rapporteur answered questions and made his concluding remarks.

Independent expert on minority issues

146. At the 29th meeting, on 15 March 2011, the independent expert on minority issues, Gay McDougall, presented her reports (A/HRC/16/45 and Add.1-2).

147. At the same meeting, the representatives of Colombia and Viet Nam made statements as concerned countries.

148. During the ensuing interactive dialogue, at the same meeting, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Human Rights Council: Bangladesh, Brazil, China, Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, United States of America;

(b) Representatives of the following observer States: Armenia, Australia, Austria, Georgia, Greece, Haiti, Italy, Latvia, Morocco, Slovenia, South Africa, Turkey;

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

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

(e) Observers for the following non-governmental organizations: Chinese People's Association for Friendship with Foreign Countries, Colombian Commission of Jurists, European Bureau for Lesser Used Languages, Minority Rights Group, Pax Romana, World Citizen Association.

149. At the same meeting, the independent expert answered questions and made her concluding remarks.

C. Interactive dialogue with the Special Representative of the Secretary-General on violence against children

150. At the 18th meeting, on 8 March 2011, the Special Representative of the Secretary-General on violence against children, Marta Santos Pais, presented her report (A/HRC/16/54) and the joint report with the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/16/56).

151. During the ensuing interactive dialogue, at the same meeting, on the same day, and at the 19th meeting, on 9 March 2011, the following made statements and asked the Special Representative questions:

(a) Representatives of States Members of the Human Rights Council: Belgium, Brazil, Burkina Faso, Chile, China, Cuba, Djibouti, Indonesia⁴⁷ (on behalf of ASEAN), Iraq⁴⁷ (on behalf of the Group of Arab States), Malaysia, Maldives, Mexico, Norway, Pakistan (on behalf of the Organization of the Islamic Conference), Republic of Korea, Russian Federation, Slovakia, Uruguay;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Congo, Costa Rica, Egypt, Finland, Kuwait, Morocco, Slovenia, Sudan, Thailand;

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

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

(e) Observers for the following non-governmental organizations: Defence for Children International, Human Rights Advocates, International Movement ATD Fourth World, United Network of Young Peacebuilders, Verein Südwind Entwicklungspolitik, World Organization against Torture (also on behalf of Defence for Children International and the International Catholic Child Bureau).

152. At the 19th meeting, on 9 March 2011, the Special Representative answered questions and made her concluding remarks.

D. General debate on agenda item 3

153. At the 22nd meeting, on 10 March 2011, at the 24th meeting, on 11 March, and at the 25th meeting, on 14 March, the Human Rights Council held a general debate on agenda item 3, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Costa Rica⁴⁷ (on behalf of the Group of Latin American and Caribbean States), Cuba, Hungary (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Turkey), Lithuania⁴⁷ (on behalf of the Convening Group of the Community of Democracies), Nigeria (on behalf of the Group of African States), Norway, Pakistan, Poland, Senegal, Spain, United States of America;

(b) Representatives of the following observer States: Algeria, Costa Rica, Iran (Islamic Republic of), Morocco, Namibia, Slovenia;

(c) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Al-Hakim Foundation, American Association of Jurists (also on behalf of International Educational Development and Mouvement contre le racisme et pour l'amitié entre les peuples), Amnesty International, Asia Pacific Forum on Women Law and Development, Asian Legal Resource Centre, Association for Women's Rights in Development, Associazione Comunità Papa Giovanni XXIII (also on behalf of Association Points-Coeur, Dominicans for Justice and Peace – Order of Preachers, the International Catholic Child Bureau, the International Organization for the Right to Education and Freedom of Education, the International Volunteerism Organization for Women Education and Development – VIDES, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, New Humanity, Pax Romana, the Teresian Association and the World Union of Catholic Women's Organizations), BADIL Resource Center for Palestinian Residency and Refugee Rights, Cairo Institute for Human Rights Studies, Canadian HIV/AIDS Legal Network (also on behalf of the Asia Pacific Forum on Women Law and Development, the Association for Women's Rights in Development, BAOBAB for Women's Human Rights, the Center for Women's Global Leadership and Federatie van Nederlandse Verenigen tot Integratie Van Homoseksualiteit – COC Nederland), Center for Environmental and Management Studies, Center for Inquiry, Centre for Human Rights and Peace Advocacy, Centrist Democratic International, Charitable Institute for Protecting Social Victims, China NGO Network for International Exchanges, Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples, Commission of the Churches on International Affairs of the World Council of Churches, Commission to Study the Organization of Peace, Conectas Direitos Humanos (also on behalf of Action Canada for Population and Development), Conscience and Peace Tax International, European Disability Forum, European Union of Public Relations, France Libertés (also on behalf of the American Association of Jurists and Mouvement contre le racisme et pour l'amitié entre les peuples), Franciscans International, Fundacion Para la Libertad, Human Rights Advocates, Indian Council of Education, Indian Council of South America, International Association for Democracy in Africa, International Association of Peace Messenger Cities, International Club for Peace Research, International Committee for the Indians of the Americas (also on behalf of the Indian Council of South America), International Educational Development, International Federation of ACAT, International Institute for Peace, International Islamic Federation of Student Organizations, International

Movement against All Forms of Discrimination and Racism, Japanese Workers' Committee for Human Rights, Jubilee Campaign, Liberation, North-South XXI, Organisation pour la communication en Afrique et de promotion de la coopération économique internationale, Organization for Defending Victims of Violence, Pax Romana, Presse Embleme Campaign, Reporters Without Borders, Society for Threatened Peoples, SOS Kinderdorf International (also on behalf of Defence for Children International, Foundation ECPAT International, International Federation Terre des Hommes, the International Save the Children Alliance, Plan International, the World Organization against Torture and World Vision International), Tchad agir pour l'environnement, Union de l'action feminine, United Nations Watch, United Towns Agency for North-South Cooperation, Universal Peace Federation, World Federation of Democratic Youth, World Federation of Trade Unions (also on behalf of the Federation of Cuban Women), World Muslim Congress, World Union for Progressive Judaism.

154. Observers for the following non-governmental organizations made their statements at the 12th meeting, on 4 March: Indian Movement "Tupaj Amaru", International Human Rights Association of American Minorities, International Humanist and Ethical Union, United Schools International.

155. At the 24th meeting, on 11 March 2011, a statement in exercise of the right of reply was made by the representative of Uzbekistan.

E. Consideration of and action on draft proposals

United Nations Declaration on Human Rights Education and Training

156. At the 44th meeting, on 23 March 2011, the representative of Morocco, on behalf of the Platform on Human Rights Education and Training, introduced draft resolution A/HRC/16/L.1, sponsored by Morocco on behalf of the Platform on Human Rights Education and Training and co-sponsored by Austria, Chile, Costa Rica, France, Italy, Lithuania, Monaco, Morocco, Peru, the Philippines, Portugal, Senegal, Serbia, Slovakia, Slovenia, Spain and Switzerland. Subsequently, Albania, Argentina, Armenia, Australia, Bangladesh, Belarus, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chad, Colombia, the Congo, Côte d'Ivoire, Croatia, Cyprus, the Democratic Republic of the Congo, Djibouti, Egypt, Gabon, Georgia, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Israel, Japan, Jordan, Kenya, Lebanon, Luxembourg, Mauritania, Mauritius, Mexico, Montenegro, Nicaragua, the Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, the Republic of Korea, the Republic of Moldova, Romania, Saudi Arabia, Somalia, Sri Lanka, the Sudan, the Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, Uruguay, Venezuela (Bolivarian Republic of) and Zambia joined the sponsors.

157. At the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland made general comments in relation to the draft resolution.

158. Also at the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

159. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 16/1).

The human right to safe drinking water and sanitation

160. At the 45th meeting, on 24 March 2011, the representatives of Germany and Spain introduced draft resolution A/HRC/16/L.4, sponsored by Germany and Spain and co-

sponsored by Albania, Andorra, Armenia, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, Estonia, Finland, France, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jordan, Lithuania, Luxembourg, Maldives, Monaco, Morocco, the Netherlands, Nicaragua, Norway, Palestine, Panama, Peru, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Uruguay and Yemen. Subsequently, Austria, Belgium, Cameroon, Chad, Kenya, Latvia, Montenegro, Qatar, the Republic of Moldova, Senegal, Singapore, Saint Kitts and Nevis, the former Yugoslav Republic of Macedonia, Venezuela (Bolivarian Republic of) and Viet Nam joined the sponsors.

161. 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.

162. At the same meeting, the representatives of Argentina, Mauritania and Nigeria (on behalf of the States Members of the Group of African States that are members of the Human Rights Council) made general comments in relation to the draft resolution.

163. Also at the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

164. At the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland made a statement in explanation of vote before the vote to disassociate the delegation from the consensus in relation to the draft resolution.

165. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 16/2).

166. At the 48th meeting, on 25 March 2011, the representative of Ecuador made a statement in explanation of vote after the vote.

167. At the same meeting, the representatives of Austria and of Bolivia (Plurinational State of) made comments in relation to the resolution.

Promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind

168. At the 45th meeting, on 24 March 2011, the representative of the Russian Federation introduced draft resolution A/HRC/16/L.6, sponsored by the Russian Federation and co-sponsored by Algeria, Angola, Bangladesh, Belarus, Bolivia (Plurinational State of), China, Cuba, the Democratic People's Republic of Korea, Djibouti, Ethiopia, Gabon, Indonesia, Kazakhstan, Kyrgyzstan, Lebanon, Mauritania, Morocco, Namibia, Pakistan, Palestine, Singapore, Sri Lanka, the Syrian Arab Republic, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe. Subsequently, Botswana, Burkina Faso, Burundi, Chad, Egypt, Iran (Islamic Republic of), the Lao People's Democratic Republic, Madagascar, Malaysia, Nicaragua, Nigeria, Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Thailand and Uzbekistan joined the sponsors.

169. At the same meeting, the representative of the Russian Federation orally revised the draft resolution.

170. Also at the same meeting, the representatives of China and Pakistan, on behalf of the States members of the Organization of the Islamic Conference that are members of the Council, made general comments in relation to the draft resolution.

171. At the same meeting, the representative of Nigeria proposed an oral revision to the draft resolution as orally revised.

172. Also at the same meeting, the representative of the Russian Federation agreed to the oral revision.

173. At the same meeting, the representatives of Chile (also on behalf of Argentina, Brazil and Uruguay), Hungary (on behalf of the States members of the European Union that are members of the Human Rights Council), Mexico and the United States of America made statements in explanation of vote before the vote.

174. 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 as orally revised. Draft resolution A/HRC/16/L.6 as orally revised was adopted by 24 votes in favour, 14 against, with 7 abstentions.

175. For the text as adopted and voting results, see part one, chapter I, resolution 16/3.

176. At the 48th meeting, on 25 March 2011, the representatives of Maldives and Switzerland made statements in explanation of vote after the vote.

Freedom of opinion and expression: mandate of the Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression

177. At the 45th meeting, on 24 March 2011, the representatives of Egypt and the United States of America introduced draft resolution A/HRC/16/L.10, sponsored by Egypt and the United States of America and co-sponsored by Albania, Argentina, Australia, Canada, Chile, Colombia, Finland, Georgia, Guatemala, India, Jordan, Maldives, Mauritius, Mexico, Monaco, Peru, Portugal, Sweden, Switzerland, Turkey and Uruguay. Subsequently, Algeria, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Costa Rica, Côte d'Ivoire, Croatia, the Czech Republic, Denmark, Estonia, France, Gabon, Greece, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, Palestine, Poland, Qatar, the Republic of Korea, the Republic of Moldova, Romania, Senegal, Serbia, Slovakia, Slovenia, Somalia, Spain, Switzerland, Thailand, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Zambia joined the sponsors.

178. 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.

179. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 16/4).

Mandate of the Special Rapporteur on the situation of human rights defenders

180. At the 45th meeting, on 24 March 2011, the representative of Norway introduced draft resolution A/HRC/16/L.15, sponsored by Norway and co-sponsored by Argentina, Armenia, Australia, Bolivia (Plurinational State of), Canada, Chile, Colombia, Croatia, Guatemala, Iceland, Indonesia, Jordan, Mexico, Monaco, Montenegro, New Zealand, Norway, Panama, Paraguay, Peru, Romania, Serbia, Slovenia, Switzerland, Timor-Leste, Turkey, Ukraine, Uruguay and Zambia. Subsequently, Albania, Austria, Belgium, Bulgaria, Costa Rica, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Malta, Mauritius, the Netherlands, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Senegal, Slovakia, Spain, Sweden, Thailand, Uganda, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined the sponsors.

181. 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.

182. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 16/5).

Mandate of the independent expert on minority issues

183. At the 45th meeting, on 24 March 2011, the representative of Austria introduced draft resolution A/HRC/16/L.24, sponsored by Austria and co-sponsored by Albania, Argentina, Armenia, Australia, Benin, Bosnia and Herzegovina, Brazil, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Finland, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Mexico, Montenegro, the Netherlands, Nicaragua, Norway, Peru, Poland, Romania, Serbia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of). Subsequently, Angola, Belarus, Bulgaria, Cape Verde, Côte d'Ivoire, Cuba, Ecuador, Gabon, Georgia, Guinea, Haiti, Iceland, Jordan, Kenya, Lebanon, Malta, Nigeria, the Republic of Korea, the Republic of Moldova, the Russian Federation, Senegal, Slovakia, Timor-Leste, Uganda, the United States of America, Uruguay, Viet Nam and Zambia joined the sponsors.

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

185. 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.

186. 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 16/6).

187. At the 48th meeting, on 25 March 2011, the representative of South Africa made comments in relation to the resolution.

Mandate of the Special Rapporteur on violence against women, its causes and consequences

188. At the 45th meeting, on 24 March 2011, the representative of Canada introduced draft resolution A/HRC/16/L.26, sponsored by Canada and co-sponsored by Albania, Argentina, Armenia, Australia, Austria, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Chile, Colombia, Costa Rica, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Jordan, Liechtenstein, Lithuania, Maldives, Mexico, Monaco, Montenegro, Morocco, the Netherlands, New Zealand, Nicaragua, Norway, Palestine, Panama, Paraguay, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Belarus, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, the Congo, Côte d'Ivoire, Cyprus, Djibouti, Ecuador, Gabon, Ghana, Honduras, Japan, Kenya, Latvia, Lebanon, Luxembourg, Madagascar, Malta, Mauritius, the Philippines, the Republic of Korea, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, the United Republic of Tanzania, the United States of America, Venezuela (Bolivarian Republic of) and Zambia joined the sponsors.

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

190. Also at the same meeting, the representative of Nigeria moved to amend the draft resolution.

191. At the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland opposed the motion for the proposed amendment.

192. Also at the same meeting, the representative of Nigeria withdrew its proposal to amend the draft resolution.

193. 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.

194. 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 16/7).

Human rights and the environment

195. At the 46th meeting, on 24 March 2011, the representatives of Costa Rica and Maldives introduced draft resolution A/HRC/16/L.7, sponsored by Costa Rica, Maldives and Switzerland and co-sponsored by Austria, Germany, Honduras, Monaco, Morocco, New Zealand, Panama, Paraguay, Peru, Portugal, Slovenia and Uruguay. Subsequently, Albania, Angola, Australia, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chad, the Congo, Côte d'Ivoire, Croatia, Cyprus, the Democratic Republic of the Congo, Djibouti, Dominica, the Federated States of Micronesia, Fiji, France, Georgia, Ghana, Guinea, Haiti, Hungary, Iraq, Ireland, Israel, Italy, Jordan, Kenya, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, the Marshall Islands, Mauritania, Mauritius, Mexico, Montenegro, the Niger, Nigeria, Palau, Palestine, the Republic of Moldova, Romania, Samoa, Senegal, Seychelles, Somalia, Spain, the Sudan, the Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Uganda, Vanuatu, Zambia and Zimbabwe joined the sponsors.

196. At the same meeting, the representative of Maldives 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 representatives of Argentina, Bangladesh, Brazil, Nigeria and the United States of America made statements in explanation of vote before the vote.

199. 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 16/11).

200. At the 48th meeting, on 25 March 2011, the representatives of Bolivia (Plurinational State of) and India made comments in relation to the resolution.

Rights of the child: a holistic approach to the protection and promotion of the rights of children working and/or living on the street

201. At the 46th meeting, on 24 March 2011, the representative of Hungary (on behalf of States members of the European Union that are members of the Human Rights Council) and the representative of Uruguay (on behalf of the Group of Latin American and Caribbean States) introduced draft resolution A/HRC/16/L.13/Rev.1, sponsored by Hungary (on behalf of the European Union) and Uruguay (on behalf of the Group of Latin American and Caribbean States) and co-sponsored by Albania, Argentina, Armenia, Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina,

Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Montenegro, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of). Subsequently, Canada, Egypt, Japan, Jordan, the Republic of Korea, the Republic of Moldova, the Russian Federation, Senegal, South Africa, Thailand, the former Yugoslav Republic of Macedonia and the United States of America joined the sponsors.

202. At the same meeting, the representatives of Hungary and Uruguay orally revised the draft resolution.

203. Also at the same meeting, the representatives of Nigeria, Uganda and the United States of America made general comments.

204. 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.

205. 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 16/12).

Freedom of religion or belief

206. At the 46th meeting, on 24 March 2011, the representative of Hungary, on behalf of the States members of the European Union that are members of the Human Rights Council, introduced draft resolution A/HRC/16/L.14, sponsored by Hungary (on behalf of the European Union) and co-sponsored by Albania, Armenia, Austria, Belgium, Bulgaria, Canada, Chile, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Australia, Bosnia and Herzegovina, Costa Rica, Israel, Jordan, the Republic of Korea, Thailand, Turkey and the United States of America joined the sponsors.

207. At the same meeting, the representative of Hungary orally revised the draft resolution.

208. Also at the same meeting, the representative of Nigeria made general comments.

209. 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 16/13).

Mandate 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

210. At the 46th meeting, on 24 March 2011, the representative of Cuba introduced draft resolution A/HRC/16/L.18, sponsored by Cuba and co-sponsored by Belarus, Bolivia (Plurinational State of), Ecuador, Nicaragua, Sri Lanka, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Algeria, Bangladesh, Burkina Faso, the Democratic People's Republic of Korea, Djibouti, Haiti, Lebanon, Malaysia, Nigeria, Palestine, Serbia, South Africa, the Sudan, the Syrian Arab Republic, Uruguay, Zambia and Zimbabwe joined the sponsors.

211. At the same meeting, the representative of Cuba orally revised the draft resolution.
212. Also at the same meeting, the representative of Nigeria made general comments in relation to the draft resolution.
213. 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.
214. At the same meeting, the representatives of Hungary (on behalf of the 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.
215. Also at the same meeting, at the request of the representative of Hungary, a recorded vote was taken on draft resolution A/HRC/16/L.18 as orally revised. The draft resolution as orally revised was adopted by 29 votes in favour, 13 against, with 4 abstentions.
216. For the text as adopted, see part one, chapter I, resolution 16/14.

Role of international cooperation in support of national efforts for the realization of the rights of persons with disabilities

217. At the 46th meeting, on 24 March 2011, the representatives of Mexico and New Zealand introduced draft resolution A/HRC/16/L.20, sponsored by Mexico and co-sponsored by Albania, Armenia, Australia, Austria, Bolivia (Plurinational State of), Bosnia and Herzegovina, Burkina Faso, Canada, Chile, Colombia, Costa Rica, Croatia, the Czech Republic, Denmark, Egypt, Finland, France, Germany, Greece, Guatemala, Hungary, Indonesia, Iceland, Israel, Italy, Jordan, Latvia, Maldives, Montenegro, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Serbia, Slovakia, Slovenia, Spain, Sweden, Thailand, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela (Bolivarian Republic of). Subsequently, Algeria, Belgium, Brazil, Cape Verde, Cuba, Ecuador, Estonia, Ireland, Japan, Lithuania, Malaysia, Mauritius, Morocco, Namibia, Nigeria, the Philippines, Poland, Qatar, the Republic of Korea, the Republic of Moldova, Romania, Senegal, South Africa, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uruguay and Zambia joined the sponsors.
218. At the same meeting, the representative of Mexico orally revised the draft resolution.
219. 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.
220. 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 16/15).

Enforced or involuntary disappearances

221. At the 46th meeting, on 24 March 2011, the representatives of Argentina, France and Morocco introduced draft resolution A/HRC/16/L.23, sponsored by Argentina, France and Morocco and co-sponsored by Albania, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, Finland, Germany, Greece, Guatemala, Hungary, Japan, Liechtenstein, Lithuania, Mexico, Monaco, the Netherlands, New Zealand, Norway, Palestine, Panama, Paraguay, Poland, Portugal, Romania, Slovenia, Spain, Sweden, Switzerland, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Australia, Canada, Côte d'Ivoire, Estonia, Ireland, Israel, Montenegro, Peru, the Republic of

Moldova, Senegal and the United Kingdom of Great Britain and Northern Ireland joined the sponsors.

222. At the same meeting, the representative of France orally revised the draft resolution.

223. 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.

224. 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 16/16).

Enhancement of international cooperation in the field of human rights

225. At the 47th meeting, on 25 March 2011, the representative of Egypt, on behalf of the Non-Aligned Movement, introduced draft resolution A/HRC/16/L.8/Rev.1, sponsored by Egypt, on behalf of the Non-Aligned Movement. Subsequently, Serbia joined the sponsors.

226. At the same meeting, the representative of Hungary, on behalf of the States members of the European Union that are members of the Human Rights Council, made a statement in explanation of vote before the vote.

227. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 16/22).

Torture and other cruel, inhuman or degrading treatment or punishment: mandate of the Special Rapporteur

228. At the 47th meeting, on 25 March 2011, the representative of Denmark introduced draft resolution A/HRC/16/L.12/Rev.1, sponsored by Denmark and co-sponsored by Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, the Czech Republic, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Maldives, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Angola, Belgium, Bolivia (Plurinational State of), Canada, Cyprus, Denmark, Egypt, Georgia, Ghana, Honduras, Israel, Liechtenstein, Luxembourg, Malta, Montenegro, Panama, the Republic of Korea, the Republic of Moldova, Romania, Senegal, Serbia, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United States of America and Venezuela (Bolivarian Republic of) joined the sponsors.

229. At the same meeting, the representative of Nigeria moved to amend paragraph 9 of the draft resolution.

230. Also at the same meeting, the representative of Norway opposed the motion for the proposed amendment.

231. At the same meeting, the representatives of Cuba, Ghana and Jordan made general comments in relation to the draft resolution and on the proposed amendment.

232. Also at the same meeting, the representative of Norway made a statement in explanation of vote before the vote on the proposed amendment.

233. At the same meeting, at the request of the representative of Norway, a recorded vote was taken on the proposed amendment to draft resolution A/HRC/16/L.12/Rev.1. The motion for amendment was rejected by 22 votes against and 3 in favour, with 19 abstentions.

234. 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 as orally revised.

235. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted and voting results, see part one, chapter I, resolution 16/23).

The right to food

236. At the 48th meeting, on 25 March 2011, the representative of Cuba introduced draft resolution A/HRC/16/L.17, sponsored by Cuba and co-sponsored by Belarus, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, China, Djibouti, Ecuador, Guatemala, Indonesia, Mexico, Nicaragua, Pakistan, Peru, Sri Lanka, the Sudan, Turkey, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Algeria, Angola, Austria, Botswana, Burkina Faso, Cape Verde, the Congo, Croatia, Cyprus, the Dominican Republic, Ghana, Haiti, Jordan, Kenya, the Lao People's Democratic Republic, Lebanon, Luxembourg, Malaysia, Mauritius, Mozambique, Myanmar, Namibia, the Niger, Nigeria, Norway, Palestine, Panama, the Philippines, Portugal, Senegal, Serbia, South Africa, Spain, the Sudan, Switzerland, the Syrian Arab Republic, Thailand, Timor-Leste, the United Republic of Tanzania, Zambia and Zimbabwe joined the sponsors.

237. At the same meeting, the representative of Cuba orally revised the draft resolution.

238. Also at the same meeting, the representative of Mauritania moved to amend the draft resolution.

239. At the same meeting, the representatives of Guatemala and Spain opposed the motion for the proposed amendment.

240. Also at the same meeting, the representatives of Argentina (also on behalf of Brazil), Nigeria and the Republic of Korea made general comments in relation to the draft resolution.

241. At the same meeting, the representatives of Hungary and Nigeria made statements in explanation of vote before the vote on the proposed amendment.

242. Also at the same meeting, at the request of the representative of Norway, a recorded vote was taken on the proposed amendment to draft resolution A/HRC/16/L.17. The motion for amendment was rejected by 31 votes against and 3 in favour, with 9 abstentions.

243. 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 as orally revised.

244. At the same meeting, the representatives of Hungary (on behalf of the 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.

245. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted and voting results, see part one, chapter I, resolution 16/27).

246. At the same meeting, the representative of Spain made a statement in explanation of vote after the vote.

The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS)

247. At the 48th meeting, on 25 March 2011, the representative of Brazil introduced draft resolution A/HRC/16/L.22, sponsored by Brazil and co-sponsored by Argentina, Armenia, Bolivia (Plurinational State of), Bosnia and Herzegovina, Chile, Colombia, Congo, Costa

Rica, Cuba, Guatemala, Honduras, Iceland, Liechtenstein, Mexico, Montenegro, Mozambique, Nicaragua, Peru, Serbia, Switzerland, Thailand, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Austria, Croatia, Ecuador, Equatorial Guinea, Hungary, Ireland, Israel, Jordan, the Netherlands, Palestine, Panama, Portugal, Romania and Spain joined the sponsors.

248. At the same meeting, the President informed the Human Rights Council that the United States of America had withdrawn its co-sponsorship of the draft resolution.

249. Also at the same meeting, the representative of Nigeria moved to amend the draft resolution.

250. At the same meeting, the representative of Brazil agreed to the motion for the proposed amendment.

251. Also at the same meeting, the representative of the United States of America made general comments in relation to the draft resolution.

252. At the same meeting, the representative of Pakistan made a statement in explanation of vote before the vote, to disassociate the delegation of Pakistan from the consensus in relation to certain paragraphs of the draft resolution as orally revised.

253. 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.

254. 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 16/28).

255. At the same meeting, the representatives of Chile, Nigeria, Saudi Arabia and Switzerland made statements in explanation of vote after the vote.

256. Also at the same meeting, the representatives of Egypt and Indonesia made comments in relation to the resolution.

Panel on human rights of victims of terrorism

257. At the 45th meeting, on 24 March 2011, the representatives of Colombia, Spain and Turkey introduced draft decision A/HRC/16/L.21, sponsored by Colombia, Spain and Turkey and co-sponsored by Algeria, Austria, Costa Rica, Croatia, France, Germany, Guatemala, India, Israel, Panama, Paraguay, Peru, Portugal, the Russian Federation, Slovenia, Sri Lanka, Ukraine and Uruguay. Subsequently, Brazil, Egypt, Lithuania, Montenegro and Thailand joined the sponsors.

258. 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.

259. For the text as adopted, see part one, chapter II, decision 16/116.

Right to development

260. At the 47th meeting, on 25 March 2011, the representative of Egypt, on behalf of the Non-Aligned Movement, introduced draft decision A/HRC/16/L.9, sponsored by Egypt, on behalf of the Non-Aligned Movement, and co-sponsored by Uruguay. Subsequently, Armenia and Serbia joined the sponsors.

261. At the same meeting, the representative of Egypt, on behalf of the Non-Aligned Movement, orally revised the draft decision.

262. 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.

263. At the same meeting, the representatives of Hungary, on behalf of the States members of the European Union that are members of the Human Rights Council, and the United States of America made statements in explanation of vote before the vote.

264. Also at the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on draft decision A/HRC/16/L.9 as orally revised. The draft decision as orally revised was adopted by 45 votes in favour and 1 abstention.

265. For the text as adopted and voting results, see part one, chapter II, decision 16/117.

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

A. Interactive dialogue with special procedures mandate holders

Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea

266. At the 25th meeting, on 14 March 2011, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, Marzuki Darusman, presented his report (A/HRC/16/58).

267. At the same meeting, the representative of the Democratic People's Republic of Korea made a statement as the concerned country.

268. 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: Brazil, China, Cuba, France, Japan, Norway, Republic of Korea, Slovakia, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Belarus, Canada, Czech Republic, Indonesia, Israel, Lao People's Democratic Republic, Myanmar, New Zealand, Slovenia, Sudan, Syrian Arab Republic, Viet Nam, Zimbabwe;

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

(d) Observers for the following non-governmental organizations: Amnesty International, Conectas Direitos Humanos, Human Rights Watch, Indian Movement "Tupaj Amaru".

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

Special Rapporteur on the situation of human rights in Myanmar

270. At the 26th meeting, on 14 March 2011, the Special Rapporteur on the situation of human rights in Myanmar, Tomas Ojea Quintana, presented his report (A/HRC/16/59).

271. At the same meeting, the representative of Myanmar made a statement as the concerned country.

272. 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: Brazil, China, Cuba, France, Japan, Maldives, Norway, Republic of Korea, Slovakia, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Cambodia, Canada, Czech Republic, Democratic People's Republic of Korea, Indonesia, Lao People's Democratic Republic, New Zealand, Slovenia, Sweden, Viet Nam;

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

(d) Observers for the following non-governmental organizations: Amnesty International, Asian Forum for Human Rights and Development (also on behalf of Conectas

Direitos Humanos and the Worldview International Foundation), Asian Legal Resource Centre, Human Rights Watch.

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

B. Follow-up to the fourteenth special session of the Human Rights Council on the situation of human rights in Côte d'Ivoire since the presidential election of 28 November 2010

274. At the 26th meeting, on 14 March 2011, the Deputy High Commissioner presented the High Commissioner's report (A/HRC/16/79), as requested by the Human Rights Council in its resolution S-14/1.

275. At the same meeting, the representative of Côte d'Ivoire made a statement as the concerned country.

276. During the ensuing general debate, at the 26th and 27th meetings, on the same day, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Brazil, Chile, France, Ghana, Hungary (on behalf of the European Union), Japan, Nigeria (on behalf of the Group of African States), Republic of Korea, Russian Federation, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Canada, Egypt, Germany, Namibia, Portugal, Slovenia, Turkey;

(c) Observers for the following non-governmental organizations: Amnesty International, Cause Premiere, Human Rights Watch, International Educational Development, International Federation for Human Rights Leagues, World Association for the School as an Instrument of Peace.

C. Follow-up to the fifteenth special session of the Human Rights Council on the human rights situation in the Libyan Arab Jamahiriya

277. At the 24th meeting, on 11 March 2011, the President of the Human Rights Council announced the composition of the members of the commission of inquiry appointed to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, in accordance with Council resolution S-15/1. The commission members were Cherif Bassiouni (chairperson), Asma Khader and Philippe Kirsch.

278. At the 27th meeting, on 14 March 2011, the Deputy High Commissioner presented an update on the situation of human rights in the Libyan Arab Jamahiriya, as requested by the Human Rights Council in its resolution S-15/1.

279. During the ensuing general debate, at the same meeting, the following made statements:

(a) Representatives of States Members of the Council: Brazil, France, Hungary (on behalf of the European Union), Japan, Jordan, Maldives, Nigeria (on behalf of the Group of African States), Norway, Russian Federation, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Canada (on behalf of Australia, Canada and New Zealand), Germany, Israel, Italy, Namibia, Portugal, Slovenia, Turkey;

(c) Observers for the following non-governmental organizations: Cairo Institute for Human Rights Studies, CIVICUS – World Alliance for Citizen Participation, Human Rights Watch, Indian Movement “Tupaj Amaru”, International Federation for Human Rights Leagues, Mouvement contre le racisme et pour l’amitié entre les peuples, Reporters Without Borders International, United Nations Watch.

D. General debate on agenda item 4

280. At the 27th meeting, on 14 March 2011, and at the 28th and 29th meetings, on 15 March 2011, the Human Rights Council held a general debate on agenda item 4, during which the following made statements:

(a) Representatives of States Members of the Council: Belgium, China, Cuba, France, Hungary (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Iceland, Liechtenstein, Montenegro and the former Yugoslav Republic of Macedonia), Japan, Lithuania⁴⁸ (on behalf of Albania, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Gabon, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zambia), Norway, Poland, Republic of Moldova, Slovakia, Spain, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Australia, Austria, Canada, Costa Rica, Czech Republic, Democratic People’s Republic of Korea, Denmark, Germany, Iran (Islamic Republic of), Ireland, Israel, Sweden, Syrian Arab Republic, Timor-Leste;

(c) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, African Association of Education for Development, Agence internationale pour le développement, Al-Hakim Foundation, American Association of Jurists, Amnesty International, Asian Forum for Human Rights and Development, Asian Legal Resource Centre, Baha’i International Community, Cairo Institute for Human Rights Studies, Center for Environmental and Management Studies, Center for Inquiry, Centre for Human Rights and Peace Advocacy, Centrist Democratic International, Charitable Institute for Protecting Social Victims, Chinese People’s Association for Friendship with Foreign Countries, CIVICUS – World Alliance for Citizen Participation (also on behalf of Franciscans International), Comité international pour le respect et l’application de la Charte africaine des droits de l’homme et des peuples, Commission to Study the Organization of Peace, Conectas Direitos Humanos, European Union of Public Relations, France Libertés: Fondation Danielle Mitterrand, Human Rights Watch, Indian Council of South America (also on behalf of International Educational Development, Inc.), International Association for Democracy in Africa, International Association of Schools of Social Work, International Club for Peace Research, International Committee for the Indians of the Americas, International Educational Development, Inc., International Fellowship of Reconciliation, International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Peace, International Islamic Federation of Student Organizations, International Movement against All Forms of

⁴⁸ Observer of the Council speaking on behalf of Member and observer States.

Discrimination and Racism, Iranian Elite Research Center, Liberation, Marangopoulos Foundation for Human Rights (also on behalf of International Educational Development, Inc.), Minority Rights Group, Network of Women's Non-governmental Organizations in the Islamic Republic of Iran, Nonviolent Radical Party Transnational and Transparty, North-South XXI, Organisation pour la communication en Afrique et de promotion de la coopération économique internationale, Organization for Defending Victims of Violence, Press Emblem Campaign, Society for Threatened Peoples, Union de l'action féminine, United Nations Watch, United Schools International, United Towns Agency for North-South Cooperation, Verein Südwind Entwicklungspolitik, World Federation of Democratic Youth, World Muslim Congress, World Organization against Torture.

281. At the 27th meeting, on 14 March 2011, statements in exercise of the right of reply were made by the representatives of Azerbaijan, Belarus, China, Cuba, Iran (Islamic Republic of), Sri Lanka, Venezuela (Bolivarian Republic of) and Zimbabwe.

282. At the 29th meeting, on 15 March 2011, statements in exercise of the right of reply were made by the representatives of Algeria, Belarus, China, Cuba, Democratic People's Republic of Korea, Morocco, Nigeria, the Syrian Arab Republic and Zimbabwe.

E. Consideration of and action on draft proposals

Situation of human rights in the Democratic People's Republic of Korea

283. At the 45th meeting, on 24 March 2011, the representatives of Hungary (on behalf of the European Union, Japan, the Republic of Moldova, Serbia and the former Yugoslav Republic of Macedonia) and Japan introduced draft resolution A/HRC/16/L.3, sponsored by Hungary (on behalf of the European Union) and Japan and co-sponsored by Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, the Republic of Moldova, Serbia and the former Yugoslav Republic of Macedonia joined the sponsors.

284. 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.

285. At the same meeting, the representatives of Cuba and Ecuador made general comments in relation to the draft resolution.

286. Also at the same meeting, the representative of the Democratic People's Republic of Korea made a statement as the concerned country.

287. At the same meeting, the representatives of China and Thailand made statements in explanation of vote before the vote.

288. Also at the same meeting, at the request of the representative of Cuba, a recorded vote was taken on draft resolution A/HRC/16/L.3. The draft resolution was adopted by 30 votes in favour, 3 against, with 11 abstentions.

289. For the text as adopted and voting results, see part one, chapter I, resolution 16/8.

Situation of human rights in the Islamic Republic of Iran

290. At the 45th meeting, on 24 March 2011, the representatives of Sweden and the United States of America introduced draft resolution A/HRC/16/L.25/Rev.1, sponsored by

Panama, the Republic of Moldova, Sweden, the former Yugoslav Republic of Macedonia, the United States of America and Zambia, and co-sponsored by Albania, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Monaco, Montenegro, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Slovakia, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Botswana, Israel and Romania joined the sponsors.

291. 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.

292. At the same meeting, the representative of Pakistan made general comments in relation to the draft resolution.

293. Also at the same meeting, the representative of the Islamic Republic of Iran made a statement as the concerned country.

294. At the same meeting, the representatives of Brazil, China, Cuba, Mauritania, Pakistan and Uruguay made statements in explanation of vote before the vote.

295. Also at the same meeting, at the request of the representative of Pakistan, a recorded vote was taken on the draft resolution. Draft resolution A/HRC/16/L.25/Rev.1 was adopted by 22 votes in favour, 7 against, with 14 abstentions.

296. For the text as adopted, see part one, chapter I, resolution 16/9.

297. At the 48th meeting, on 25 March 2011, the representatives of Japan, Malaysia and the Republic of Korea made statements in explanation of vote after the vote.

Situation of human rights in Myanmar

298. At the 47th meeting, on 25 March 2011, the representative of Hungary, on behalf of the European Union, introduced draft resolution A/HRC/16/L.11, sponsored by Hungary (on behalf of the European Union) and co-sponsored by Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Australia, Israel, the Republic of Korea, the Republic of Moldova, Serbia and the United States of America joined the sponsors.

299. At the same meeting, the representative of Hungary, on behalf of the European Union, orally revised the draft resolution.

300. 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.

301. Also at the same meeting, the representative of Myanmar made a statement as the concerned country.

302. At the same meeting, the representatives of Japan, Malaysia and Thailand made statements in explanation of vote before the vote.

303. Also at the same meeting, the representatives of China, Cuba and the Russian Federation made statements in explanation of vote before the vote, disassociating their delegations from the consensus in relation to the draft resolution as orally revised.

304. 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 16/24).

Situation of human rights in Côte d'Ivoire

305. At the 47th meeting, on 25 March 2011, the representative of Nigeria, on behalf of the Group of African States, introduced draft resolution A/HRC/16/L.33, sponsored by Nigeria, on behalf of the Group of African States. Subsequently, Austria, Australia, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Greece, Hungary, Iceland, Ireland, Italy, Lithuania, Luxembourg, Malta, Monaco, Montenegro, the Netherlands, Norway, Poland, Portugal, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined the sponsors.

306. At the same meeting, the representative of Nigeria, on behalf of the Group of African States, orally revised the draft resolution.

307. 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.

308. At the same meeting, the representatives of Brazil, France, Hungary (on behalf of the States members of the European Union that are members of the Human Rights Council) and the United States of America made general comments in relation to the draft resolution as orally revised.

309. Also at the same meeting, the representative of Côte d'Ivoire made a statement as the concerned country.

310. 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 16/25).

V. Human rights bodies and mechanisms

A. Complaint procedure

311. At the 24th meeting, on 11 March 2011, and at the 42nd meeting, on 22 March, the Human Rights Council held two closed meetings of the complaint procedure.

312. At the 43rd meeting, on 23 March 2011, the President made a statement on the outcome of the meetings, stating “the Human Rights Council has in closed meetings examined the human rights situation in Tajikistan under the complaint procedure established pursuant to Human Rights Council resolution 5/1, and has decided to keep the situation under review”.

B. Advisory Committee

313. At the 30th meeting, on 15 March 2011, the Chairperson of the Advisory Committee, Purificacion V. Quisumbing, introduced the Committee’s reports on its fifth and sixth sessions, held from 2 to 6 August 2010 (A/HRC/16/60) and 17 to 21 January 2011 (A/HRC/16/61), respectively.

C. Forum on Minority Issues

314. At the 30th meeting, on 15 March 2011, the independent expert on minority issues, Gay McDougall, introduced the recommendations adopted by the Forum on Minority Issues at its third session, held on 14 and 15 December 2010 (A/HRC/16/46).

D. Social Forum

315. At the 30th meeting, on 15 March 2011, the Chairperson-Rapporteur of the Social Forum, Laura Dupuy-Lasserre, introduced the report of the Social Forum (A/HRC/16/62), held from 4 to 6 October 2010.

E. Open-ended Working Group on the draft United Nations declaration on human rights education and training

316. At the 30th meeting, on 15 March 2011, the Chairperson-Rapporteur of the Open-ended Working Group on the draft United Nations declaration on human rights education and training, Jürg Lauber, introduced the report of the Working Group (A/HRC/WG.9/1/3), which held its first session from 10 to 14 January 2011.

F. General debate on agenda item 5

317. At its 30th meeting, on 15 March 2011, the Human Rights Council held a general debate on agenda item 5, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Argentina, Brazil, China, Cuba, Ecuador, Ghana, Hungary (on behalf of the European Union),

Maldives, Morocco⁴⁹ (on behalf of the Platform of Human Rights Education and Training), Nigeria (on behalf of the Group of African States), Norway, Thailand;

(b) Representatives of the following observer States: Armenia, Australia, Austria, Azerbaijan, Bolivia (Plurinational State of), Ethiopia, Indonesia, Iran (Islamic Republic of), Kuwait, Luxembourg, Philippines, Singapore, South Africa;

(c) Observers for the following international organizations: Inter-Parliamentary Union, Organisation internationale de la Francophonie;

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

(e) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Amnesty International, BADIL Resource Center for Palestinian Residency and Refugee Rights, 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, Foodfirst Information and Action Network, France Libertés: Fondation Danielle Mitterrand, Indian Council of South America, Indian Movement "Tupaj Amaru", International Service for Human Rights (also on behalf of the Cairo Institute for Human Rights Studies and CIVICUS – World Alliance for Citizen Participation), Japanese Workers' Committee for Human Rights, Liberation, Minority Rights Group, Mouvement contre le racisme et pour l'amitié entre les peuples, Myochikai (also on behalf of Plan International, Inc. and the United Network of Young Peacebuilders), North-South XXI, Permanent Assembly for Human Rights, Servas International, Soka Gakkai International (also on behalf of the Al-Hakim Foundation, the Asian Forum for Human Rights and Development, Association Points-Coeur, Human Rights Education Associates, the International Association for Religious Freedom, the International Association of Peace Messenger Cities, the International Catholic Child Bureau, the International Movement against All Forms of Discrimination and Racism, the International Network for the Prevention of Elder Abuse, the International Organization for the Elimination of All Forms of Racial Discrimination, the International Organization for the Right to Education and Freedom of Education, Myochikai, the Planetary Association for Clean Energy, Inc., Servas International, Soroptimist International, the Sovereign Military Order of the Temple of Jerusalem, the United Network of Young Peacebuilders and the Worldwide Organization for Women), Syriac Universal Alliance, World Association for the School as an Instrument of Peace.

G. Consideration of and action on draft proposals

Social Forum

318. At the 47th meeting, on 25 March 2011, the representative of Cuba introduced draft resolution A/HRC/16/L.16, sponsored by Cuba and co-sponsored by Belarus, Bolivia (Plurinational State of), Brazil, China, Djibouti, Ecuador, Indonesia, Nicaragua, Peru, Sri Lanka, Uruguay, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Algeria, Angola, Bangladesh, Botswana, Cape Verde, Costa Rica, the Democratic People's Republic of Korea, Egypt, Haiti, Iran (Islamic Republic of), Kenya, Malaysia, Mauritius, the Niger, Nigeria, Pakistan, Palestine, Panama, Senegal, Serbia, South Africa, the Sudan, the Syrian Arab Republic and Zimbabwe joined the sponsors.

319. At the same meeting, the representative of Cuba orally revised the draft resolution.

⁴⁹ Observer of the Council speaking on behalf of Member and observer States.

320. 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.

321. Also at the same meeting, the representatives of Hungary, on behalf of the States members of the European Union that are members of the Human Rights Council, Japan and the United States of America made statements in explanation of vote before the vote, disassociating their delegations from the consensus in relation to the draft resolution as orally revised.

322. 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 16/26).

Reports of the Advisory Committee

323. At the 48th meeting, on 25 March 2011, the President of the Council made a statement in relation to the reports of the Advisory Committee on its fifth and sixth sessions (for the text of the President's statement, see part one, chapter III, PRST/16/1).

VI. Universal periodic review

324. Pursuant to General Assembly resolution 60/251, Human Rights Council resolution 5/1 and President's statements PRST/8/1 and PRST/9/2 on modalities and practices for the universal periodic review process, the Council considered the outcome of the reviews conducted during the ninth session of the Working Group on the Universal Periodic Review, held from 1 to 12 November 2010.

A. Consideration of review outcomes

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

Liberia

326. The review of Liberia was held on 1 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Liberia in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/LBR/1 and A/HRC/WG.6/9/LBR/1/Corr.1);

(b) The compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/9/LBR/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/LBR/3).

327. At its 31st meeting, on 16 March 2011, the Human Rights Council considered and adopted the outcome of the review of the State under review (see section C below).

328. The outcome of the review on Liberia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/3), the views of Liberia concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

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

329. In its intervention to the Human Rights Council, Liberia provided an update of activities and progress made since its review by the Working Group, as well as additional information to questions raised and its response to recommendations on which it had not yet taken a position.

330. Regarding questions raised about cooperation with human rights mechanisms and, in particular, whether Liberia would consider extending a standing invitation to special procedures, for these procedures to have the desired impact, it was essential that they engage with countries that are fully aware of their international human rights obligations and commitments. Liberia had begun to take measures to understand fully its regional and international human rights obligations and to analyse the roles and functions of United

Nations special procedures. Therefore, though it would consider extending a standing invitation in the future, it firmly believed that the first stage in this process is to build the capacity and knowledge of all relevant stakeholders.

331. With regard to allegations of torture, Liberia continued to investigate and prosecute State actors accused of torture and had instituted human rights education and training for relevant authorities. In addition, Liberia was currently considering the adoption of an anti-torture bill. The draft bill, which was presented to the House of Representatives in August of 2010, was presented for discussion during the January 2011 session.

332. Liberia also informed the Human Rights Council that the Subcommittee on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had carried out a visit to the country in December 2010. Since the visit, the preliminary report of the Subcommittee had been distributed and the country was currently considering ways to incorporate the Subcommittee's recommendations into programmes to improve conditions in detention centres and to protect citizens from torture and ill-treatment.

333. On questions raised regarding ethnic-based discrimination, Liberia was aware of the need to handle ethnic-based violence and disputes with cultural sensitivity while ensuring that all citizens receive equal treatment under the law.

334. Liberia provided information on measures taken to implement universal periodic review recommendations and to examine recommendations it had deferred.

335. First, it had accelerated the process for drafting and adopting the national human rights action plan for Liberia, and adopted a number of initiatives, including finalizing the workplan for nationwide consultation workshops.

336. Second, it had distributed the draft report of the Working Group on the Universal Periodic Review to all relevant Government and non-governmental institutions, identifying priorities and issues for special focus. Identified priorities would be a part of the nationwide consultation and would be included in the national human rights action plan.

337. Third, it had established links with other national planning activities and working groups to implement the universal periodic review recommendations, including Government organs and bodies working to implement recommendations concerning the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

338. Fourth, in collaboration with the United Nations, the Government had conducted a retreat on pretrial detention to determine what needed to be done to improve the work of the task force on pretrial detention.

339. Liberia then addressed recommendations on which it had deferred taking a position. It observed that it had accepted 72 of 113 recommendations received.

340. Liberia was not able to take a position on deferred recommendations on the ratification of human rights instruments; female genital mutilation and trial by ordeal; and the 2008 law on the death penalty. Furthermore, it was not able to take a position on the implementation of some of the recommendations of the truth and reconciliation commission, sexual and gender-based gender violence, and pretrial detention

341. On the ratification of human rights instruments, Liberia reiterated that it was in the process of researching the full extent of its regional and international obligations and taking steps to submit overdue reports. It was thus currently unable to take a position on recommendations relating to the ratification and incorporation of international human rights conventions. However, as evidenced in accepted recommendations, it would consider ratifying human rights instruments.

342. On the issues of female genital mutilation and the practice of trial by ordeal, Liberia explained that these were deeply-rooted traditional practices and discussions of these issues were often strongly resisted. Nonetheless, practitioners of female genital mutilation and trial by ordeal who caused harm to others had been held accountable under existing penal laws. Additionally, the Government was taking steps to engage local communities and to determine best ways to address these issues. However, the process was ongoing and therefore Liberia was currently unable to accept or reject all recommendations relating to these issues.

343. On the implementation of recommendations of the truth and reconciliation commission, Liberia informed the Human Rights Council that, two months earlier, the Supreme Court of Liberia had adopted a decision that found that the commission's recommendation to ban certain Liberians from politics for 30 years was unconstitutional as the people concerned had not been afforded due process. Nevertheless, in the meantime, the Government had begun to implement other recommendations of the report, and a task force continued to review the report to advise on the implication of the implementation of recommendations. However, at this time, Liberia was unable to take a position on recommendations relating to the commission's work.

344. Regarding recommendations on the death penalty law, Liberia was aware of existing concerns and ensuing recommendations emanating from its obligations under the Second Optional Protocol to the International Covenant on Civil and Political Rights, to which it acceded in 2005. Liberia recalled that high criminal rates had demanded the reintroduction of the death penalty. It stressed, however, that the current administration had not signed any warrant to carry out a death sentence and that the Supreme Court had been disinclined to enforce such penalties, commuting them to life imprisonment.

345. Nevertheless, the repeal of the law allowing for the death penalty to be imposed would take more time and understanding by the Liberian people, and consultations with them in this regard had been initiated. However, for the reasons stated, Liberia was not able to take a position on recommendations relating to this issue.

346. Liberia referred to concrete steps taken to evaluate cases of sexual and gender-based violence, including the enactment of enabling legislation in 2008, creating a specialized criminal court, the establishment of a special prosecution unit to complement the work of the court, specialized training for relevant authorities and the adoption of a number of measures to support victims.

347. It was further stated that capacity and resource constraints still impeded full implementation of all of the recommendations relating to sexual gender-based violence.

348. With regard to pretrial detention, Liberia explained that this was a concern of the utmost priority, but that, given the country's present circumstances, most notably its limited resources, it was not able to take a position on this recommendation.

349. Despite the above, Liberia had implemented a number of initiatives to combat the problem and provided examples, including, among others, the creation of a special pretrial detention task force, and ongoing review and work towards law reform pertaining to jury law, criminal procedure and subject matter jurisdiction.

350. In conclusion, Liberia stated that it was eager to work with partners committed to assist the country during its post-conflict, peacebuilding effort, and thanked those working with it to create a stable and democratic country.

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

351. Algeria reiterated its satisfaction with the progress made in the resettlement of displaced persons and refugees, and in re-establishing the country's administration, economy and infrastructure, the rule of law and respect for human rights. It reiterated its call for appropriate international assistance to be granted to allow Liberia to act on priorities that had been set to improve living conditions. It also praised Liberia for having accepted 72 of the 113 recommendations received, 4 of which were made by Algeria. It encouraged Liberia to pursue the consolidation of the peace process in the country, with a specific strategy to emerge from the crisis and suited to the country's specific circumstances.

352. Cuba expressed appreciation for the fact that Liberia had accepted its recommendations, in particular those to continue efforts to promote and protect the rights of vulnerable groups such as children, women, persons with disabilities and the elderly. It welcomed Liberia's strategies and plans for socio-economic development and to reduce poverty. Its efforts had to be supported by the international community. Cuba called upon developed countries to redouble their cooperation and financial assistance. It called on Liberia to continue to promote and protect human rights.

353. Nigeria noted with satisfaction that Liberia had accepted a large number of the recommendations made, and had taken positive steps to implementing them, which was an expression of its willingness to cooperate with relevant United Nations mechanisms. Nigeria encouraged Liberia to improve its policies and programmes to promote and protect human rights, including by promoting the status of women, girls, children and those with disabilities. It also encouraged Liberia to continue its efforts to guarantee the full enjoyment of all human rights of its people and the attainment of its Millennium Development Goals targets, and called upon the international community to support the country in this regard.

354. Morocco stated that Liberia was an example of democratic transition and reconstruction after civil conflict and highlighted that it was the first African country to have a woman president. It welcomed the fact that Liberia had accepted over 72 recommendations, including those made by Morocco on education and human rights training. Liberia, as a least developed country, should benefit from the assistance it needed in order to ensure the follow-up to the recommendations. In this regard, it highlighted the need to make operational the fund put in place to assist developing countries in the follow-up to universal periodic review recommendations.

355. South Africa noted with appreciation the consultative process undertaken in the preparation of the national report, and encouraged Liberia to continue this interaction during the follow-up to implement the recommendations accepted during the review. It took note of the negative impact of its history of conflict and highlighted the importance of addressing the challenges set out in the national report. It encouraged the international community to provide the required technical assistance. It appreciated the fact that Liberia had addressed specific recommendations on violence against women and that these had been positively considered.

356. Switzerland thanked Liberia for its addendum and presentation. It recalled that article 32 of Human Rights Council resolution 5/1 states that recommendations that enjoy the support of the State concerned are to be identified as such. Other recommendations were to be noted. It added that, by stating that recommendations were neither accepted nor rejected, the delegation of Liberia did not respect article 32. It asked Liberia, like all other States under review, to state clearly which recommendations it accepted and which it rejected. It noted that, without such a clear position, a proper follow-up to recommendations was not possible.

3. General comments made by other relevant stakeholders

357. Südwind noted that, despite the steps taken to combat sexual and gender-based violence, the high prevalence of female genital mutilation remained a matter of major concern, as did rape and other forms of sexual violence committed in Liberia. Over half of the rape cases reported involve girls under the age of 16. More than 20 per cent of those submitted to female genital mutilation die from excessive bleeding. It stated further that Liberia's deep-rooted gender inequalities, inefficient justice system and immense poverty constitute major obstacles to the elimination of sexual and gender-based violence and female genital mutilation. Südwind urged Liberia, as a matter of priority, to declare female genital mutilation a criminal act, to take specific measures to prevent that practice, to combat impunity and to promote accountability of all reported cases of sexual and gender-based violence.

358. Rencontre africaine pour la défense des droits de l'homme noted that Liberians continued to suffer from the physical and psychological effects of years of violence. It also took note of the culture of impunity, corruption at the State level and the judiciary, and the general mistrust of public officials. Recourse to popular justice sometimes resulted in the killing of women accused of sorcery. It expressed concern for the stability and security of Liberia and its neighbours because of recruitment of mercenaries. It welcomed the establishment of a commission for human rights and encouraged emphasis on women's and girls' rights, and judicial reinforcement. It invited Liberia to incorporate ratified international instruments.

359. Amnesty International expressed its concern, shared by many States, regarding the introduction in 2008 of legislation reintroducing the death penalty for persons convicted of armed robbery, terrorism or hijacking offences, if these crimes resulted in death. It considered that this legislation directly violated the State's obligations under the second Optional Protocol to the International Covenant on Civil and Political Rights. It urged Liberia to abolish the Armed Robbery Act and to maintain the de facto moratorium on executions, in place since 1979. It was also concerned that rape and other forms of sexual violence against women and girls remained widespread, as did domestic violence and forced and underage marriage. It urged Liberia to act promptly to give effect to the recommendations made during the review regarding these issues.

4. Concluding remarks of the State under review

360. Liberia thanked those present for recognizing the efforts made, noting that these had been carried out in a post-conflict environment, which is a very difficult and complex situation. Liberia provided additional information on action taken to combat sexual and gender-based violence and examples of the prosecution of such cases. Liberia thanked the Human Rights Council once again for receiving its report and assured those present that it would continue its efforts in areas of concern.

361. The President of the Human Rights Council expressed his deep appreciation to Liberia for the comprehensive and very interesting intervention, and observed that, according to Council resolution 5/1, States under review should either support or note recommendations and therefore, following the standing practice, those recommendations on which Liberia was unable to pronounce itself at this time were noted.

362. Liberia clarified that a previous document had been submitted in that regard and noted that its current statement clarified its position.

Malawi

363. The review of Malawi was held on 1 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Malawi in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/MWI/1 and A/HRC/WG.6/9/MWI/1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/MWI/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/MWI/3).

364. At its 31st meeting, on 16 March 2011, the Human Rights Council considered and adopted the outcome of the review on Malawi (see section C below).

365. The outcome of the review on Malawi comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/4), the views of Malawi concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

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

366. Malawi remained committed to carry out its obligations with regard to all treaties to which it was a State party. When deciding to ratify international instruments, Malawi was guided by the fundamental democratic principles enshrined in articles 7, 8, 12 and 13 of its Constitution.

367. Malawi addressed each of the 23 recommendations mentioned in paragraph 104 of the report of the Working Group.

368. Malawi had no immediate plans to ratify the second Optional Protocol to the International Covenant on Civil and Political Rights, and would continue to listen to the people regarding the issue of the death penalty (recommendations 104.1, 104.7, 104.8 and 104.10).

369. Malawi would consider the ratification of the Optional Protocol to the International Covenant on Economic, Social, and Cultural Rights (recommendations 104.8, and 104.9).

370. Malawi would consider ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was an ongoing process (recommendations 104.2, and 104.9).

371. Malawi would consider the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (recommendations 104.3 and 104.9).

372. In September 2010, Malawi ratified the Optional Protocol to the Convention of the Rights of the Child on the sale of children, child prostitution and child pornography (recommendations 104.6 and 104.8).

373. Malawi had neither immediate plans nor the intention to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (recommendation 104.8), the International Convention for the Protection of all Persons from Enforced Disappearance (recommendations 104.2, 104.8 and 104.9) and the

Optional Protocol to the Rights of Persons with Disabilities (recommendations 104.8 and 104.9). However, Malawi was engaged in an ongoing process of consideration of treaties that it might ratify.

374. Malawi would consider ratification of the Convention on the Prevention and Punishment of the Crime of Genocide and had amended its Penal Code to criminalize genocide under domestic law (recommendation 104.5).

375. Regarding recommendations 104.4, 104.11, 104.12 and 104.13 calling upon Malawi to harmonize its national legislation with the international treaties to which Malawi is a State party, the Malawian Law Commission would continue to review the national legislation to bring it into conformity with the State's international commitments.

376. Regarding recommendation 104.14 encouraging Malawi to ensure that human rights treaties are given full legal effect in domestic laws and recommendations 104.15 and 104.16 calling on it to ensure that the Convention on the Elimination of All Forms of Discrimination against Women is given full legal effect in its legislation, the delegation stated that Malawi would strive to ensure that human rights treaties, including the Convention, were given that effect, and that this was an ongoing process.

377. With regard to recommendations 104.17 and 104.18 encouraging Malawi to raise the minimum age of criminal responsibility, the age of criminal responsibility had been raised from 7 to 10 years in the 2010 amendment of the Penal Code. According to the same amendment, a person under 14 years of age was not criminally responsible unless it could be demonstrated that, at the time of the commission of the crime, they had knowledge that they ought not to commit the crime.

378. In 2010, Malawi enacted a comprehensive law on the rights of the child, the Child Care Protection and Justice Act (recommendation 104.19).

379. With regard to recommendation 104.20 calling upon Malawi to extend a standing invitation to all special procedures, Malawi would consider this option and respond to the Council at an appropriate time.

380. With regard to recommendation 104.21 encouraging Malawi to promote equality between men and women, Malawi had taken active steps and would continue to work with international mechanisms to this end.

381. Regarding recommendations 104.22 and 104.23 encouraging Malawi to guarantee that no children under 14 years of age are admitted to employment and to amend the Constitution to raise to 18 years the minimum age for engaging in hazardous work, Malawi would properly address these issues.

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

382. Algeria welcomed Malawi's commitment to the promotion and respect of human rights. It encouraged Malawi to pay particular attention to the realization of its programmes to fight poverty with the assistance of the international community. Algeria commended Malawi's acceptance of three of the four recommendations it had made, namely with regard to its 2020 socio-economic development strategy, the strengthening of its cooperation with regional and international mechanisms and the harmonization of the country's laws with its international commitments. However, Algeria noted that Malawi had not accepted to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

383. Cuba praised Malawi's acceptance of the recommendations relating to strategies for socio-economic development and plans to reduce poverty. Despite the challenges faced,

Malawi had demonstrated progress in health care, prevention and education on HIV/AIDS and in food self-reliance. It encouraged Malawi to continue to implement measures to promote and protect the human rights of its population. It called for the international community to step up its cooperation and financial assistance as a positive contribution to these efforts.

384. Botswana welcomed Malawi's acceptance of many of the recommendations made during the Working Group discussions. Botswana was aware of the challenges that some recommendations posed for national legislative processes and the administrative frameworks of any country. Botswana hoped that Malawi would benefit from the support of the international community in meeting its domestic and international obligations.

385. The United States of America expressed deep concern at Malawi's law criminalizing homosexuality and recent steps that had made this law more severe by criminalizing lesbian relations. While the United States was troubled by Malawi's amendment 46 to its Penal Code, which could expand existing limitations on media freedoms and political speech, it was encouraged by the Government's public statement of 28 February 2011 clarifying the section's limited purview. The United States recommended that Malawi should pursue steps to end discrimination against lesbian, gay, bisexual and transgender individuals and enshrine its commitment to free expression through appropriate modifications to amendment 46 of the Penal Code. It expressed appreciation for the fact that Malawi had provided clear responses to the recommendations during the Working Group discussions. However, it was disappointed that Malawi had not met the minimum requirements of Council resolution 5/1 in identifying which recommendations enjoyed its support, despite indicating that there were several recommendations that it accepted.

386. Nigeria welcomed the steps taken to date to implement the recommendations adopted. Nigeria encouraged Malawi to continue its efforts to promote and protect human rights. Nigeria called on the international community to provide all necessary technical assistance to the Government for the better implementation of the recommendations accepted by Malawi.

387. Morocco welcomed the fact that Malawi had accepted 65 recommendations. It referred to Malawi's Constitution, which recognized the principles of democracy and rule of law, and contained several human rights provisions. Morocco welcomed the acceptance of all five of its recommendations and referred to the importance of providing technical assistance to Malawi for the implementation of universal periodic review recommendations.

388. South Africa appreciated the commitment of the Government of Malawi to prioritize issues such as sustainable economic growth, social protection, social development, infrastructure development and improved governance. The number of women in high-level positions in government was also a reflection of Malawi's promotion of gender equality. South Africa welcomed Malawi's acceptance of a large number of recommendations. It encouraged Malawi to follow an inclusive process when implementing the accepted recommendations and that all concerned stakeholders are involved in the follow-up process.

389. The United Republic of Tanzania welcomed the implementation of Malawi Vision 2020 with a view to providing a quality life for all. It commended the Government's achievements with regard to the Millennium Development Goals, its fight against hunger and the reduction of maternal deaths. It praised the provision of free education at the primary level and its positive impact on children's enrolment. It encouraged the Government to favourably consider acceding to key pending international human rights instruments to which it was not a party. It called on the international community to continue lending its full support for the efforts made by Malawi to implement its human rights obligations.

390. Zimbabwe encouraged Malawi to continue its excellent work in promoting and protecting human rights. Zimbabwe thanked the delegation for its updated presentation and for its acceptance of most recommendations, and its commitment to implementing them. Zimbabwe noted the recommendations that did not enjoy Malawi's support and expressed the view that Malawi would continue to look at them at the appropriate time. Zimbabwe stood with other countries for the promotion and protection of the human rights of Malawian citizens and of all humankind.

391. Switzerland regretted that only one of the four recommendations it made had been accepted. It requested clarification on the position taken by Malawi with regard to all pending recommendations, in accordance with Human Rights Council resolution 5/1.

3. General comments made by other relevant stakeholders

392. The Malawi Human Rights Commission stated that it would play a consultative and coordinating role with the Government and non-governmental organizations, to ensure that the universal periodic review recommendations, including those rejected, were discussed and all stakeholders reached a common position. The approach to be adopted would be to link international instruments and treaties with the recommendations, so that the public could hold informed discussions on these issues. The Commission suggested that a timeline for follow-up be identified and that an inter-ministerial committee to monitor the implementation of the recommendations be established. It hoped that a number of improvements in the areas where the international community raised concerns could be made during the second cycle of the universal periodic review.

393. Rencontre africaine pour la défense des droits de l'homme congratulated Malawi on its Vision 2020 project for socio-economic development. It welcomed the creation of a human rights commission, the mediator's office and the ratification of most human rights instruments. It expressed concerns at detention conditions, at reports on torture and other ill-treatment inflicted by the members of the police, and at the prevalence of impunity. It encouraged Malawi to reform its criminal code in order to abolish discrimination based on sexual orientation. Lastly, it praised Malawi's efforts to combat violence against women and human trafficking.

394. World Vision International welcomed Malawi's commitment to work on areas such as children rights and violence against women. It was concerned about shortcomings in the educational system, and encouraged the Government to strengthen its efforts to improve education and health care, particularly for people living in rural areas, women, children, people living with disabilities and those living with HIV/AIDS. It noted that Malawi's expenditure on health care fell short of the amount estimated to deliver the essential health package, which should be provided free of charge at all public health facilities. It urged the Government to put in place strong and clear mechanisms for follow-up on the implementation of recommendations that would allow the participation of both Government and civil society. World Vision was fully committed to assist Malawi in implementing its commitments.

395. Franciscans International was encouraged that Malawi had accepted recommendations to take more effective measures ensuring accessibility of crucial public services in rural areas and to make education one of its top priorities. It regretted the fact that Malawi had rejected several recommendations relating to compulsory primary education, in contravention of article 28 of the Convention on the Rights of the Child. It noted that overcrowding and poor teaching had been a major drawback to quality education, and recommended that Malawi increase its education budget to improve infrastructure and teaching resources for more fully trained teachers.

396. Action Canada for Population and Development regretted that Malawi had rejected all the recommendations calling for the prohibition of discrimination against the LGBTI community, as well as the decriminalization of same-sex relations. It also regretted that, in February 2011, Malawi had amended section 46 of the Penal Code giving powers to a minister to ban newspapers. It raised concerns about the Government's decision to intimidate human rights defenders through public ridicule, as well as harassment of workers of non-governmental organizations. It therefore called on Malawi to reflect on the universal periodic review recommendations on these issues.

4. Concluding remarks of the State under review

397. Malawi stated that, of 127 recommendations received, it had accepted 82 and rejected 45.

398. Regarding the comment that Malawi would establish an inter-ministerial committee to monitor progress of the implementation of universal periodic review recommendations, the delegation explained that an inter-ministerial committee responsible for human rights issues was already in place and that it would also monitor progress regarding implementation of universal periodic review recommendations.

399. With regard to the amendment of section 46 of the Penal Code, former section 46 granted absolute powers to the Minister for Information for regulating publications. The Law Commission, tasked with the mandate of reviewing the laws of Malawi, had recommended that section 46 should be amended to bring it into line with the Constitution. The delegation explained that section 46 had been amended accordingly, and that the powers of the Minister to regulate publications were no longer discretionary but based on reasonable grounds, and that the Minister's decision was subject to judicial review. Malawi highlighted that this was an improvement over the previous situation and that, if the Minister were not entitled to exercise these powers, society would be exposed to child pornography, incitement to genocide and the like. Section 46 was amended therefore to protect the children and society of Malawi.

400. Malawi explained that economic and social rights were recognized in the Constitution, which provided for their progressive realization. Although many resources were required for the fulfilment of these rights, and notwithstanding its own limited resources, the country had taken steps to progressively fulfil the social and economic rights of its people.

401. Malawi thanked all the delegations for their comments and recommendations, and stated that it would take them into consideration.

Mongolia

402. The review of Mongolia was held on 2 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Mongolia in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/MNG/1 and A/HRC/WG.6/9/MNG/1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/MNG/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/MNG/3).

403. At its 31st meeting, on 16 March 2011, the Human Rights Council considered and adopted the outcome of the review of Mongolia (see section C below).

404. The outcome of the review of Mongolia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/5), the views of Mongolia concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

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

405. The delegation of Mongolia expressed its appreciation for the constructive engagement of Member and observer States of the Human Rights Council in the interactive dialogue on Mongolia's universal periodic review. In recent months, the Government had held extensive dialogue and consultations with relevant State agencies and non-governmental organizations regarding the recommendations made during the interactive dialogue as well as Mongolia's voluntary commitments.

406. Recalling that 129 recommendations had been made by delegations during the review in November 2010, Mongolia had accepted 118 of these recommendations and postponed the consideration of 11. After careful consideration of the remaining 11 recommendations in the post-interactive dialogue period, the Government decided to accept 8 recommendations and not to accept 3 recommendations at this stage.

407. The delegation provided further explanations on its position towards the above-mentioned 11 recommendations. With regard to recommendations 86.1 and 86.2, Mongolia expressed its willingness to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and to the Convention relating to the Status of Refugees and the Protocol thereto, having in mind that the accession to these instruments was linked to Mongolia's national security interests. While the Government had submitted its findings and conclusions on accession to these conventions to Parliament, the final decision fell to Parliament and thus, the Government was not in a position to declare acceptance of recommendations 86.1 and 86.2 at this stage.

408. Similarly, Mongolia was not in a position to accept recommendation 86.3, which requested to mandate the Constitutional Court to act upon violations of individual rights and freedoms guaranteed under the Constitution. The Government had found it impractical to mandate the Constitutional Court, which carried supreme supervision over the implementation of the Constitution, to receive and address all individual complaints regarding the breach of the constitutional rights and freedoms, as the Constitution stipulated that the Court should review and pass judgement on disputes at the request of Parliament, the President, the Prime Minister, the Supreme Court or the Prosecutor General and/or on its own initiative on the basis of petitions and information received from citizens. Furthermore, specialized courts on civil and administrative cases functioned to deal with the above-mentioned cases. Nevertheless, the Government expressed its commitment to study the proposal further.

409. The Government had accepted recommendation 86.4, which requested to consider accepting individual complaint mechanisms, such as those provided for in the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture, the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Discrimination against Women. Mongolia was already a party to the Optional Protocols to the International Covenant on Civil and Political Rights and to the Convention on the Elimination of All forms of Discrimination against Women, and would consider the possibility of making declarations provided for in

the respective articles of the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture.

410. Mongolia accepted recommendation 86.5 regarding the adoption of measures to explicitly prohibit, prevent and punish discrimination on any grounds, including on the basis of HIV/AIDS status. In November 2009, a working group had been set up to elaborate amendments to the Law on the Prevention of HIV/AIDS, and the draft amendments included anti-discrimination clauses.

411. Mongolia accepted recommendations 86.6 and 86.7 relating to the role of the National Human Rights Commission of Mongolia in the adoption and implementation of the gender equality law and the participation of women in decision-making. The Parliament had already adopted the Law on Gender Equality, which specified the role of the Commission in its implementation. As noted by the delegation, the Law also provided ample opportunities for women to be included in upper and/or high-level decision-making processes.

412. Mongolia also accepted recommendations 86.8 and 86.9. In this respect, a working group had been established to elaborate amendments to the Criminal Code and the Criminal Procedure Code to combat discrimination based on sexual orientation and gender identity, as well as hate crimes.

413. The delegation reported that the declassification of death penalty sentences imposed in the past and the removal of classification of information on death penalty were planned to be implemented after the approval of the bill and other measures on the abolition of the death penalty. Furthermore, in its spring session, Parliament scheduled to debate Mongolia's accession to the second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. With this in mind, Mongolia accepted recommendations 86.10 and 86.11.

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

414. Algeria welcomed the progress made by Mongolia in the area of human rights, which was illustrated by the establishment of various mechanisms for human rights protection, the ratification of major international instruments and the establishment of a moratorium on the death penalty. Algeria also expressed its appreciation for the acceptance by Mongolia of 126 recommendations, including 3 recommendations made by Algeria. Algeria was encouraged by Mongolia's determination to continue its efforts to promote and protect human rights.

415. Thailand noted Mongolia's determination to overcome socio-economic and development challenges while striking a balance between economic growth and human rights. Thailand expressed its readiness to promote South-South cooperation, particularly in the area of sustainable agricultural production and income-generating activities. Thailand welcomed the acceptance by Mongolia of recommendations addressing vulnerable groups, such as women, children and persons with disabilities. Thailand expressed its support for Mongolia's efforts to combat human trafficking and expressed its readiness to share its experiences and identify concrete areas of mutual cooperation.

416. Morocco took note of the progress made by Mongolia in the area of human rights. By accepting 126 of 129 recommendations made during the review, Mongolia reaffirmed its commitment to human rights and to the universal periodic review. This also reinforced the dialogue and cooperative approach demonstrated by Mongolia during the review process. Morocco remained conscious of the difficulties and challenges that Mongolia might face in implementing these recommendations. In this regard, Morocco called on the international community to support Mongolia in its endeavours.

3. General comments made by other relevant stakeholders

417. The National Human Rights Commission of Mongolia stated that the recommendations made during the interactive dialogue of the Working Group covered important aspects and challenges of Mongolia and supported the fact that the Government had accepted 126 of 129 recommendations. It assured that, even though the issue of the ratification of the Convention relating to the Status of Refugees and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families depended on decision of Parliament and thus, the Government could not take a final and firm position at this stage, the Commission would make special efforts to ensure Mongolia's accession to these treaties by carrying out an awareness-raising campaign and advocacy to explain the importance of those treaties for Mongolians. The Commission expressed the view that individual cases of human rights violations should be addressed to national courts instead of the Constitutional Court. Efforts should thus be made to ensure that the national courts issue fair decisions regarding such individual cases.

418. The Asian Forum for Human Rights and Development regretted that Mongolia had not provided a written response to the 11 pending recommendations. It underlined the fact that issues relating to land, water and environmental rights had not received due attention, and expressed its disappointment that Mongolia had not accepted the recommendation requesting to mandate the Constitutional Court to act upon violations of individual rights, particularly for the land and environmental rights of indigenous and herder communities. The Forum mentioned that 50 per cent of the population lived in the capital and were at high risk owing to a uranium exploration project, while nomadic herders made up 25 per cent of the population and were being pushed off their lands because of mining projects. The Forum also underlined the contradiction between water scarcity and the desertification challenge, on one hand, and the approval of mining projects in the Gobi Desert, on the other.

419. The Asia Pacific Forum on Women, Law and Development referred to reported frauds and vote buying during the 2008 parliamentary elections. Several candidates and supporters of opposition parties struggling against the ballot-counting fraud had been arrested and criminal charges were laid against them. It urged the Government and political parties to shore up their political will to reform the Law on Elections on the basis of human rights and democratic principles, norms and values to ensure free and fair elections. It stated that the courts and Prosecutor's office must reconsider all illegal processes to ensure people's right to a fair trial.

420. Amnesty International welcomed Mongolia's support for the recommendations to ratify the second Optional Protocol to the International Covenant on Civil and Political Rights and urged the early implementation of these recommendations. It had raised expectations that the death penalty would be abolished in national legislation. Amnesty International also called on Mongolia to ensure the effective implementation of recommendations to bring the definition of torture in national legislation into line with international standards. While welcoming Mongolia's support for the recommendation to ensure access to health care, adequate housing, education and safe drinking water and sanitation for all, especially people living in *ger* districts, Amnesty International was concerned about the lack of adequate housing, infrastructure, sanitation and drainage therein.

421. Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit – COC Nederland NGO encouraged Mongolia to include discrimination on the basis of sexual orientation and gender identity, as well as health conditions and disability, in its Constitution to ensure that lesbian, gay, bisexual and transgender persons and other minorities, such as people with disabilities and people living with HIV/AIDS, enjoyed equal rights and freedoms. It commended Mongolia for accepting the recommendations to

enact broad anti-discrimination legislation that explicitly prohibits discrimination based on sexual orientation and gender identity, and stated that the Government should include civil society organizations in the implementation of these recommendations. It encouraged Mongolia to include discrimination on the basis of sexual orientation and gender identity in its broader human rights and awareness-raising activities; to apply the Yogyakarta Principles on the Application of International Human Rights Law in relation to sexual orientation and gender identity; and to report regularly on progress made in the implementation of the above-mentioned recommendations to the Human Rights Council.

4. Concluding remarks of the State under review

422. The delegation stated that the Government would pay special attention to several key areas in order to guarantee civil participation in decision-making processes and the right to vote and further develop the relevant legal framework; ensure the right to a healthy and safe environment by developing laws in this field, including the mining sector; provide access and relevant infrastructure to facilitate the participation of persons with disabilities in public life; address violations of the rights of minorities; and develop legislation to provide effective redress for those violations.

423. In conclusion, the delegation stated that Mongolia, by being fully aware of the magnitude of the efforts required to implement the accepted recommendations in the upcoming years, would seek technical assistance from relevant international and non-governmental organizations, as well as bilateral assistance and cooperation.

Panama

424. The review of Panama was held on 16 March 2011 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Panama in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/PAN/1/Rev.1 and A/HRC/WG.6/9/PAN/1/Rev.1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/PAN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/PAN/3).

425. At its 32nd meeting, on 16 March 2011, the Human Rights Council considered and adopted the outcome of the review of Panama (see section C below).

426. The outcome of the review of Panama comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/6), the views of Panama concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/16/6/Add.1).

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

427. The Minister for Government of Panama, Roxana Mendez, recalled that the promotion, protection and respect for human rights was a priority for her Government and was a matter of public policy.

428. The addendum presented by Panama comprised answers, observations and comments on the recommendations received, as well as its position on pending recommendations. The addendum also contained a section on the implementation of universal periodic review voluntary pledges and commitments.

429. Regarding ratifications, on 22 February 2011, the National Assembly adopted four instruments: the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention for the Protection of All Persons from Enforced Disappearance; the Convention relating to the Status of Stateless Persons; and the Convention on the Reduction of Statelessness.

430. Accession to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was still under study. The Government had held meetings with the OHCHR regional office and sought the opinion of experts on the extent of the obligations of these two instruments in order to make an informed decision.

431. The Government had also established a task force on ILO Convention No. 169, which had concluded its work and favoured its ratification.

432. Panama was already implementing the recommendation requesting the alignment of national laws and policies with the Convention on the Elimination of All Forms of Discrimination against Women. The delegation gave examples of national legislation and policies protecting the rights of women, including the campaign “Maltrato Cero”, Law No. 4 of 1999 prohibiting gender discrimination, and the bill against femicide. As a result, women’s participation in the labour market had considerably increased, although it remained a challenge.

433. On the issue of discrimination, the Government was considering the possibility of amending Law No. 16 of 2002 to enhance and strengthen the competencies of the national commission against discrimination. Measures of protection for Afro-Panamanians were also under study, including a plan of action. Panama had also accepted the recommendation on the Yogyakarta Principles, as long as they did not infringe on the Constitution or the human rights international obligations of Panama.

434. The delegation recalled that, in relation to the Bocas del Toro incidents of July 2010, the Government had established a dialogue process on Law No. 30/2010, with the participation of the main social stakeholders, governmental agencies and representatives of the National Assembly. The process had concluded with six new laws on the environment, public procurement, the Penal Code, the Labour Code, the national police and commercial aviation. In addition, the Government had set up a special commission of inquiry on the incidents, which concluded its work and had presented a report to the President of Panama. Furthermore, the Government had created an office of permanent dialogue that had taken a series of measures to assist the victims or persons affected by the incidents.

435. The Supreme Court had granted constitutional status to the Convention on the Rights of the Child. The delegation also presented several programmes aimed at combating child labour and its causes, and school dropouts, including the programme “Red de Oportunidades”, from which 63,245 families in extreme poverty benefited. Regarding the legal responsibility of children, those aged between 12 and 14 years would not be sent to jail and would be put in the charge of the national secretariat for children, adolescents and family. The delegation recalled that corporal punishment was banned by the Penal Code. However, since Panama did not have a specific law on this matter, it was considering enacting one. On the basis of observations made by treaty bodies, Panama had embarked upon an ample process of consultation to draft a bill that would raise the minimum age of marriage for women and men.

436. With reference to the death of five minors held in the Tocumen reclusion centre, the President of Panama had stated that this was a criminal act contrary to the Government's penitentiary policy. The Attorney General had charged nine police officers and three civilians. Panama had also taken measures to restructure the penitentiary system as a whole. The judiciary had begun the implementation of a programme to address the case load. As a result, 17,399 cases had been solved, while 85,034 cases were still pending. Moreover, in 2011, the new procedural system would progressively come into force.

437. Panama had adopted legislation recognizing the right to land of indigenous peoples and the conducting of consultations. The Government was also trying to build a positive environment to promote dialogue with indigenous communities on the code of mineral resources and the development of mining activities in Panama.

438. With regard to issues relating to migrants and refugees, Panama was committed to guarantee the security and effective protection to all persons entering its territory looking for protection or asylum, particularly the protection against refoulement on borders, and no penalties for illegal or irregular entry.

439. Panama could not accept a recommendation on the right to peaceful assembly. On the other hand, Panama recognized freedom of association for civil society, and unions in particular. The Government was studying the possibility of amending the Labour Code, in consultation with employers and unions, in order to reduce the minimum number of workers required to establish a union.

440. In conclusion, the delegation announced that the Government, with the support of the OHCHR regional office, was drafting an executive decree to establish a permanent inter-agency commission to follow up the implementation of the international obligations and commitments of Panama in the area of human rights. Furthermore, the Government had already adopted a decision to extend an open invitation to the special procedures, an invitation that was to be sent in the near future.

441. The delegation reiterated the Government's commitment to the promotion and protection of human rights.

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

442. Algeria noted with appreciation Panama's views on recommendations, its voluntary pledges and replies, its commitment to the universal periodic review and the broad involvement of civil society in the preparatory process. It commended Panama for its vision of universality, indivisibility and interdependence of human rights, and for its promotion and protection of human rights on an equal and non-discriminatory basis. It noted that Algeria had made five recommendations, which enjoyed Panama's support, or were regarded as having been implemented or in the process of implementation. It encouraged Panama to pay due attention to its voluntary pledges and commitments, particularly those regarding international law and the outcome of the universal periodic review.

443. The United States of America welcomed Panama's support for many recommendations and its agreement to take measures to improve prison conditions in accordance with international human rights law. It sought information about the bill on prison overcrowding. It commended Panama's support for recommendations to undertake a consultative process with labour and civil society leaders to review legislation to ensure the protection of the human rights of workers, including freedom of assembly. It also commended the implementation of recommendations to effectively investigate the excessive use of force during the July 2010 national strike in Changuinola, and enquired about concrete steps in this regard. It commended Panama's intention to strengthen respect for women's rights, including adequate funding for the Women's National Institute and

other offices promoting equal opportunities, and focusing on combating gender discrimination and domestic violence.

444. Uruguay welcomed Panama's acceptance of most recommendations and the information on the process of recent ratification of some international human rights instruments. It also welcomed the strengthened cooperation with the OHCHR regional office. Uruguay encouraged Panama to finalize the standing invitation for special procedures, which would enable closer cooperation and technical assistance. Concerning education, it welcomed the information on improving infrastructure and projects to ensure the enrolment of all children in schools, and the tours, conducted mostly in indigenous areas, to identify children working in prohibited activities, such as agriculture. It commended Panama for home visits by social workers guiding parents and allocating scholarships, thus withdrawing over 100 children from the labour market and reintegrating them into the educational system. It appreciated the information on progress made in combating discrimination and on women's rights, and encouraged Panama to continue in the same direction.

445. Morocco applauded Panama for the openness demonstrated throughout the universal periodic review, illustrated by the frank and constructive debate in the Working Group discussions. It noted with appreciation the important number of recommendations accepted, reflecting Panama's commitment to the promotion and protection of human rights. It particularly noted Panama's acceptance of the three recommendations made by Morocco, on human rights training for security forces and prison and judicial personnel, the promotion of rights of migrants and refugees, and the comparison of Panama's experience with that of other States Members of the United Nations. It noted with interest Panama's efforts to improve the human rights situation and to realize economic, social and cultural rights despite difficulties faced, particularly poverty and crime. Morocco called on the international community to assist Panama in its efforts.

446. Brazil welcomed Panama's acceptance of the recommendations made and its openness to take the measures necessary to ensure the promotion and protection of human rights. Brazil confirmed its readiness to share its perspective and experience regarding the protection and promotion of human rights. It noted with interest Panama's decision to establish an inter-institutional committee to continue to monitor the implementation of accepted recommendations.

447. Guatemala recognized Panama's efforts in the promotion and protection of human rights, and noted the progress made in the implementation of many recommendations, underlining Panama's acceptance of most of them. Guatemala also noted the progress made in the ratification of human rights instruments and the extension of a standing invitation to special procedures. It appreciated the information provided on migrant workers and migrants in general, and expressed hope that progress in this area of concern would continue.

3. General comments made by other relevant stakeholders

448. The International Voluntarism Organization for Women, Education and Development expressed its concern at the situation of indigenous peoples and those in marginalized areas, especially in Darien. It noted that, despite Panama's abundant water resources, most areas far from cities suffered from a partial or total lack of safe drinking water, and insufficient aqueducts. It recommended that Panama guarantee the right to water for all its citizens and invite the independent expert on the human right to safe water and sanitation to visit the country. Despite the adoption of law No. 34 in 1995, it noted that the current education system neither provides bilingual education nor recognizes the value of indigenous culture. It recommended that Panama implement legislation to guarantee

teachers adequate remuneration to allow them to perform their duties in remote areas and to provide adequate training on the value of indigenous cultures.

449. Amnesty International welcomed Panama's support for recommendations on ensuring an independent investigation into the events of 2010 in Bocas del Toro and its intention to prosecute those responsible for violations during national strikes. It expressed concern that security forces appeared to have used excessive force resulting in deaths and injuries. It noted that the special commission set up by the Government had recommended bringing those responsible to justice and incorporating the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials into national guidelines. It noted Panama's support for the recommendation that it ensure that the press is not targeted and guarantee freedom of expression. It raised concern about the case of two Spanish journalists who were arrested in February 2011, later deported and prohibited re-entry. It urged Panama to reconsider their expulsion and to guarantee all journalists the right to carry out their work without fear of reprisal.

450. Rencontre africaine pour la défense des droits de l'homme congratulated Panama's efforts to adhere to a number of international and regional human rights instruments and welcomed the signature of the Optional Protocol to the Convention against Torture. It welcomed Panama's will to integrate women into the country's sustainable development through a policy of equal opportunities. It encouraged Panama to adopt a better policy and strategy for the promotion and protection of indigenous rights. It called for full investigation of the events in Bocas del Toro in July 2010. It noted the recent reform of the Mining Code aimed at attracting new investors, and hoped that this change had not been to the detriment of indigenous peoples present in territories with large copper resources. It saluted the Government initiatives to improve detention conditions through investment in prison infrastructure and penal administration.

4. Concluding remarks of the State under review

451. The delegation of Panama thanked the participants for the constructive dialogue during its universal periodic review, and stated that the Government would spare no effort to follow up on recommendations and to improve the human rights situation in Panama for all, and that it was open to further cooperation with OHCHR in that regard.

Maldives

452. The review of Maldives was held on 3 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

- (a) The national report submitted by Maldives in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/MDV/1/Rev.1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/MDV/2 and A/HRC/WG.6/MDV/2/Corr.1);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/MDV/3).

453. At its 32nd meeting, on 16 March 2011, the Human Rights Council considered and adopted the outcome of the review of Maldives (see section C below).

454. The outcome of the review of Maldives comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/7), the views of Maldives concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not

sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/16/7/Add.1).

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

455. Maldives considered the universal periodic review process to be a unique and useful exercise from the outset of the preparation of its national report in consultation with non-governmental organizations and the National Human Rights Commission. The delegation emphasized the particular usefulness of holding an enlightening and constructive dialogue with States Members of the United Nations. Maldives used this dialogue to assess the 126 recommendations received and returned to the Human Rights Council to offer its responses to the recommendations and to outline how it intended to implement them. The delegation saw this process as a different way to think and act in the sphere of human rights.

456. The approach of Maldives to the universal periodic review process had been premised on the same principles with which it approached all interaction with the Human Rights Council. It strove to be transparent and willing to listen. This approach was evident in the national report and the interactive dialogue.

457. The delegation gave detailed feedback on the 126 recommendations made since it had kept all recommendations pending. This decision stemmed from the seriousness with which Maldives approached the universal periodic review process and the desire to give full and proper consideration to all recommendations.

458. The delegation stated that, since that time, the Maldives universal periodic review standing committee, comprising Government departments, the Human Rights Commission and civil society, had met to review the recommendations. Important and sensitive recommendations had been the subject of a cabinet debate. This demonstrated the importance that the Government attached to the universal periodic review process and to the promotion and protection of human rights.

459. Maldives had submitted in writing its detailed response to all recommendations, in the interest of openness and transparency.

460. Maldives had been able to accept, fully or partially, 100 of the 126 recommendations. These recommendations covered a wide range of important issues and, when implemented, would make a significant positive contribution to human rights in Maldives.

461. The delegation highlighted the position of the State with regard to its international human rights commitments, infrastructure and legislation by accepting to ratify the two remaining conventions to which it was not yet party, namely the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Maldives also agreed to look into replacing the reservation to article 21 of the Convention of the Rights of the Child with an explanatory declaration, and to significantly reduce the scope of their reservation to article 16 of the Convention of the Elimination of All Forms of Discrimination against Women.

462. The nascent institutions of Maldives needed to be strengthened and to accept all recommendations regarding, for example, enhancing the independence, competence and professionalism of its national human rights commission.

463. On the legislative level, Maldives had accepted all the recommendations calling on the country to draft, table or adopt legislation designed to improve human rights protection, and pledged to implement the recommendations calling for the expeditious adoption of the new Penal Code, as well as specific laws dealing with equality and non-discrimination. It

assured the Council that it was a strong advocate of equality for all in society, including such vulnerable groups as women, children and the disabled, and had already moved to adopt strong laws in areas such as domestic violence and the rights of persons with disabilities.

464. Maldives had also accepted all recommendations aimed at strengthening the enjoyment of economic, social and cultural rights in the country, including in the areas of health, education, employment, trafficking, drug rehabilitation and juvenile delinquency.

465. Maldives did not accept some recommendations at the present time because, in many cases, it was committed to take small steps with a view to being able to consider them favourably during future universal periodic review cycles. The delegation clarified its position on the use of different terms in its official written response. Where it was stated “partially accept this recommendation”, the recommendation was taken as accepted but subject to the explanation given; where it stated “takes note of this recommendation”, Maldives was sympathetic in principle but could not accept the recommendation at the present time.

466. With regard to the recommendation on capital punishment (100.6), which was rejected, Maldives was committed to maintain a moratorium on the death penalty as its recent vote in the General Assembly demonstrated.

467. The delegation reminded the Council that there had not been an execution in the country for half a century and that Maldives had voted in favour of the moratoriums on the death penalty at the General Assembly in 2011. However, at the present time, it was not able to accept the recommendation to either abolish the death penalty or to ratify the second Optional Protocol to the International Covenant on Civil and Political Rights.

468. With regard to the recommendation on corporal punishment, in particular public flogging, the Government intended to consult with relevant national and international authorities to assess whether the application of corporal punishment, as currently practised in Maldives, was compatible with its international obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It would also consult on whether the newly independent judiciary in the country had the capacity to pass down such punishments in a manner fully consistent with the Constitution and international human rights law, in particular those provisions dealing with non-discrimination on the basis of gender.

469. With regard to freedom of religion, Maldives had been a fully Muslim country since its conversion to Islam. In the national consciousness, being a Maldivian and a Muslim could not be separated. The central role of Islam in the national identity made it extremely difficult to introduce principles of freedom of conscience into the country. Notwithstanding, Maldives fully understood the importance of tolerance and understanding in all walks of life, including in religion. In this regard, it had decided, as a first step, to accept recommendation 100.91 suggesting steps to encourage and facilitate domestic awareness-raising and open public debate on religious issues. Bearing in mind that perceptions of human rights and religion in Maldives were heavily influenced by relevant international debates and norms, Maldives had decided to host, in 2012, a major international conference on modern sharia jurisprudence and human rights. In this regard, the delegation requested support from the international community.

470. For the third major category of recommendations on lesbian, gay, bisexual and transgender rights, the delegation was not able to accept them. National law did not discriminate against people on the basis of their sexual orientation, and in practice lesbian, gay, bisexual and transgender persons enjoyed the same rights as other members of society. However, at the same time, there were no laws in Maldives that explicitly promoted and protected the rights of lesbian, gay, bisexual and transgender persons.

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

471. Algeria was following closely the transition of Maldives towards democracy. Algeria welcomed its cooperation with human rights treaty bodies and its efforts to achieve the Millennium Development Goals and to improve social indicators, including in the area of public health. It also expressed appreciation for the efforts made to mitigate the consequences of its vulnerability to certain environmental factors.

472. Sri Lanka commended the withdrawal by Maldives of its reservation to article 7 of the Convention on the Elimination of All Forms of Discrimination against Women and the active review of the reservations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. Sri Lanka congratulated Maldives on becoming a member of ILO. It noted the process of Maldives becoming a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It also noted the progress made in combating narcotics and trafficking in persons, but stressed that further action was needed. It welcomed the leading role of Maldives regarding the resolutions on human rights and climate change, which highlighted the human rights implications of anthropogenic climate change.

473. Saudi Arabia noted the commitment of Maldives to human rights, as demonstrated in its cooperation with all United Nations human rights mechanisms and its eagerness to continue this international cooperation and the frank human rights dialogue. It noted that Maldives was party to most international human rights instruments and commended it for receiving and facilitating a number of visits by special procedures mandate holders. Saudi Arabia appreciated the spirit of cooperation demonstrated by the delegation of Maldives, as well as the efforts made by the Government in the area of human rights, especially in legislative and institutional areas.

474. Cuba noted the efforts of Maldives to implement the recommendations made during the review. It welcomed the State's approach to the recommendations made by Cuba, namely the implementation of strategies and plans related to social and economic developments, and the measures taken to guarantee the rights to education and to health. Cuba welcomed the steps taken in the area of health, improving the indicators relating to life expectancy, infant mortality and the eradication of malaria and polio. Cuba highlighted the achievements made in the area of education through guaranteeing free primary and secondary education, which had improved the situation of women, the elderly, children and persons with disabilities. Cuba stressed that the international community should provide Maldives with support in relation to the implementation of its policies and programmes.

475. Botswana was encouraged by the determination of Maldives to meet its obligations to promote and protect human rights, which was evident from its openness and constructive engagement, including the decision of the Government to accept many of the universal periodic review recommendations. It commended Maldives for its continued leadership in climate change issues, as demonstrated as a Member of the Human Rights Council and even before.

476. Morocco congratulated Maldives on its successful review and noted that it had been an occasion to take account of the progress made in the area of human rights, in spite of poverty and climate change-related challenges. Morocco welcomed the fact that Maldives had accepted its recommendations concerning the promotion of equality between men and women in all areas, and combating violence against women. Morocco encouraged the continuation of efforts to ensure the transition to democracy and the realization of economic, social and cultural rights. Morocco encouraged the international community to support Maldives in its development efforts.

3. General comments made by other relevant stakeholders

477. Forum Asia and the Maldivian Democracy Network appreciated the efforts made in convening the universal periodic review standing committee for the inclusive debate with all stakeholders, and urged that the committee be maintained for universal periodic review follow-up activities with measurable implementation plans. They called on the Government to formulate a comprehensive policy to protect the rights of migrant workers and victims of trafficking by allowing registration of undocumented migrants, and to establish a bureau to ensure access to justice. They urged the Government to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Forum Asia and the Maldivian Democracy Network reiterated the recommendations to strengthen the capacity and independence of the judiciary and to improve the human rights education of the judiciary and the public, and encouraged the country to seek the technical assistance of OHCHR in this area. They called on Maldives to counter negative stereotypes of women and acknowledged the major challenges of discrimination, hate speech and corruption, which the Government must confront.

4. Concluding remarks of the State under review

478. The delegation concluded by thanking the Working Group and the Human Rights Council for the constructive dialogue, and described the next steps in the implementation of accepted recommendations and other agreed steps.

479. At the time of its review in the Working Group, Maldives established a universal periodic review standing committee composed of relevant Government departments, local non-governmental organizations and the National Human Rights Commission. The committee was constituted to prepare the report, to consider the recommendations and to have responsibility for implementing them in time for the second cycle of the universal periodic review in four years' time. Maldives would submit a mid-term review on the progress made in implementation.

Andorra

480. The review of Andorra was held on 3 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Andorra in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/AND/1 and A/HRC/WG.6/9/AND/1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/AND/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/AND/3).

481. At its 32nd meeting, on 16 March 2011, the Human Rights Council considered and adopted the outcome of the review of Andorra (see section C below).

482. The outcome of the review of Andorra comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/8), the views of Andorra concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/16/8/Add.1).

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

483. Andorra expressed its satisfaction with the interactive dialogue held during the ninth session of the Working Group on the Universal Periodic Review. It recalled its adoption of 30 international human rights conventions since 1993, when it joined the United Nations. It thanked the 22 delegations that had intervened during the interactive dialogue for their interest. Commenting on the universal periodic review as a new peer-review process, Andorra noted that Member States possessed unequal economic and human resources and faced different challenges. Some States, like Andorra, had never been entangled in a global conflict nor had they been victims of a dictatorship or a revolution. Therefore Andorra believed that it would be more effective and useful to take into account each State's cultural, geographic and historical distinctive features when they came before the Human Rights Council for their universal periodic review.

484. Andorra supported the idea of international solidarity, in particular for the ratification of human rights conventions. However, it was not easy for Andorra to adhere to new conventions owing to its limited human and financial resources.

485. Andorra had accepted 24 of 56 recommendations made during Working Group discussions, and this was testimony to the progress that it had made in the area of human rights. The corporal punishment of minors was punished by criminal laws, gender equality policies had been set up and it had become party to other international conventions.

486. In parallel, the Government had considered 30 recommendations and decided not to accept two of them owing to the complexity in their implementation.

487. Andorra had accepted to ratify the Convention on the Rights of Persons with Disabilities and its Optional Protocol (parts of recommendations 84.4, 84.7 and 84.10), the Optional Protocol to the Convention against Transnational Organized Crime, and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (recommendations 84.15 and 84.16).

488. Other accepted recommendations related to the review of existing legislation, including the Marriage Law, to achieve compliance with the Convention on the Elimination of All Forms of Discrimination against Women (recommendations 84.17 and 84.27); the submission and presentation of pending reports to treaty bodies (recommendation 84.24); the effective protection of the rights of foreigners residing in the country and the active promotion of anti-discrimination policies, including in law enforcement practices (recommendation 84.25); the regulation and guarantee of the rights of workers in accordance with the standards of the European Social Charter, through dialogue with social agents and social stakeholders, and by seeking maximum parliamentary consensus (recommendation 84.28); and the establishment of a system of data collection to allow the compilation of an inventory of the problems faced by immigrants in areas such as employment and access to public office, to enable measures to solve these problems and to better evaluate their situation and consolidate efforts to ensure that their rights are respected (recommendations 84.29 and 84.30).

489. Andorra acknowledged the importance of adopting the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol (parts of recommendations 84.1, 84.2, 84.4, 84.5, 84.6, 84.7, 84.9 and 84.10), but stressed the difficulties it faced to date to make a firm commitment to their ratification.

490. With regard to the amendment to legislation to decriminalize abortion under certain circumstances, such as pregnancies as a result of rape (recommendation 84.18), Andorra would consider the possibility of amending the Penal Code to decriminalize this medical act when carried out in Andorra. Finally, with regard to joining the International Labour

Organization and ratifying its core conventions (recommendation 84.14), Andorra could not commit to such an accession at this time but would consider it carefully.

491. Andorra referred to the addendum to the report of the Working Group (A/HRC/16/8/Add.1), where it had explained the reasons for its decision not to accept the remaining pending recommendations.

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

492. Algeria thanked Andorra for its response to the recommendations made during Working Group discussions. Algeria greatly appreciated the acceptance of two of its recommendations, namely on strengthening cooperation between the Group on Interreligious Dialogue and the National Commission of Andorra in UNESCO, and on the presentation of due periodic reports to the international human rights instruments. Algeria was also pleased by the fact that Andorra had accepted the recommendation relating to the ratification of the Convention on the Rights of Persons with Disabilities. It invited Andorra to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and to consider the possibility of creating a national human rights institution. Algeria expressed its satisfaction with the progress achieved by Andorra in combating all forms of discrimination, in promoting children's rights and ensuring access to health care and education. As a result of these efforts, Andorra was among the top 30 countries ranked on the human development index. Algeria encouraged Andorra to continue on this path.

3. Concluding remarks of the State under review

493. Andorra expressed its gratitude for having participated in this key exercise to the protection of human rights. It hoped that the universal periodic review, as a unique tool, would continue to contribute to the improvement of the human rights situation in all countries. It thanked the secretariat and the troika for their excellent work and outstanding cooperation. It also thanked all the delegations who, through their recommendations, had expressed their interest in the human rights situation in Andorra. It reiterated the State's full commitment to protect human rights and to continue down the path it had taken 18 years ago to ensure the well-being of its citizens by respecting their rights and liberties.

Bulgaria

494. The review of Bulgaria was held on 4 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Bulgaria in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/BGR/1 and A/HRC/WG.6/9/BGR/1/Corr.1 and 2);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/BGR/2 and A/HRC/WG.6/9/BGR/2/Corr.1 and 2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/BGR/3).

495. At its 33rd meeting, on 17 March 2011, the Human Rights Council considered and adopted the outcome of the review of Bulgaria (see section C below).

496. The outcome of the review of Bulgaria comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/9), the views of Bulgaria concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented

before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/16/9/Add.1).

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

497. Bulgaria stated that the universal periodic review process had allowed it to take stock of its human rights situation, to draw attention to what had already been accomplished and to exchange views on what remained to be done, including the enhancement of national capacities for the promotion and protection of human rights to the benefit of all persons residing in the country.

498. The delegation highlighted the State's intention to accept as many recommendations as possible. Bulgaria accepted without any reservations the overwhelming majority of the recommendations made (102 out of 113). Another four recommendations of which Bulgaria took note were also accepted in principle, as their implementation might require legal adjustments, allocating adequate budgetary resources or strengthening or improving administrative capacity. The delegation provided assurances that those recommendations would remain on Bulgaria's agenda in the follow-up period.

499. Regarding recommendation 31, Bulgaria recalled that it had already extended a standing invitation to all special procedures, so it accepted this recommendation.

500. The delegation explained that 40 of the accepted recommendations had already been implemented or were under implementation. For example, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had already been submitted to the National Assembly for ratification. Equally, the institution of the ombudsman, created in 2005 in accordance with the Paris Principles and with the assistance of the International Coordinating Committee, intended to submit the necessary application for accreditation in compliance with the Statute of the International Coordinating Committee.

501. Regarding the recommendations relating to the deinstitutionalization of children (recommendations 15, 20, 27, 77 and others), Bulgaria reiterated the Government's commitment to close all remaining specialized institutions for children over the next 15 years and to replace them with community-based supportive centres.

502. The delegation briefly addressed the recommendations regarding the situation of Roma in Bulgaria (recommendations 18, 29, 86, 93, 95 and others). The Government had the political will to take adequate steps aimed at improving the situation of the Roma. The delegation emphasized that satisfactory results could only be achieved through a shared effort and proportional responsibilities among the Government, the Roma and their leaders, and the non-governmental organizations involved in Roma integration.

503. Of 113 recommendations made to Bulgaria, only five of them had not been accepted (recommendations 2, 24, 59, 81 and 107), mainly owing to constitutional and other legal constraints, some of them concerning the independence of the judiciary (see recommendations 81 and 107).

504. Two recommendations (64 and 108) had been partially accepted. The delegation stated that the first part of recommendation 64 was not in accordance with its domestic constitutional framework. Bulgaria considered that the rights of persons belonging to minorities were duly guaranteed by the Constitution and other legislation in accordance with article 27 of the International Covenant on Civil and Political Rights and the Framework Convention for the Protection of National Minorities of the Council of Europe.

505. According to the delegation, the second part of recommendation 108 was, regrettably, irrelevant. The delegation explained that Bulgaria, as a State party to the International Covenant on Civil and Political Rights, fully implemented all of its provisions, including those of its article 27. Likewise, Bulgaria abided by the provisions of the European Convention on Human Rights and strictly implemented the decisions of the European Court of Human Rights vis-à-vis Bulgaria.

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

506. Algeria appreciated Bulgaria's acceptance of an important number of recommendations, including two made by Algeria, on the establishment of a national human rights institution and on the fight against all forms of religious hatred, discrimination, racism, extremism and xenophobia. Algeria noted the explanation for the rejection of the recommendation on the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Algeria would have liked to see this recommendation accepted in the spirit of recommendation No. 1737 of the Parliamentary Assembly of the Council of Europe. Algeria hoped that Bulgaria would accept recommendation 4 calling for effective measures to improve the health-care sector and the right to health.

507. Morocco noted with satisfaction Bulgaria's indication of the existence of an independent national human rights institution in conformity with the Paris Principles and its intention to apply for accreditation in 2011. Morocco welcomed Bulgaria's reform of its judicial system through its judicial strategy, and indicated that the activities undertaken in a targeted and coordinated manner among all stakeholders favoured the adoption of the strategy as a best practice to be followed. It also appreciated the various actions taken in favour of vulnerable groups, in particular children and persons with disabilities, including in the spheres of education, employment and health. Morocco thanked Bulgaria for having accepted its recommendations concerning the systematic inclusion of human rights education and training in the education system and in vocational training, as well as on the integration of the Roma in Bulgarian society.

508. Turkey thanked Bulgaria for its responses to the recommendations made. It commended the achievements made by Bulgaria in various fields and welcomed the development of their bilateral relations. Turkey expressed the view that the Turkish minority in Bulgaria was a bridge of friendship, and recalled that Turkey had made recommendations during the universal periodic review with a view to strengthening that bridge further. Turkey trusted that its messages of friendship were heard by Bulgaria, and wished to continue to enhance their cooperation in every possible field.

3. General comments made by other relevant stakeholders

509. COC Netherlands and ILGA-Europe commended Bulgaria for all positive steps that it had taken in the past for the human rights of lesbian, gay, bisexual and transgender persons, but reiterated the need to implement various universal periodic review recommendations for them. It highlighted the importance of the development and implementation of effective hate crime legislation, and encouraged Bulgaria to include civil society in the development of education and training programmes to overcome discriminatory patterns against lesbian, gay, bisexual and transgender persons and ethnic minorities. It suggested that Bulgaria further develop work in this area by applying the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity as a guide to assist in policymaking.

510. Rencontre africaine pour la défense des droits de l'homme took note of the National Strategy for Children 2008–2018 to improve the situation of those children living in

national and municipal institutions. Despite the measures taken, it remained concerned about discrimination against and ill-treatment of Roma, given the high levels of illiteracy and poverty affecting Roma children, and urged Bulgaria to guarantee to the Roma minority the full and effective enjoyment of their rights. It expressed concern about the continued sexual exploitation of women and children in Bulgaria in spite of the efforts made to combat human trafficking. It encouraged Bulgaria to ensure that detention conditions fully meet international standards, and to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

511. The Islamic Human Rights Commission stated that the Roma Muslims residing in Bulgaria had experienced prejudice and endured some of the worst forms of racism and Islamophobia. Roma families were routinely denied access to education, employment, health care and housing. Studies had shown that Roma Christians were in a better position than Roma Muslims, which resulted in many Roma Muslims converting out of their religion to seek a better lifestyle. Bulgaria had not made available any organized support to the Muslim Roma minority. The Commission urged Bulgaria to provide the Muslim Roma minority with the same standard of living as other citizens, thereby respecting their rights.

4. Concluding remarks of the State under review

512. Bulgaria thanked all delegations and non-governmental organizations for their interest and active contribution to the universal periodic review of Bulgaria.

513. Bulgaria stated that its written response to the recommendations made during the Working Group discussions offered a reply to many of the questions raised.

514. Nevertheless, the delegation confirmed that the Bulgarian authorities would closely monitor any alleged manifestation of racism against and intolerance of any person in their jurisdiction and, if necessary, would take resolute steps to punish such acts. Relevant statistics on hate crimes were being gathered and analysed by the Ministry of the Interior, the General Prosecutor's Office and the commissions for protection against discrimination and for protection of the rights of the child. The delegation drew attention to the Penal Code amendments of 2009 relating to propaganda, with the addition of provisions on the incitement to ethnic hostility or hatred in speech, print or other mass media or through electronic information systems or other means. The Constitution of Bulgaria provided for the equal treatment of all national or foreign citizens residing in the territory of Bulgaria, regardless of their religion, ethnicity or sexual orientation.

515. Bulgaria assured participants that it would consider all recommendations made and of its commitment to the promotion and protection of human rights in Bulgaria, as well as its firm support for the universal periodic review process.

Honduras

516. The review of Honduras was held on 4 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Honduras in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/HND/1 and A/HRC/WG.6/HND/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/HND/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/HND/3).

517. At its 33rd meeting, on 17 March 2011, the Human Rights Council considered and adopted the outcome of the review of Honduras (see section C below).

518. The outcome of the review of Honduras comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/10), the views of Honduras concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

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

519. The importance of the universal periodic review to Honduras was demonstrated by the high-level delegation led by the Vice-President that attended the review in November 2010. Honduras recalled that the country had undergone a deep political crisis that had revealed the difficulties the country faced in the promotion and protection of human rights. One of the legacies of this crisis was the polarization of society, which was critical for the realization of human rights.

520. One of the main challenges for the authorities was to rebuild the confidence of society in State institutions. To this end, and under the leadership of the Secretary of Justice and Human Rights, a national dialogue with all civil society sectors was pursued with the objective of establishing a common and prioritized human rights agenda within the framework of the national plan of action for human rights. Honduras had sought the cooperation of civil society organizations when following up on universal periodic review recommendations.

521. Of the 129 recommendations received during the review, Honduras had accepted 117 and postponed 12 for further consideration. Honduras welcomed all remaining recommendations, except the one calling for the strengthening of the investigative capacity of the Public Prosecutor's Office (recommendation 83.10) and the recommendation encouraging it to establish an institution specifically addressing the rights of the child (first part of recommendation 83.6). Honduras postponed these recommendations for budgetary reasons.

522. Honduras reported on the measures taken to comply with other pending recommendations; drafts laws had been submitted to Congress to amend the provisions of articles 117 and 321 to the Penal Code, incorporating as an aggravating circumstance of the crime of assassination and as an element of the crime of discrimination, respectively, the fact that the crimes had been committed on the basis of the sexual orientation or gender identity of the victim, the disability of victims and the fact that they pertained to an indigenous or Afro-descendant community. The processes for adhering to the Optional Protocol to the Convention against Torture and the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption had been launched. The Special Prosecutor for Indigenous and Afro-descendant Peoples had requested the demarcation and regularization of indigenous lands, investigated reports on the usurpation of their lands and initiated proceedings to determine responsibilities for the allegedly irregular concession of rivers in indigenous lands.

523. Honduras also reported that it would hold the first world summit of Afro-descendant peoples in August 2011, in the city of La Ceiba, and that a presidential decree had established 2011 as the International Year of Afro-descendants.

524. With respect to its voluntary pledges and commitments, Honduras pointed out that:

(a) With the technical support of OHCHR, consultations with civil society had been engaged to take into account their concerns and views in the formulation of a national plan of action for human rights;

(b) Through the National Prevention Mechanism for the Prevention of Torture and with the support of civil society organizations, an amendment to the Penal Code had been prepared, in order to align the national definition of torture with that of the Convention against Torture;

(c) A draft law to prevent and suppress human trafficking had been prepared;

(d) The Office of the Public Prosecutor had designed a new information system to better collect disaggregated data about victims and perpetrators;

(e) A comprehensive policy on social cohesion and public security for the period 2010–2022 had been adopted in the national plan;

(f) A protocol for the protection of victims had been established; appropriate protective measures would be adopted with the victim's consent, and investigations about the source of threats would be conducted;

(g) The General Directorate of the Unit for the Protection of Human Rights Defenders had been placed under the supervision of the Secretary of Justice and Human Rights;

(h) The President of the Republic had requested the Secretary-General of the United Nations to implement a pilot project for strengthening the capacity of the Prosecutor Offices of El Salvador, Guatemala and Honduras to investigate and prosecute organized crime and to combat impunity.

525. Honduras acknowledged the special vulnerability to which children, women, members of the lesbian, gay, bisexual and transgender community, journalists, social communicators and human rights defenders were exposed, as well as the institutional weaknesses for investigating human rights violations.

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

526. The United States of America commended the establishment of the Secretariat of State for Justice and Human Rights and the Secretariat of State for Indigenous and Afro-Honduran Affairs, and welcomed the agreement to ensure financial and other resources to the above-mentioned bodies and to the Office of the Special Prosecutor for Human Rights. It commended efforts to investigate the cases of murdered journalists and human rights defenders and to ensure protection for the Special Prosecutor for Human Rights. It applauded the agreement to institute human rights education programmes for police, diplomats and security forces, including sensitization for dealing with members of the lesbian, gay, bisexual and transgender community. The United States of America was encouraged that Honduras would examine recommendations to adopt comprehensive anti-discrimination legislation to protect vulnerable groups, and wished to know what concrete steps had been taken in this regard and what actions against perpetrators of abuses against these groups had been adopted. Likewise, it was interested in knowing what concrete steps Honduras was taking to combat impunity.

527. Thailand noted with appreciation the national reconciliation plan and was pleased that Honduras had accepted all of its recommendations. Thailand welcomed Honduras' support for the recommendation to draw up laws against trafficking in persons and hoped that Honduras would continue to work to ensure that national policies relating to human trafficking were implemented. Thailand also welcomed the efforts made to address

domestic violence and violence against women, and encouraged Honduras to strengthen the protection system. Furthermore, it commended efforts to enhance gender equality. It welcomed the fact that Honduras was in the process of promoting human rights education and training, and encouraged Honduras to incorporate human rights education in school curricula.

3. General comments made by other relevant stakeholders

528. The World Organization against Torture welcomed the establishment of the Secretariat of State for Justice and Human Rights, the announcement regarding the creation of a special unit to investigate crimes against journalists and hate crimes against lesbians and gays, and the financial support for the Office of the Special Prosecutor for Human Rights. Nevertheless, it regretted that attacks and threats against and harassment of human rights defenders continued, especially from military intelligence. It welcomed the draft laws to guarantee the independence of the judiciary. It regretted, however, the prevalence of high levels of impunity.

529. Istituto Internazionale Maria Ausiliatrice was concerned about the poor quality of education in the country and recommended that Honduras take concrete actions to increase budget allocations and to provide subsidies to the poorest families. It was of the view that the measures taken to tackle violence against children, domestic abuse and trafficking had been insufficient, and encouraged the implementation of relevant laws and the prosecution of perpetrators. It also recommended that Honduras conduct awareness-raising campaigns to prevent and combat the economic exploitation of children. It encouraged Honduras to provide adequate housing, nutrition, health care and educational opportunities to the approximately 10,000 children living in street situations.

530. Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit (COC Netherlands) regretted that crimes against members of the lesbian, gay, bisexual, transgender, transsexual, transvestite and intersex communities were systematic and on the increase, a situation that was worsened by the intolerance and hatred against members of that community. COC Netherlands called for the investigations of recent killings of members of the above-mentioned communities and for measures to ensure adequate, prompt and transparent investigations of killings, intimidations and other abuses against the said communities.

531. The International Federation of Human Rights Leagues was concerned that Honduras had not taken sufficient actions to combat impunity and instead appointed to Government posts high-level military officers involved in the institutional crisis of 2009. It also regretted that no measures had been taken to reinstate the judges dismissed in May 2010. It noted that the Government had not accepted recommendations concerning action against gender discrimination, discrimination against vulnerable groups and members of the lesbian, gay, bisexual and transgender community, even though violence against these groups was on the increase. It called on Honduras to accept, as soon as possible, all recommendations and to manifestly express its commitment to translate these recommendations into concrete action to ensure to all Hondurans the enjoyment of their human rights.

532. Rencontre africaine pour la défense des droits de l'homme recalled that Honduras had endured a major political upheaval in recent years. National legislation should be brought into line with international norms to effectively address issues such as torture, enforced disappearance and the sexual and commercial exploitation of children. While it welcomed the creation of the Secretariat for Indigenous and Afro-Honduran Affairs, it considered that more needed to be done to combat racial discrimination. It hoped that more would be achieved to address impunity and prosecute extrajudicial killings, and encouraged Honduras to strengthen the role of the Office of the Special Prosecutor for Human Rights

by ratifying the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

533. The Rehabilitation and Research Centre for Torture Victims regretted that Honduras had not taken any initiative to effectively prevent torture and other cruel, inhuman or degrading treatment. The national preventive mechanism against torture still did not have enough resources to carry out its activities, the proposal made by civil society to broaden the current definition of torture in legislation had been rejected and the adoption of the new penitentiary law had been stalled. Victims of human rights violations were invisible despite the law on compensation now before Congress. Honduras should display true interest in complying with universal periodic review recommendations.

534. Amnesty International welcomed the State's voluntary pledge to initiate a process of consultations on a national human rights plan with the involvement of civil society. When at least 10 journalists were murdered in 2010, Amnesty International urged Honduras to immediately implement the recommendations on the protection of journalists and human rights defenders. It welcomed the acceptance of recommendations on investigations and prosecutions of crimes committed against lesbians, gays, bisexuals and transgender persons. Amnesty International considered that the acceptance of recommendations relating to the investigation of the grave human rights violations that occurred after the 2009 institutional crisis was a first welcome step. However, it was disappointed at the rejection of recommendations to drop disciplinary proceedings against the judges dismissed for expressing opposing views on the institutional crisis.

535. Centro de Derechos Humanos Miguel Agustín Pro Juárez welcomed the promise by Honduras to investigate the murder of journalists and to legally recognize community-based media. However, it recalled the murder of 10 journalists in 2010 and that the precautionary measures requested by the Inter-American Commission on Human Rights had not been fully implemented. Honduras had failed to amend the telecommunications law and attacks on community radio broadcasters were on the rise. This prompted allegation letters from United Nations and Commission special rapporteurs on freedom of expression, to which Honduras had not yet replied. Owing to intensive lobbying, Honduras vowed to investigate the murders and other attacks on journalists. This, however, had not been the case, and it reiterated its demand for an end to attacks on journalists.

536. Plan International, Inc. welcomed the recommendations on children living under difficult circumstances and stated that Honduras should take the measures necessary to guarantee human rights to children and establish an institution to protect the rights of indigenous children and those living in remote areas. Plan International stated that there had been no progress in the recommendations guaranteeing access to justice, preventing re-victimization and ensuring rehabilitation, and provided figures on the prosecution of assassinations of children and youths. It added that no progress had been made on child labour and the sexual exploitation of children; Honduras should therefore implement recommendations from various human rights mechanisms to strengthen the institutions dealing with children. Plan International recalled the responsibility of the State in guaranteeing the rights of the child.

537. The Centre for Justice and International Law stated that Honduras had not implemented any recommendation to improve the administration of justice and the independence of judges. A constitutional reform had established the High Council of the Judiciary without ensuring a separation of administrative and judicial functions, and judges continued to be appointed on the basis of political recommendations. Honduras had no will to make reparations for violations of the independence of the judiciary. Lack of judicial independence had led to impunity, such as in the cases of murder of women. In 2010, 64 women were killed, while the unit set up to investigate such cases faced serious problems in

fulfilling that task. As a consequence of a lack of political will, impunity continued to prevail.

538. The African Commission of Health and Human Rights Promoters congratulated Honduras on its role as sponsor of the Global Summit of People of African Descent, to be held in August 2011. It recalled the historical clash between cultures on the American continent, where discrimination persisted. The Commission underlined the loss of languages and ancestral traditions and referred to the specific case of the Garifuna people, who preserved their languages but needed support to preserve their territory. It welcomed the commemoration of the month of Persons of African Descent in April 2011, while the Garifuna people would celebrate the 214th year of their existence in Honduras.

4. Concluding remarks of the State under review

539. Honduras had accepted all 129 recommendations received during the review and had postponed only two owing to budgetary concerns.

540. Honduras reported that:

(a) It had extended an invitation to the Special Rapporteur on the situation of human rights defenders, who had accepted to visit the country in September 2011; it had also invited the Special Rapporteur on the right to education and the Chairperson-Rapporteur of the Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination to conduct visits to the country;

(b) A presidential decree had been adopted, establishing, as a national policy, a road map for the prevention and eradication of child labour and its worst forms;

(c) The Secretary of Social Development would provide financial and technical support for all kind of activities for the implementation of the second national plan of action for the prevention and eradication of child labour for the period 2008–2015;

(d) The commission against commercial sexual exploitation of children had begun a consultation process before presenting a draft law on trafficking to Congress;

(e) A national policy on nutritional and food security had been adopted in order to guarantee the adoption of sector policy guidelines in the fields of health, education, social protection, water and sanitation, and basic infrastructure;

(f) Congress had passed a law incorporating the crime of forced disappearance into domestic legislation;

(g) Congress had initiated a consultation process regarding the draft law on the council of the judiciary and the judicial career;

(h) Similarly, a consultation process regarding a draft law on the protection of Honduran migrants and their families had been launched;

(i) A trust fund for Hondurans abroad had been established to help migrants living in poverty and in situations of vulnerability; 300 persons had already been assisted;

(j) A national policy for the advancement of juveniles had been established in order to coordinate State efforts and civil society contributions for the improvement of life conditions of juveniles;

(k) A national policy on climate change had been adopted with the purpose of implementing adaptation and mitigation measures;

(l) Congress had repealed the Law on the State of Emergency;

(m) A draft law on reparation to victims of human rights violations had been submitted to Congress for approval;

(n) Acknowledging the vital importance of freedom of expression in consolidating a democratic society based on the rule of law, several measures had been taken to ensure the free exercise of this freedom, including the training of 150 investigative agents whose tasks included the investigation of attacks against journalists;

(o) The fight against impunity was at the top of the Government's agenda, and the President of the Republic continued to pursue the establishment of a United Nations pilot project for enhancing the capacity of justice sector institutions to tackle the phenomenon.

541. Honduras reiterated its call to all sectors of civil society to engage in a national dialogue to establish an agreed agenda for addressing national priorities.

542. Honduras thanked Member and observer States of the Human Rights Council and civil society organizations for contributing to the exchange about the human rights situation in the country.

543. Honduras would submit a mid-term report on the implementation of universal periodic review recommendations.

544. Honduras also pledged to continue dialogue with States and civil society, and acknowledged the importance of the universal periodic review in the promotion and protection of human rights.

545. Honduras thanked the members of the troika (the United Kingdom of Great Britain and Northern Ireland, the Russian Federation and Thailand), as well as the staff of the secretariat for their support during the review.

Lebanon

546. The review of Lebanon was held on 10 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Lebanon in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/LBN/1 and A/HRC/WG.6/9/LBN/1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/LBN/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/LBN/3).

547. At its 34th meeting, on 17 March 2011, the Human Rights Council considered and adopted the outcome of the review of Lebanon (see section C below).

548. The outcome of the review of Lebanon comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/18), the views of Lebanon concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

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

549. After conveying to Japan its sympathy and condolences with regard to the natural disaster that had befallen the country, Lebanon stated that it appreciated the efforts of the Human Rights Council to promote human rights.

550. Lebanon had been a victim of wars of others on its land and was taking steps to make up for the standstill in the country during successive crises. It was updating its laws in line with the principles promoted by the Human Rights Council, which were also the essence of the State of Lebanon.

551. The delegation thanked all countries that had provided comments and recommendations, noting that it would make efforts to take all comments into consideration. Lebanon also appreciated the work of civil society and hoped to work hand in hand with civil society organizations to create an enabling environment for these organizations to pursue their legitimate interests and concerns.

552. Lebanon recalled that it had accepted a large number of recommendations, some of which had already been implemented or were in the process of implementation. With regard to the recommendations the consideration of which Lebanon had postponed, the delegation reported that all recommendations had been accepted, with the exception of a part of one recommendation. In this context, the delegation referred to an annotated list of recommendations that it had submitted to provide further clarifications. Lebanon was pleased to announce that it had accepted to extend a standing invitation to all special procedures mandate holders to visit the country, and that preparation of overdue reports to treaty bodies, including the Committee against Torture, was under way.

553. Concerning women's rights, the delegation pointed out that six draft laws were currently before the Chamber of Deputies and that the National Commission for Lebanese Women had submitted to the Ministry of Justice proposals to eliminate discriminatory provisions from legislation, in particular provisions having an economic effect. These proposals were currently being considered by the Ministry. Lebanon had accepted all recommendations on the protection of women from domestic violence, and a draft law on this matter was in preparation. Lebanon had also accepted a recommendation concerning crimes of honour, pointing out that the draft penal code that had been submitted to Parliament eliminated provisions mitigating the seriousness of the crime so as to align it with other crimes for which the law provides appropriate punishment.

554. With regard to Palestinian refugees, Lebanon highlighted the establishment of a Lebanese-Palestinian dialogue, which was a mechanism of cooperation conducted in a positive and realistic manner, together with the United Nations Relief and Works Agency for Palestine Refugees in the Near East and donor countries, to address pending issues, including those relating to identity documents, the situation of camps and the reconstruction of the Nahr el Bared camp. Regarding the economic situation of Palestinian refugees and their right to work, the Ministry of Labour had authorized Palestinians living in Lebanon to work in many professions that had previously been reserved for Lebanese nationals. Provisions had also been made to ensure that Palestinians would receive compensation for arbitrary dismissal as well as end of service benefits that were equal to those received by Lebanese citizens.

555. The delegation added that, in line with its accession to the Convention against Torture in 2000 and the Optional Protocol thereto in 2008, it had accepted all recommendations concerning torture and was also following up on recommendations made by the Subcommittee for the Prevention of Torture following its visit to Lebanon in 2010. With regard to enforced disappearances, Lebanon had accepted all recommendations to determine the fate of disappeared persons, in line with the relevant Ministerial

pronouncement of 2009, although implementation mechanisms would depend on internal and external circumstances.

556. Recalling the role of Lebanon in the drafting of the Universal Declaration of Human Rights, the delegation emphasized its eagerness to preserve its principles and to address human rights issues, but acknowledged that its limited resources and political difficulties had slowed down the process of finding appropriate solutions.

557. Concerning the issue of Palestinian refugees, the delegation stated that it could not solve the Palestinian tragedy on its own and that it could take decisions neither at the expense of its own people nor at that of the Palestinian cause. Although Lebanon would shoulder its part of the responsibility, it was primarily for the international community to carry this burden.

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

558. Saudi Arabia stated that the acceptance by Lebanon of the majority of recommendations, including those made by Saudi Arabia, reflected the positive interaction of Lebanon with human rights mechanisms. Lebanon had consistently cooperated with the United Nations human rights mechanisms and engaged positively in the field of human rights. The review of Lebanon had offered an opportunity to learn about the efforts made in Lebanon to improve laws and institutions in the field of human rights. Saudi Arabia hoped that these efforts, as well as the cohesion by which Lebanese society, with its religious and cultural diversity, was characterized, would continue.

559. Qatar commended Lebanon for its engagement in the review process, which had allowed the Human Rights Council to learn about its efforts in the promotion and protection of human rights. Qatar noted Lebanon's cooperation with special procedures and other United Nations human rights mechanisms, and its preparedness to work in a positive spirit with the Council, demonstrating its determination to improve the human rights situation and overcome the challenges it faces. Lebanon had acceded to most human rights instruments and developed a national plan of action for their implementation, including the establishment of appropriate institutions.

560. Algeria commended Lebanon for the way in which the national report had been prepared and followed up, noting that the report allowed the Human Rights Council to have a clear view of the significant efforts made by Lebanon to improve the human rights situation. A large number of recommendations had been accepted during the interactive dialogue, including those made by Algeria. This reflected, once again, the commitment of the Lebanese authorities to further promote human rights.

561. Egypt appreciated Lebanon's efforts to overcome the crises and wars that it had suffered, including efforts to bring legislation into line with international human rights principles, and its openness to dialogue with all stakeholders. Egypt welcomed the steps to implement accepted recommendations, including the transmission of draft laws to the Council of Deputies for review and adoption, particularly on women's rights. Lebanon had accepted recommendations concerning domestic violence and intended to adopt specific legislation and conduct an awareness-raising campaign to mobilize support. Egypt further appreciated efforts made with regard to the rights of Palestinian refugees and acknowledged the relevant difficulties, especially resource constraints. It appealed to the international community to shoulder its responsibility and to intensify its efforts to achieve the settlement of the question of Palestine, as well as a comprehensive and just peace in the region.

562. The Syrian Arab Republic acknowledged the effective participation of Lebanon in the review process, noting that Lebanon had submitted a report that demonstrated transparency as well as a realistic attitude and professionalism. The national report showed

the true situation of human rights and fundamental freedoms in the country and was a reflection of the efforts made to promote and protect them. The fact that Lebanon had further accepted the pending recommendations demonstrated its readiness to strengthen its engagement with the international community with the aim of strengthening human rights protection.

563. Armenia valued Lebanon's readiness to enhance cooperation with special procedures by extending an open and standing invitation, thus enhancing dialogue on human rights in line with its rich pluralistic traditions. It commended the determination of Lebanon to safeguard freedom of expression, reflected by the acceptance of Armenia's recommendations, and appreciated its commitment to protect cultural heritage and the intention to ratify the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. It noted Lebanon's efforts to bring together Government agencies, communities and civil society and observed that follow-up to the review would consolidate the human rights agenda and serve the cause of unity and solidarity.

564. Iraq was pleased that Lebanon had accepted the recommendations that it had made, and appreciated the efforts made by the Government to prepare the report in spite of the difficulties faced by the country, which, however, had not affected the full enjoyment of human rights and fundamental freedoms in the country, which was a model of pluralism and cultural and religious diversity. Iraq commended the sincere will of Lebanon to move towards further promotion of human rights. The report had provided an opportunity to take note of the implementation of fundamental human rights in a democratic and pluralistic country, in which rights were respected in spite of difficult circumstances. Iraq called on Lebanon to draw up effective plans to implement the recommendations and its voluntary pledges.

565. Jordan noted the importance that Lebanon attached to the promotion and protection of human rights, including through institutional and legislative initiatives and by acceding to regional and international instruments. Lebanon had developed a legislative framework and national strategy to protect human rights, particularly to combat child labour and assist victims of trafficking. Jordan welcomed Lebanon's efforts to protect freedom of expression and opinion and to develop a legislative framework for the media, and also to promote the right to education and the right to health, among others. It further noted the measures to promote women's autonomy and emancipation at the social and political levels, including their participation in decision-making, and to put an end to honour crimes.

566. Mauritania appreciated the achievements made by Lebanon in the field of human rights and its efforts to promote and protect human rights. These achievements, as well as the fact that Lebanon had accepted the great majority of recommendations, were proof of a true political will in favour of the promotion and protection of human rights.

567. Yemen commended Lebanon's cooperation with civil society and noted its important role as a symbol for freedom, as well as the role of Beirut as a regional and international centre hosting numerous human rights-related events. It took note of its efforts to promote and protect human rights in line with the principles of the Universal Declaration on Human Rights so as to ensure freedom and prosperity in line with laws and mechanisms ensuring the enjoyment of civil, political, social and other fundamental rights. Yemen commended Lebanon for the efforts made to further promote human rights and appreciated its acceptance of 83 recommendations, including those made by Yemen.

3. General comments made by other relevant stakeholders

568. The Cairo Institute for Human Rights Studies welcomed Lebanon's intention to improve the working possibilities and conditions of Palestinian refugees. It remained concerned, however, at the absence of concrete measures. It urged that Palestinian refugees

be allowed to practise professions freely and that they be issued personal identity documents. Acknowledging the challenges relating to foreign occupation and Palestinian refugees, it regretted that they were being used to justify the deprivation of rights. Disregard for freedom of movement accompanied by military interference had led to the neglect, exclusion and marginalization of Palestinian refugees, particularly in the Nahr el Bared camp. It also noted discrimination related to property issues, particularly the exclusion of Palestinian from the right to own property.

569. Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco welcomed the achievements made by Lebanon in the promotion and protection of human rights, and the sincere and responsible way in which the Government had handled the review. It noted, however, that, despite efforts to improve the quality of education, problems remained. For instance, measures taken to facilitate the integration of the most vulnerable children in ordinary schools were insufficient. It called for the adoption of a bill extending compulsory schooling to the age of 15 years. It also hoped that the Government would make public education free, modernize school infrastructure and equipment and improve the quality of public education. It remained concerned at the situation of Palestinian children living in refugee camps, of whom only 20 per cent had access to public education. Moreover, it noted that Palestinians were victims of de jure and de facto discrimination with regard to the right to work.

570. Verein Südwind Entwicklungspolitik welcomed Lebanon's ratification of the Optional Protocol to the Convention against Torture in 2008. At the same time, it noted that its unofficial moratorium on the death penalty had not yet been formalized and referred to 42 people on death row who experienced uncertainty as a result. It urged Lebanon not to abstain from votes on a global moratorium at the General Assembly. It opposed discriminatory provisions regarding marriage, divorce, parenting and inheritance in Lebanon's multiple personal status codes and regretted the discrimination in nationality rights against children born to Lebanese mothers where the father is of a different nationality. It recommended lifting all reservations to the Convention on the Elimination of All Forms of Discrimination against Women and to the ratification of its Optional Protocol.

571. The Khiam Rehabilitation Centre for Victims of Torture expressed concern that recommendations would not be implemented because of the existence of different factions in Lebanon, which divided the population. A plan of action was needed to implement the recommendations and to end torture in detention. It also noted a need to improve family laws, to end violence against women and to abolish capital punishment. It stated that different factions must not prevent Lebanese citizens from being equal in dignity and rights, and called on Lebanon to review rejected recommendations.

572. Human Rights Watch welcomed the outcome report of Lebanon, which included recommendations on the rights of women, refugees, migrants and victims of enforced disappearance. It would have liked the review of Lebanon to have reflected concerns on the continued detention of foreigners following the end of their sentences. It acknowledged that the amendment of the Labour Law to facilitate work permit requirements for Palestinian refugees was a step in the right direction, and urged the Government to remove other laws and restrictions that discriminate against Palestinians. It was disappointed by the rejection of some recommendations to amend laws discriminating against women. It welcomed the bill introduced in February 2011 by the Minister for Labour to regulate and protect migrant domestic workers, and urged its adoption. It also welcomed Lebanon's pledge to establish an independent national commission to investigate the whereabouts of missing persons and victims of enforced disappearance.

573. World Vision International noted a growing acceptance in Lebanon of the idea that children have the right to participate and be heard in matters affecting them. It appreciated the fact that children were included in civil society consultations for the preparation of the

upcoming report to the Committee on the Rights of the Child. It welcomed Lebanon's acceptance of recommendations relating to trafficking, child labour and the clearing of landmines. A common concern raised by the Children's Council related to the difficulties faced by stateless children and those without identity papers, especially regarding their access to education, health care and future employment. It urged Lebanon to reconsider recommendations on the right to acquire a nationality.

574. Rencontre africaine pour la défense des droits de l'homme welcomed the establishment of a national human rights institution and an ombudsman, expressed support for the training of security forces and commended Lebanon's accession to the Optional Protocol to the Convention against Torture. It regretted, however, that, despite the imposition of a moratorium, the death penalty remained in force. Rencontre africaine remained concerned at the lack of freedom of movement of refugees, and regretted the fact that migrant workers were not protected by the Labour Code. It invited Lebanon to decriminalize homosexuality and to eliminate discrimination of women in law and practice.

575. Amnesty International welcomed Lebanon's support for recommendations to amend its national legislation to include a definition of torture conforming to the Convention against Torture. It was disappointed at Lebanon's rejection of recommendations aimed at amending legislation discriminating against Palestinian refugees, and urged the Lebanese authorities to keep these recommendations under review. It welcomed Lebanon's willingness to examine a recommendation to establish an independent body to investigate the whereabouts of missing persons and to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance. It regretted that Lebanon had rejected recommendations to abolish the death penalty and to end the prerogative of military courts to try civilians.

576. Pax Christi International, International Catholic Peace Movement welcomed the fact that Lebanon had accepted a significant number of recommendations relating to torture. In this regard, article 401 of the Penal Code was ambiguous and did not criminalize torture. It added that the establishment of a national prevention mechanism conforming to obligations under the Optional Protocol to the Convention against Torture should not be delayed by the creation of bodies with a monitoring mandate within the ministries of justice and the interior. It believed that a clear division of responsibilities within the Government could prevent further delays in reporting to the treaty bodies. It regretted the fact that Lebanon had rejected recommendations relating to capital punishment and was concerned about death penalties imposed by the Military Tribunal, which did not adhere to international fair-trial standards. The Government was in breach of international human rights law for allowing the military courts to continue to adopt non-military tasks and to try civilians.

577. The African Association of Education for Development focused its comments on the rights of domestic workers, stating that women from East Africa suffered from diverse forms of abuse in Lebanon and were without protection. Physical violence was a frequent occurrence, freedom of movement was not assured, working hours did not provide for periods of rest and passports were withheld. Taken together, this situation could be described as a contemporary form of slavery. There had also been cases of sexual abuse and many foreign women workers were victims of human trafficking. It appreciated the work of journalists, trade unionists and non-governmental organizations with affected women.

4. Concluding remarks of the State under review

578. The delegation of Lebanon valued all remarks made; Lebanon attached great importance to the contributions of civil society organizations, with which it intended to have an ongoing dialogue.

579. With regard to those few recommendations that could not be accepted, this was due to the fact that, at the present time, Lebanese citizens were to a large extent not in agreement with the proposed changes. This was for instance the case in relation to the recommendation to abolish the death penalty. While the Ministry of Justice had submitted a draft bill to this effect, the bill had not found majority approval.

580. In general terms, Lebanon was in a particular situation insofar as its people were composed of 18 religious communities, whose religious courts decided on personal matters in line with the rules and principles relating to each faith. At present, the political representation of all these faiths was the appropriate solution by which the interests of all Lebanese citizens were respected and a mutual understanding within Lebanese society could be maintained.

581. With regard to the issue of domestic workers, Lebanon acknowledged that there were isolated incidents of abuse. The Ministry of Labour was addressing this issue and had already prepared a draft bill and a model contract in different languages understood by migrant workers. The Ministry had also adopted a system to regulate employment agencies, with provisions for end of service benefits for domestic workers.

582. Palestinian refugees living in Lebanon enjoyed full freedom of movement. Checkpoints for access to camps had been set up only to prevent certain individuals that had committed violations from seeking refuge in camps in order to flee prosecution. Delays in the reconstruction of the Naher el Bared camp were partly due to unfulfilled pledges by donors and partners. Minefields around the camp also still had to be eliminated. Palestinians living in Lebanon today were entitled to carry out many different professions, and identity cards had been issued to those who had not previously held such documents, so that families could register their children in schools and have access to social services.

583. Lebanon thanked again all countries for their valuable ideas and proposals, which it would duly take into consideration. Lebanon would welcome any additional proposals and would continue its cooperation with civil society, which made an important contribution to the promotion of human rights.

Marshall Islands

584. The review of the Marshall Islands was held on 5 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by the Republic of the Marshall Islands in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/MHL/1 and A/HRC/WG.6/9/MHL/1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/MHL/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/MHL/3).

585. At its 34th meeting, on 17 March 2011, the Human Rights Council considered and adopted the outcome of the review of the Marshall Islands (see section C below).

586. The outcome of the review of the Marshall Islands comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/12), the views of the Marshall Islands concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/16/12/Add.1).

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

587. The delegation of the Marshall Islands thanked OHCHR, the Human Rights Council and the Working Group for assisting the Marshall Islands in the universal periodic review process and provided an abbreviated summary of its responses to all the 38 recommendations it received during the interactive dialogue.

588. The Marshall Islands accepted recommendations 56.1 to 56.8 relating to ratification of or accession to the main international human rights treaties and the relevant optional protocols, and abiding by the principles therein. The delegation stressed that the Marshall Islands was in serious need of technical and financial assistance in order to properly implement the treaties and to continue its efforts regarding those to which it is not a party. As a positive example of where such assistance produced results, the delegation indicated that the Marshall Islands was currently in the process of acceding to the United Nations Convention against Corruption.

589. Regarding recommendations 56.9 to 56.12, on the establishment of a national human rights institution, the Marshall Islands could not at this time consider these recommendations owing to its limited national resources. The Women's Office under the Ministry of Internal Affairs should be strengthened before a national human rights institution could be considered.

590. The Marshall Islands accepted recommendations 56.22 to 56.27, to further review its laws and policies to ensure conformity with international human rights standards. The delegation stated that the Resource Development Committee would work with appropriate bodies in ensuring development of the laws. The delegation invited the international community to provide it with technical and financial assistance to allow it to adhere to the international human rights standards and the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

591. The Marshall Islands accepted recommendations 56.13 and 56.14, and mentioned the positive efforts made with the support of UNICEF and non-governmental organization partners to address children's and women's rights.

592. With regard to recommendations 56.15 to 56.19 and 56.25, on women's rights and domestic violence, the Marshall Islands expressed its commitment to address domestic violence and other issues affecting women. Positive efforts had been made to raise awareness and a bill was currently pending in the national Parliament. Some progress had been made regarding the education of women and economic opportunities. The delegation stressed that more work was needed to address the serious imbalance in female participation in the Parliament. It added that any related constitutional action should continue to ensure the democratic principles of free elections.

593. The Marshall Islands accepted recommendations 56.20, 56.21, 56.22, 56.33 and 56.34, and remained committed to properly implement children's rights and improve the situation of children at the national level. The delegation highlighted the establishment of a child rights office and that, with the assistance of UNICEF, baseline research would enable the development of necessary policies.

594. With regard to the rights of persons with disabilities, the Marshall Islands accepted recommendations 56.28 and 56.29. The delegation stressed that, although these rights were not specifically afforded in the Constitution, there were already policies and laws that address special education and the health of children with disabilities, as well as access to parking facilities.

595. The Marshall Islands accepted recommendations 56.30 and 56.31, to continue to implement strategies and plans for socio-economic development. Increasing national data capacity had improved policy advice and highlighted efforts made since 2010 towards an updated national development plan, as well as a new national consensus under way.

596. The Marshall Islands accepted recommendation 56.35, to promote and protect the rights of prisoners and ensure that living standards and detention facilities abide by international standards. The delegation acknowledged the poor living conditions in detention facilities, and stated that the Marshall Islands was already considering improvements, including building renovations and rehabilitation programmes for juveniles, although resources were limited.

597. The Marshall Islands accepted recommendation 56.36 relating to climate change and noted the development of a road map and policy framework to provide a holistic approach and further partnership. The delegation expressed its disappointment that so few nations responded to the issue the Marshall Islands raised regarding climate change impact and rising sea levels, especially since immediate action could sharply reduce the long-term risks of climate change, which could no longer be ignored. The World Bank was currently undertaking a study on climate change and the human rights implications in the Marshall Islands. An academic conference planned for May 2011, co-sponsored by the Marshall Islands and Colombia University, could further address some of the critical and unprecedented issues in international law with regard to rising seas and climate change.

598. The Marshall Islands accepted recommendations 56.37 and 56.38, and had already extended an invitation to the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights.

599. The delegation acknowledged the need to make critical progress in key human rights areas, and stressed that the only barrier was limited means. It stressed that its own political will was not enough to achieve many of its affirmed goals under the universal periodic review process. It emphasized the importance of building capacity through partnerships, which required efforts to build bridges with local communities (recommendation 56.32). Unless it received such support, success would be limited or persistent gaps would be seen in progress at the next universal periodic review.

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

600. Algeria welcomed the acceptance by the Marshall Islands of its two recommendations, on accession to the two human rights covenants and the implementation of human rights in the areas of education, health, housing and development. Regarding its third recommendation, on the establishment of a national human rights institution, Algeria took note that this would be considered at a later stage. Algeria called on the international community to show solidarity with this island nation and to help it to overcome its resource constraints, which were amplified by the impact of the financial and economic crises, as well as by climate change. Algeria encouraged the Marshall Islands to continue its efforts to overcome obstacles to the full enjoyment of human rights.

601. Morocco congratulated the Marshall Islands on its open spirit, demonstrated during the review, and its determination to follow the path of development and democracy. It noted with interest the efforts made to strengthen the judicial system, improve conditions of detention and reinforce freedoms of expression, information, religion, assembly and association, as well as the efforts to fight violence against women. Morocco was pleased to note that three of its recommendations had been accepted. It called on the international

community to support the efforts of the Marshall Islands to overcome the obstacles hindering the fulfilment of its human rights obligations.

602. Cuba was pleased to note that the Marshall Islands had accepted its recommendations, in particular with regard to the continuation of programmes and measures to ensure the enjoyment of the right to education and the right to health. Cuba welcomed the policies and programmes adopted by the Government and encouraged it to continue its efforts to mitigate the negative impact of climate change, in particular with regard to the full enjoyment of all human rights. The effects of climate change were indeed a reason for concern with regard to areas such as nutrition, education and health. Cuba also encouraged the Marshall Islands to continue the implementation of measures to promote and protect the human rights of its people.

603. New Zealand welcomed the intention of the Marshall Islands to address the matter of ratification of major international human rights instruments, and that it was actively pursuing the problem of violence against women, while conceding that further efforts were needed. In the area of children's rights, it noted the information that a review of child protection legislation was under way, with the assistance of UNICEF. It noted that the review would help to identify gaps in child protection, as well as measures to address them. New Zealand welcomed these responses while acknowledging the limited resources of the Marshall Islands as a small State.

604. Maldives welcomed the decision by the Marshall Islands to support most of the recommendations made, including those that it had made. With regard to challenges and vulnerabilities resulting from climate change, Maldives applauded the acceptance by the Marshall Islands to take a rights-based approach to adaptation, and welcomed the information provided on the holistic approach taken. Maldives called on the international community to assist the Marshall Islands in its efforts to improve the human rights situation. Finally, it stressed the importance of working with the international community to explore the benefits of opening a mission in Geneva.

3. General comments made by other relevant stakeholders

605. The World Association for the School as an Instrument of Peace encouraged the Marshall Islands to ratify core human rights conventions. It recommended that the Marshall Islands should issue a standing invitation to special procedures and offer to assist in future visits by mandate holders. It emphasized the importance of human rights education, which should become a part of the curriculum. It hoped that the Marshall Islands would partner with regional and international non-governmental organizations and institutions of higher education to develop positive curriculum models. It noted that many non-governmental organizations in the region were interested in a regional human rights body for the Pacific, and hoped that the Marshall Islands would participate. The Association also highlighted environmental and health issues, in particular as a result of past nuclear testing and in connection with climate change, and stressed the importance of a human rights-based approach to adaptation.

606. United Nations Watch welcomed and encouraged the commitment of the Marshall Islands to accept virtually all recommendations, including in particular the recommendations to ensure that human rights are afforded full legal protection; that legislation and policies on women's rights and the elimination of violence against women be prioritized; that human rights organizations be actively involved in the follow-up to the review; and that existing laws be reviewed and revised to ensure that they are non-discriminatory. With regard to international engagement on human rights, United Nations Watch noted that the Marshall Islands had consistently stood against aiding and abetting selectivity and for upholding equality, non-discrimination and the promotion of peace.

4. Concluding remarks of the State under review

607. The delegation concluded by thanking the Working Group and the Human Rights Council for the constructive dialogue during its universal periodic review, and it looked forward to continued cooperation. It also looked forward to the visit of the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights.

Croatia

608. The review of Croatia was held on 8 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Croatia in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/HRV/1; A/HRC/WG.6/9/HRV/1/Corr.1 and A/HRC/WG.6/9/HRV/1/Corr.2);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/HRV/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/HRV/3).

609. At its 34th meeting, on 17 March 2011, the Human Rights Council considered and adopted the outcome of the review of Croatia (see section C below).

610. The outcome of the review on Croatia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/13), the views of Croatia concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/16/13/Add.1).

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

611. Croatia indicated that it had actively participated in the universal periodic review process and attached great importance to the ongoing review of the Human Rights Council. Croatia had passed through a dynamic democracy transition, with the establishment of an advanced and comprehensive human rights protection system, including through its Constitution, its legislative and institutional framework, the ratification of a significant number of international human rights treaties and the extension of a standing invitation to the special procedures.

612. The national report of Croatia had attracted interest among the public and civil society; consultations with civil society organizations would continue after the final adoption of the outcome. The Working Group report had been sent to the Government in January 2011, which mandated the Ministry of Foreign Affairs and European Integration to take further steps, including the presentation of the report to the Parliamentary Committee for Human Rights and National Minorities.

613. The universal periodic review recommendations were an effective tool for reviewing and improving legislation and practice and for identifying existing protection gaps. Croatia thanked the 46 countries that had taken part in the interactive dialogue, which showed that Croatia had achieved an advanced level in key areas relating to human rights protection and promotion, such as the justice reform and suppression of all forms of discrimination. The commitment to resolve all outstanding war issues had also been confirmed. Croatia had

participated actively in the interactive dialogue and was willing to maintain cooperation with all interested countries, civil society organizations and human rights mechanisms. In this regard, Croatia would soon be reviewed by three United Nations treaty bodies. Croatia stated that it was crucial to maintain interdependence and constant interaction between the universal periodic review and the treaty body system in order to improve both mechanisms.

614. Croatia was pleased to inform the Human Rights Council that it had accepted the great majority of proposed recommendations, among them 94 in November 2010. Croatia was unable to accept only two recommendations: the recommendation concerning the access to citizenship, as it was incompatible with domestic legislation since it had set requirements going beyond the international standards; and the recommendation on free legal aid, which remained open to interpretation owing to its drafting.

615. Croatia partially accepted several recommendations, namely those concerning ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. On the former instrument, Croatia was of the view that an effective system for migrants' rights should be seen as an integral part of the wider European human rights framework. While Croatia had not yet reached a final decision on whether to sign or ratify the Convention, the broad legislative framework for migrant protection had already been enacted. Regarding the latter instrument, the inter-agency working group was in the process of formulating recommendations with regard to its signature and possible ratification.

616. All other postponed recommendations were accepted without any objection. Croatia had provided basic information to clarify its responses on various issues, namely national minorities, return of refugees, war crimes, anti-discrimination, persons with disabilities and human trafficking. Croatia had decided to accept the recommendation that it establish an adequate mechanism for the follow-up to universal periodic review recommendations, which would include the participation and cooperation of all relevant stakeholders.

617. Croatia expressed its commitment to make all recommendations more visible and to the comprehensive universal periodic review exercise, although it could certainly be improved.

618. Lastly, Croatia clarified its position relating to recommendations 98.1 to 98.3 on the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Croatia had not accepted these recommendations and recalled what it had said earlier on this specific instrument.

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

619. Algeria noted with appreciation the large number of recommendations that Croatia considered it had already implemented or was in the process of implementing. It welcomed the fact that two of its three recommendations had enjoyed the support of Croatia, and took note of what Croatia had stated about follow-up to its third recommendation on the possibility of acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in accordance with recommendation 1737 of 17 March 2006, adopted by the Parliamentary Assembly of the Council of Europe, of which Croatia was a member.

620. Morocco noted with interest the efforts made by Croatia, in particular in the framework of the three-year national programme to strengthen the promotion and protection of human rights. It welcomed Croatia's efforts to enhance the implementation of the normative and institutional framework, strengthen administrative and institutional capacities and combat discrimination. Morocco was satisfied that two of its

recommendations enjoyed the support of Croatia, namely, the recommendation relating to the incorporation of human rights education and training into school curricula and training for civil servants, and the recommendation on the establishment of a system aimed at monitoring and systematically repressing hate crimes.

3. General comments made by other relevant stakeholders

621. The Ombudsman of Croatia noted with regret that the Government had not engaged in public consultations with national stakeholders during the review process. While welcoming the acceptance by Croatia of most recommendations, the Ombudsman noted that Croatia should accept recommendation 98.11 to amend the strict eligibility requirements of the Free Legal Aid Act so that people in need could benefit from its provisions. The Ombudsman positively echoed the acceptance by Croatia of all recommendations aimed at strengthening the status of the Ombudsman and specialized ombudspersons. The Ombudsman urged the Government to translate and make publically available the assessments and recommendations made by international human rights bodies, including that of the universal periodic review.

622. Be Active, Be Emancipated noted with regret that the human rights situation in Croatia had deteriorated since the beginning of the review process, and citizens were deprived of basic rights such as the right to work and to just and favourable working conditions. It also noted with regret that Croatia had rejected the recommendations related to the Free Legal Aid Act, as the procedures for receiving free legal aid were bureaucratic and complicated. A number of cases of repossession of property of members of minorities had been pending for more than 11 years and the independence of media had been reduced.

4. Concluding remarks of the State under review

623. Croatia expressed its gratitude to the civil society organizations that had raised some issues that deserved its utmost attention. As it had done during the universal periodic review process, Croatia would continue its consultations with civil society organizations in an open and constructive manner to review all remarks raised during the current plenary session.

624. Croatia also welcomed the side event, organized by Human Rights House Foundation on 17 March 2011, focusing on the process of participation by Croatian civil society organizations in the follow-up to the universal periodic review. Croatia remained open to further its partnership through dialogue and complementarities.

625. The follow-up to the recommendations would be carried out in a constructive spirit with all stakeholders, and all recommendations would be considered equally important contributions to its national plans and programmes. Croatia would soon initiate broad consultations with civil society organizations concerning a possible follow-up mechanism.

626. In conclusion, Croatia extended its gratitude to all the participants in the interactive dialogue, as well as to Morocco and Algeria, who extended their support for the adoption of the universal periodic review outcome of Croatia.

Jamaica

627. The review of Jamaica was held on 8 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Jamaica in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/JAM/1 and A/HRC/WG.6/9/JAM/1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/JAM/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/JAM/3).

628. At its 34th meeting, on 17 March 2011, the Human Rights Council considered and adopted the outcome of the review of Jamaica (see section C below).

629. The outcome of the review on Jamaica comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/14), the views of Jamaica concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/16/14/Add.1).

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

630. Jamaica stated that recognition of the universality of human rights principles was embedded in its national policy and outlook, and that this approach was evident in the frank and open manner in which the universal periodic review had been addressed.

631. Jamaica expressed its appreciation for the constructive comments received during the review. It accepted many of the recommendations made, and had implemented or was in the process of implementing many of them, particularly with regard to social and humanitarian issues. It noted the importance of building on these achievements, and made particular mention of the attainment of the Millennium Development Goals relating to the reduction of poverty, malnutrition and hunger, universal primary education, universal access to reproductive health and access to safe drinking water and basic sanitation.

632. Jamaica had carefully considered the recommendations that were to be reported on at the outcome, with a view to protecting the interests of all Jamaicans.

633. On the ratification of treaties, Jamaica underscored the fact that being a non-party to international human rights treaties did not diminish the importance of the country's commitment to promote and protect human rights.

634. Regarding recommendations pertaining to voluntary commitments present in Human Rights Council resolution 9/12, Jamaica considered these to be in keeping with its commitments to human rights and recalled that it was party to seven of the nine core instruments. Regarding instruments to which it was not a party, appropriate legislation grounded in the Constitution provided for the protection of the rights of all citizens. Nevertheless, Jamaica would continue to consider those instruments to which it was not yet a party.

635. Jamaica provided information on the ongoing review, with a view to ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, the United Nations Convention relating to the Status of Stateless Persons, the Convention on the Reduction of Statelessness, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Rome Statute, to which it is a signatory.

636. Regarding the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, Jamaica explained that, at present, it was not in a position to sign and ratify this instrument although it recognized its aspirations and goals.

637. Regarding the issue of refugees and asylum, Jamaica reiterated its commitment to fulfil its obligations, which was reflected in the adoption of a refugee policy in 2008, and noted that efforts were now under way to implement enabling legislation. The policy and enabling legislation were intended to ensure the implementation of Jamaica's obligations under relevant treaties.

638. Jamaica recognized the importance of timely compliance with reporting obligations to United Nations treaty bodies, and it had accepted the recommendation on this issue. It provided detailed information on efforts already made to comply with this obligation, which had resulted in the submission, since 2009, of reports under 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. Jamaica also provided information on efforts made to present outstanding reports under other treaties.

639. With regard to the constitutional amendment to provide for a charter of rights and freedoms, the Government remained committed to the implementation of this instrument; the matter was to be taken to Parliament on 29 March 2011.

640. While there was no single institution dealing with human rights in the country, several similar entities existed and steps to strengthen these mechanisms had been taken. Jamaica referred in particular to the Bureau of Women's Affairs and the Child Development Agency, and provided detailed information on their mandates and functioning.

641. With regard to the events in West Kingston in May 2010, and in particular recommendations to create a commission of inquiry, Jamaica explained that the Public Defender was currently carrying out an investigation of the events and a decision on whether to establish such a commission would be taken once he had completed and presented his report.

642. Jamaica recognized the urgent need to address conditions in prisons and lockups. Various efforts were being made in this regard, including the construction of new prison facilities, the retrofitting of existing prison facilities and the privatization of prisons. However, Jamaica's ability to carry out such initiatives risked being affected in the short term by the severe economic and financial constraints facing the country. Jamaica added that a new regime for the management of juveniles was being developed and the existing facility was being renovated.

643. In conclusion, the measures taken underscored Jamaica's commitment to ensure that the necessary normative and institutional framework was in place for the protection of human rights. Jamaica expressed its satisfaction that the importance of technical assistance and external cooperation had been recognized in recommendations made during the review.

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

644. Algeria expressed satisfaction that Jamaica had supported the three recommendations it had made, namely, to reactivate the hospital project concerning the ill-treatment of children with the assistance from relevant United Nations institutions, to protect children in juvenile correctional facilities, and to establish a human rights institution. Algeria congratulated Jamaica on having met the Millennium Development Goals relating to the reduction of poverty and malnutrition, and on access to primary education. Algeria had paid tribute to the people of Jamaica during the current International Year for People of African Descent and sent a strong message of solidarity and encouragement to the authorities to continue their efforts to promote human rights.

645. Morocco congratulated Jamaica on the impressive progress made towards meeting the Millennium Development Goals. It acknowledged the efforts made to protect children and women against exploitation and ill-treatment and to ensure the respect of the rights of the elderly and persons with disabilities. Morocco expressed satisfaction that Jamaica had supported two of its recommendations, namely, to ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and to reflect on ways and means to address the problems relating to the high rate of violent crime, worsening security, the country's vulnerability to natural disasters and global economic instability.

646. Cuba congratulated Jamaica on its efforts and action undertaken to implement the recommendations it had received. It expressed particular appreciation for Jamaica's acceptance of the recommendations made by Cuba aimed at the continuation of its strategies and plans for socio-economic development and to ensure public health and quality education for its people. Despite the challenges faced by Jamaica as a developing country in its socio-economic advancement, it had made important achievements, such as meeting the Millennium Development Goals relating to extreme poverty reduction, malnutrition and hunger. Cuba also acknowledged Jamaica's progress in the areas of universal primary education and access to public health, including reproductive health. Cuba assured Jamaica of its continuing support and cooperation.

647. The United States of America appreciated Jamaica's support for recommendations on the implementation of the recommendations made by the Jamaican Justice System Reform Task Force and looked forward to continued progress on justice reform, especially on increasing respect for the rule of law and human rights in the police. It appreciated Jamaica's commitment to start a public information campaign to combat discrimination based on sexual orientation and strongly supported recommendations made to repeal the sections of the Offences against the Person Act, which criminalized same-sex intercourse. It urged Jamaica to reconsider the recommendations to investigate incidents or acts of violence with suspected motivations on the grounds of sexual orientation, and to take measures to ensure that lesbian, gay, transgender and bisexual persons may participate fully in society without fear of attack or discrimination.

3. General comments made by other relevant stakeholders

648. COC Netherlands and the Jamaica Forum for Lesbians, All-Sexuals and Gays were encouraged by Jamaica's adoption of the recommendations to train law enforcement officials and to conduct public campaigns to combat discrimination on the grounds of sexual orientation. Citing the recent incident in Montego Bay in February 2011, they stated that LGBT people continued to be the victims of human rights violations by both non-State actors and State actors, such as the police. It was hoped that Jamaica would demonstrate leadership in the fight against intolerance for lesbian, gay, transgender and bisexual Jamaicans. They encouraged the Government to take bold steps towards the decriminalization of consensual same-sex activities. They asked that, within the current review of the Charter of Fundamental Rights and Freedoms, a more inclusive clause on non-discrimination be considered for adoption.

649. Amnesty International welcomed Jamaica's commitment to carry out independent investigations into the deaths that occurred during police operations in Tivoli Garden in 2010, and encouraged it to support the establishment of an independent commission of inquiry into the incident. Amnesty International expressed its belief that the ratification of the Convention against Torture and the Optional Protocol thereto would enhance Jamaica's commitment to prevent and punish violations by the security forces. It expressed disappointment with Jamaica's rejection of the recommendations regarding the death penalty. While encouraged that there had been no executions since 1988, Amnesty

International was concerned that death sentences continued to be handed down and that the authorities justified the retention of the death penalty as the will of the people. It urged Jamaica to reconsider a number of recommendations, namely, to repeal legislation that criminalized consensual same-sex activities and to include a specific prohibition of discrimination on the grounds of sexual orientation in the Charter of Rights bill.

4. Concluding remarks of the State under review

650. Jamaica thanked the delegations and stakeholders for their remarks, in particular those that had recommended the adoption of the report. Jamaica reiterated that there was no legal discrimination against persons on the basis of their sexual orientation in the country, nor did the Government condone discrimination or violence against such persons. Where such actions were brought to the attention of the authorities, they were dealt with in accordance with the law.

651. Jamaica provided additional information on the issues of justice and law enforcement reform. Efforts in this regard had recently been made, such as the promulgation by the Jamaican Constabulary of enhanced guidelines for the use of force by its members and the adoption by the Jamaican Defence Force of updated guidelines for its members operating in support of law enforcement operations. Jamaica also provided information on efforts made to improve the conditions of detention at various institutions and places of detention. It underscored the fact that the Government had established a commission of Parliament to undertake investigations concerning action by State agents that resulted in the death or injury to person.

652. Jamaica thanked the members of the Human Rights Council for the attention paid to the review of Jamaica, which it considered to be an extremely valuable contribution to its efforts to develop and reinforce the promotion and protection of human rights.

653. The President thanked Jamaica for its comprehensive presentation and its very fruitful participation in the universal periodic review process. He observed that, according to Council resolution 5/1, States under review should either support or note recommendations. In keeping with existing practice, it was noted that Jamaica was not able to pronounce itself in a definitive manner on recommendations 100.2-8, 100.11-15, 100.17 and 100.20-23. The President asked if these recommendations had been noted.

654. Jamaica stated that these may be regarded as noted. Jamaica observed, however, that the list of recommendations mentioned numerically may be misleading, as many of the recommendations were repeated. Its response had sought to cluster recommendations thematically and, in this regard, Jamaica supported the proposal before the intergovernmental working group on the review of the Human Rights Council that recommendations be clustered in a thematic way.

655. On the matter of recommendations that had been noted, Jamaica emphasized that, in the cases of recommendations where it had indicated that certain proposals were being examined, it did not consider that these recommendations had been rejected. Jamaica had only sought to ensure that due respect was given to the decision-making process that had to be followed in order to give effect to some of these recommendations, including action by Parliament. Jamaica added that it had been forthright at all stages of the universal periodic review process, and had clearly indicated its rejection or acceptance of recommendations received.

Libyan Arab Jamahiriya

656. The Human Rights Council decided to postpone discussion of the review outcome of the Libyan Arab Jamahiriya until its seventeenth session.

Federated States of Micronesia

657. The review of the Federated States of Micronesia was held on 9 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by the Federated States of Micronesia in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/FSM/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/FSM/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/FSM/3).

658. At its 35th meeting, on 18 March 2011, the Human Rights Council considered and adopted the outcome of the review of the Federated States of Micronesia (see section C below).

659. The outcome of the review of the Federated States of Micronesia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/16), the views of the Federated States of Micronesia concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/16/16/Add.1).

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

660. The Federated States of Micronesia stated that the universal periodic review had been a welcome exercise and that the Government was pleased to have played its part throughout the review.

661. The delegation referred to the natural disaster that had greatly affected Japan the week before and stated that, for a country like Micronesia, a small island developing State in the Pacific, the disaster in Japan was yet another grim reminder of its own vulnerability to natural disasters and the impact of climate change. The challenges that Micronesia faced in addressing human rights were often exacerbated by the challenges posed by the negative impact of climate change, which threatened Micronesia's right to be secure, to live and to exist.

662. The delegation emphasized that remoteness and isolation were realities of small island nations in the Pacific. For a country such as Micronesia, with many scattered islands, it added yet another set of impediments to its efforts to provide the necessary services to its citizens, who were scattered on these tiny atolls. The Government would, however, always endeavour to do what was right, necessary and appropriate in order to promote and safeguard the dignity and human rights of its people.

663. The Constitution of the Federated States of Micronesia was the supreme law of the land. It guaranteed the right to life, liberty, equal protection and due process of law. Many of the challenges that Micronesia faced in addressing human rights issues were due not to the lack of regard for law and human dignity, but to limited capacity and resources. The Federated States of Micronesia overwhelmingly supported many of the recommendations made by countries, but was mindful of its limited capacity and resources to implement necessary laws or to carry out recommended activities.

664. Micronesia supported the recommendations made by countries to ratify and accede to the core human rights treaties. Since the universal periodic review held in November

2010, the Government had embarked on activities relating to some of the treaties and protocols. The Government had put in place a task force to lead the ratification and accession process of the Palermo Protocol. Drafting of necessary domestic laws would also follow. Micronesia was collaborating with its partners, such as the United States of America, in advancing the Protocol and putting in place the necessary laws. It would be working on ratifying and acceding to other core treaties.

655. Micronesia supported the recommendations to establish a national human rights institution, to pass laws to address domestic violence, to continue to develop advocacy campaigns to raise awareness of the rights of women, and to adopt laws against child exploitation and sexual abuse. It also supported the recommendations to protect women and children.

666. A number of countries had recommended that the Federated States of Micronesia remove its reservations made to the Convention on the Elimination of All Forms of Discrimination against Women. Micronesia's effort in this area would be towards removing the reservations while taking into account the unique customs, culture and traditions of the Micronesian people. Its people were guardians of these small islands; for generations, they had lived in peace and harmony. Their culture, customs and tradition had sustained them as a people over the years.

667. Micronesians lived in a traditional society where families and extended families were part of the solution to problems. When a child experienced problems, it became the responsibility of the extended family to assist and ensure the child's welfare and well-being. In the Micronesian context, that meant involving an entire village. For this reason, the delegation explained that the recommendations for the establishment of separate homes for children did not enjoy its support.

668. The right to education and to access to health care would continue to be priority areas in Micronesia's national development efforts. Central to those were the rights of the most vulnerable, such as women, children and persons with disabilities.

669. Environmental protection was an essential and important area. The people of the Federated States of Micronesia relied heavily on the fragile ecosystem for food and sustenance. Any adverse impact on the terrestrial and marine resources would be detrimental to the livelihood of the Micronesians and deprive them of their human rights. The Government would continue its efforts to protect the environment through the Micronesian Challenge initiative of effectively conserving 20 per cent of terrestrial and 30 per cent of marine resources areas.

670. In order for Micronesia to implement the recommendations, it would need the support of its development partners. Over the next four years, Micronesia would be calling on the international community for support, without which its efforts would be compromised.

671. The Government recognized the complexity arising from the uniqueness of its federation. The Government would continue to work with the four States within the federation that had constitutional responsibility for many of the recommendations made.

672. While the universal periodic review had been a welcome exercise, Micronesia acknowledged that it had not been one without its own difficulties and challenges. Capacity constraints and limited financial resources continued to affect its ability to complete effectively the necessary reports or to send delegates to attend the review.

673. In closing, the delegation thanked all of those who had made its review a meaningful and worthwhile undertaking, and the Member States for their honest and constructive views. Micronesia would continue to play its role in advancing the human rights and dignity of all its people.

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

674. Cuba welcomed the delegation of Micronesia and praised the country's commitments to human rights and its efforts and actions in the implementation of the recommendations. It appreciated the fact that Micronesia had accepted Cuba's recommendations, in particular, to continue programmes and measures undertaken to ensure the right to education and health. Micronesia faced particular circumstances that affected its socio-economic development; nevertheless, it showed progress in the sphere of human rights. Cuba encouraged Micronesia to continue its work in favour of all human rights of its people and appealed to the international community to fully support Micronesia.

675. Algeria noted that Micronesia had accepted 70 of 73 recommendations made, and noted with appreciation the acceptance of the three recommendations submitted by Algeria, on the ratification of the core human rights instruments, women's participation in public life, and reducing violence against women. Algeria commended the significant progress made by Micronesia in the promotion of human rights, particularly the efforts to ensure access to education and health, despite the challenges of limited financial and human resources and its vulnerability to climate change. It called on the international community and relevant United Nations agencies to provide Micronesia with the assistance necessary for the implementation of the accepted recommendations.

676. New Zealand referred to the recommendations it had made on combating domestic violence and the sexual abuse of women, and on improving children's rights. It praised Micronesia's active engagement in the process and commitments in areas of interest to New Zealand, which included a statement made by Micronesia that the strategic development plan had identified gender as one of its priority areas. New Zealand noted that there was also the possibility of legislation to allocate seats reserved for women in the national congress. New Zealand welcomed Micronesia's decision to seek assistance from donor partners in developing legislation on gender-based violence, acknowledging the limited resources at the disposal of Micronesia as a small island State.

677. Morocco noted Micronesia's commitments to human rights despite the challenges it faced as a small island State dealing with climate change and extreme meteorological phenomena. Morocco recommended that the international community should extend assistance to Micronesia through a partnership. Recalling the importance of human rights and the environment and the upcoming resolution thereon of the Human Rights Council, Morocco praised Micronesia's prioritization of these issues through ambitious strategic planning detailed in its national report. Morocco thanked Micronesia for having accepted its recommendations in the fields of health, education and training on human rights and the environment.

3. General comments made by other relevant stakeholders

678. The World Association for the School as an Instrument of Peace welcomed Micronesia's participation in the universal periodic review process and encouraged Micronesia to ratify the core human rights conventions and to implement immediately the articles to guarantee human rights in Oceania. It enquired about developments in relation to Hungary's recommendation to initiate a structured public debate to accelerate accession to all core international treaties. It also suggested that Micronesia issue an open invitation to United Nations special rapporteurs, and enquired about the establishment of a national human rights commission in conformity with the Paris Principles. The Association stressed that human rights education must be incorporated into the curriculum and offered its assistance in this area. It indicated the interest of non-governmental organizations in creating a regional human rights body for the Pacific, and hoped for Micronesia's

participation. It referred to the historical significance of women's rights in Micronesia and the importance of the right to self-determination in relation to the growing threats of climate change. It also noted the issue of housing and health care for Micronesians living in Hawaii. The Association supported the United Kingdom's recommendation to provide technical assistance in the follow-up to the universal periodic review.

679. UN Watch welcomed and encouraged Micronesia's commitment to work on 70 of 73 recommendations. It enumerated the most important ones in relation to the assurance of full human rights and legal protection throughout Micronesia, the elimination of all laws and practices discriminating against women and girls, the ban on child labour and the minimum age for criminal responsibility, the inclusion of sexual orientation and gender identity as prohibited grounds for discrimination, the prevention of mistreatment in detention centres and prisons, and the adequate protection against sexual and gender violence. UN Watch commended Micronesia for its courage, conviction and resolve to uphold the principles of General Assembly resolution 60/251, which created the Human Rights Council.

4. Concluding remarks of the State under review

680. Micronesia thanked all the delegations and non-governmental organizations that had taken the floor, and stated that it would accept their comments and do whatever it could. It once again thanked them for any assistance that they could provide.

Mauritania

681. The review of Mauritania was held on 10 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by Mauritania in accordance with the annex to Human Rights Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/MRT/1 and A/HRC/WG.6/9/MRT/1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/MRT/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/MRT/3).

682. At its 35th meeting, on 18 March 2011, the Human Rights Council considered and adopted the outcome of the review of Mauritania (see section C below).

683. The outcome of the review of Mauritania comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/17), the views of Mauritania concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/16/17/Add.1).

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

684. The head of delegation reaffirmed Mauritania's continuing work to protect and promote human rights, and emphasized that Mauritania had immediately accepted 88 of 139 recommendations. Upon return to the capital, recommendations were disseminated and consultations held to elaborate a plan of action, including through several workshops together with OHCHR and all relevant stakeholders, including the judiciary, the National Human Rights Commission and civil society.

685. Remaining recommendations related to Mauritania's accession to international human rights instruments, withdrawal of reservations, combating trafficking in persons and discrimination against women, the rights of children and the disabled, and the abolition of capital punishment. Mauritania reviewed all pending recommendations and indicated its position in the addendum to its report to the Working Group.

686. Mauritania reiterated its continuous work to abide by all ratified international instruments and its readiness to continue positive interaction and to respond to any questions on the remaining recommendations.

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

687. Algeria welcomed Mauritania's acceptance of the recommendations it had made regarding the national human rights institution, the possibility of looking into the abolition of capital punishment, all recommendations concerning women's rights and raising awareness of the role of women in society, as well as alleviating poverty. It noted the comprehensive work done at the political level and commended Mauritania for several elections that had been held in a fair and transparent manner.

688. Saudi Arabia highlighted Mauritania's acceptance of most recommendations. It noted Mauritania's cooperation with human rights mechanisms and the international community, and welcomed the fact that it strove to ensure the realization of human rights for its people despite many difficulties. Saudi Arabia commended the efforts made to spread a human rights culture through human rights education and the integration of human rights into development strategies, particularly those concerning women and children. It supported Mauritania's efforts to develop relevant laws and institutions.

689. Oman appreciated Mauritania's firm cooperation during the universal periodic review, as demonstrated by the transparent discussion of the national report during the interactive dialogue. It also noted that acceptance of a large number of recommendations and their implementation showed Mauritania's commitment to the universal periodic review.

690. Senegal noted that Mauritania had accepted many recommendations regarding the promotion of women's and children's rights, including three recommendations made by Senegal. It welcomed Mauritania's acceptance of recommendations concerning the eradication of slavery and the fight against trafficking in persons. Senegal highlighted the opening of the OHCHR office in Mauritania as reflecting the authorities' commitment to work for human rights.

691. Sri Lanka noted that the people of Mauritania had chosen the Islamic, indivisible, democratic and social republic as system of government. It welcomed the steps aimed at withdrawing Mauritania's general reservation to the Convention on the Elimination of All Forms of Discrimination against Women, and its cooperation with special procedures. It commended the 2003 accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and welcomed the fact that education had been made compulsory for children aged between 6 and 14. Sri Lanka noted Mauritania's constructive engagement with the universal periodic review and commended it for having implemented or for implementing 24 recommendations.

692. Bahrain stated that the number of recommendations that Mauritania had accepted reflected its readiness to give new impetus to human rights development and cooperation with human rights mechanisms. It appreciated Mauritania's acceptance and implementation of a number of recommendations, including Bahrain's recommendation on pursuing efforts to advance the situation of women and mainstreaming women's and children's needs into

the development process. It welcomed Mauritania's political will and its efforts to combat unemployment and poverty.

693. The United Arab Emirates commended Mauritania for the positive measures, implementation of recommendations and for moving to consolidating the rule of law and governance. It hoped that Human Rights Council members and the United Nations High Commissioner for Human Rights would assist Mauritania in capacity-building and promoting human rights, and requested the international community to provide necessary support with regard to the human rights challenges that Mauritania faces as well as in realizing the Millennium Development Goals.

694. Qatar welcomed the serious way in which Mauritania had dealt with the universal periodic review and its acceptance of a large number of recommendations, including those made by Qatar. It noted that Mauritania had accepted all requests for visits from special procedures and commended the work undertaken by the Qatari OHCHR office in Nouakchott since December 2010. It noted that the High Commissioner would be visiting Mauritania, further reflecting Mauritania's cooperation with the United Nations. It called on human rights mechanisms to provide Mauritania with all necessary assistance.

695. Morocco commended Mauritania's efforts in human development and refugees. It congratulated Mauritania on its acceptance of many recommendations despite the constraints it faced, including the impact of the international food and financial crisis, and noted Mauritania's exemplary political determination to improve the human rights situation, strengthening democracy and establishing a sound foundation for the rule of law. Morocco recalled the importance of assistance from the international community. It highlighted the global strategies for good governance and the struggle for financial transparency with the creation of a national commission and a high court to charge senior officials. It welcomed the efforts made with regard to slavery and the voluntary return of refugees and their economic and social integration into society.

696. The Sudan appreciated the fact that Mauritania had accepted a number of recommendations, as well as Mauritania's cooperation with OHCHR and human rights mechanisms. It looked positively at the democratic process taking place in Mauritania, its multiparty system and the importance given to human rights and their promotion.

697. Burkina Faso encouraged Mauritania in its efforts to implement the recommendations, especially to ensure children's and women's rights despite the many constraints faced. Burkina Faso made an appeal to the international community to provide Mauritania with all the assistance necessary to implement its recommendations.

3. General comments made by other relevant stakeholders

698. Verein Südwind Entwicklungspolitik was concerned at the persistent violations of women's and children's rights, including gender discriminatory laws, violence against women, corporal punishment of children, domestic slavery and rape. Expressing dismay at prevailing harmful traditional practices, including early marriage, female genital mutilation and force-feeding, it called for a holistic, multisectoral approach. The promotion of gender equality and the enhancement of women's participation were highlighted, as well as the need to make resources available to ensure women's and girls' access to education and protection from exclusion and violence. It urged Mauritania to withdraw its reservation to the Convention on the Elimination of All Forms of Discrimination against Women, criminalize female genital mutilation and force-feeding, and prohibit all forms of violence against women.

699. Action internationale pour la paix et le développement dans la région des Grands Lacs noted the important measures taken by Mauritania to fight impunity and abuse of authority and to strengthen good governance. It welcomed the concrete measures to

eradicate slavery and the plan of action to combat human trafficking. It noted the serious efforts made at the 2009 presidential elections to ensure political, social, economic and cultural rights, and the significant progress made in implementing a rationalized institutional framework. It asked the Human Rights Council and the international community to continue to support Mauritania through a partnership aiming at implementing the Millennium Development Goals.

700. Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples had recently visited Mauritania and commended its determination to ensure that human rights and democratic principles were respected. It noted the conformity of its legal framework with international principles and the concrete measures to ensure the enjoyment of human rights despite the challenges faced by, inter alia, eradicating slavery, establishing mandatory primary education, promoting women's rights and combating violence and discrimination. It also noted Mauritania's fight against corruption and impunity, the strengthening of the independence of the judiciary and the attention paid to economic and social rights, the fight against poverty and its commitment to achieve the Millennium Development Goals.

701. Rencontre africaine pour la défense des droits de l'homme commended Mauritania for its commitment to building a State that respects human rights, while expressing concern at rising religious fundamentalism as a threat to stability, democracy and security. It called for continuous cooperation with special procedures, and noted that Mauritanian society continued to suffer from the psychological legacy of slavery, despite its criminalization. It stated that foreign domestic work was a contemporary form of slavery, and encouraged Mauritania to update its treaty body reports and increase efforts to eliminate discrimination against women, child labour, and forced marriage. It stressed the need for a reliable strategy to combat food insecurity, malnutrition and extreme poverty, particularly in Congal, Guidimakha and Brakma.

702. Amnesty International welcomed Mauritania's support for the recommendations to end slavery. It expressed concern at the imprisonment of three anti-slavery activists after exposing the case of two girls allegedly working as slave servants for a Government official; it considered them prisoners of conscience and called for their immediate release. It welcomed Mauritania's support for the recommendation to conduct independent and effective investigations into allegations of torture, and noted the evidence collected on the regular use of torture and ill-treatment by security forces. It urged Mauritania to ensure that detainees are promptly brought before a judicial authority and to shorten the period of police custody, and encouraged Mauritania to ratify the Optional Protocol to the Convention against Torture.

703. The International Humanist and Ethical Union welcomed Mauritania's claim that 24 recommendations had been or were being implemented. It however noted little progress with regard to slavery and slavery-like practices, as many people still faced daily beatings and rape. Changing the law or redefining it as a post-slavery phenomenon would not help these people without a serious attempt to implement the law and introduce compensation for victims. It urged Mauritania to reconsider its refusal to modify penal code provisions on the death penalty for homosexuality, and to ensure that capital punishment was not applied to consensual same-sex relations between adults. It urged Mauritania to be more proactive in educating its society in human rights and its responsibilities under international law.

4. Concluding remarks of the State under review

704. Mauritania noted that, further to the addendum, which summarized and fully explained its position on the remaining recommendations, it had recently transmitted a document to OHCHR with further explanation of their acceptance or rejection. Answers were grouped. Of the 47 recommendations, the Government had accepted the following:

- Withdrawal of the general reservation to the Convention on the Elimination of All Forms of Discrimination against Women
- Withdrawal of the general reservation to the Convention on the Rights of the Child (the general reservations regarding these two conventions will be replaced by specific reservations)
- Adoption and implementation of preventive strategies against traditional practices harmful to the health of mother and child
- Continuation of efforts regarding education and universal school enrolment for girls
- Future adoption of legislation criminalizing female genital mutilation
- Strengthening national legislation relating to the criminal responsibility of children, to align it with international standards in this field
- Enforcement of an order to the judicial protection of children and establishment of a juvenile criminal court
- Reforming the status of the Ombudsman by simplifying its invocation and ensuring its independence
- Future adoption of specific criminal legislation criminalizing torture or other cruel, inhuman or degrading treatment
- Implementation of a national plan of action against human trafficking
- Accession in 2010 to the Convention on the Rights of Persons with Disabilities and in 2002, to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
- On the media, Mauritania adopted a law liberalizing the press and the audio-visual industry, and granted a fund to support the press
- Mauritania passed a law criminalizing slavery and repressing slavery-like practices and proceeded to execute a programme of eradication of the legacy of slavery
- Mauritania is prepared to prevent any act of discrimination and stigmatization of women and girls victims of sexual violence

705. Mauritania rejected the recommendation to abolish the death penalty, but reaffirmed its de facto abolitionist position, pointing out that, in 17 years, no death sentence had been executed. Mauritania had not yet acceded to the optional protocols relating to the Convention against Torture, the International Covenant on Civil and Political Rights and the Convention on the Rights of Persons with Disabilities. The Government was stepping up its efforts primarily to implement the provisions of the three international conventions it had already ratified. Furthermore, Mauritania would not withdraw its reservation to the International Covenant on Civil and Political Rights concerning the freedom of belief. Mauritania had agreed in the past to all requests for visits by special procedures and reaffirmed its readiness to consider any request.

706. These additional responses were an integral part of the addendum to its report.

707. The delegation stressed the ongoing, considerable efforts to bring legislation into line with the international norms that Mauritania had accepted and ratified, as reflected by Mauritania's determination to incorporate international provisions into national legislation to promote the rights and freedoms of Mauritanian citizens. A programme to eradicate slavery and mechanisms for the integration of refugees had been established, the latter being welcomed by the international community. Moreover, Mauritania agreed to the opening of an OHCHR office in Nouakchott, which would play a subregional role and

facilitate consolidating case law and the rule of law. It thanked all speakers requesting United Nations support for the country.

708. On the comments by non-governmental organizations questioning Mauritania's efforts to combat slavery, reference was being made to a well-known common criminal case that had been politicized for obvious reasons. The case that had originated as a provocation to the authorities had ended with appropriate measures being taken. On the organization's claim that the necessary pressure had not been put on the judge to render the decision, Mauritania stated that, in an independent justice system, the State cannot force the justice system to act in a particular way.

709. With regard to the issue of associations, the law was very clear; it sufficed to comply with provisions of the law on associations to be accorded the right to form an association and to express freely one's opinion in this context.

710. The delegation stated that the independent national human rights commission had testified at the plenary session that it had visited police stations and detention centres and unequivocally established that no practice of torture existed and that considerable efforts were being made to end such a practice. The delegation recalled that Mauritania had ratified the Convention against Torture in 2004 and was preparing its reports for the Committee.

711. Slavery was a structural issue that could not be entirely resolved by the Government, which could merely accelerate the social transformation process under way. The delegation welcomed the comments by *Rencontre africaine pour la défense des droits de l'homme* on the psychological legacy of slavery, which included poverty, ignorance and other psychological dimensions. The issue was not confined to freeing slaves, but concerned their living conditions, resources, education and access to health services. Mauritania had initiated a programme to address all consequences of slavery.

712. On the issues of forced marriage, rape and the status of women, Mauritania had ratified all of the human rights instruments on the rights of women and children.

713. Concerning three imprisoned anti-slavery activists, on the basis of information provided by them, the prefect had instructed police to investigate the alleged case of slavery, demonstrating the authorities' preparedness to implement existing legislation. Nonetheless, the activists attacked a police station, injuring a policeman, thereby turning this into a case between law enforcement and individuals. The activists had been tried and convicted to six months of imprisonment, but were released by presidential amnesty.

714. Mauritania recalled that issues pertaining to homosexuality needed to be considered in the light of the society concerned. Being an Islamic country and a Muslim society, considering its religious and moral values, Mauritania preferred to remain silent on these matters. As Muslims and a society subscribing to a number of universally recognized values, even raising such questions was deemed an offence.

United States of America

715. The review of the United States of America was held on 5 November 2010 in conformity with all the relevant provisions contained in Human Rights Council resolution 5/1, and was based on the following documents:

(a) The national report submitted by the United States of America in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/9/USA/1 and A/HRC/WG.6/9/USA/1/Corr.1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/9/USA/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/USA/3/Rev.1).

716. At its 36th meeting, on 18 March 2011, the Human Rights Council considered and adopted the outcome of the review of the United States of America (see section C below).

717. The outcome of the review of the United States of America comprises the report of the Working Group on the Universal Periodic Review (A/HRC/16/11), the views of the United States of America concerning the recommendations and/or conclusions, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/16/11/Add.1).

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

718. The delegation of the United States of America thanked the President of the Human Rights Council, the States that had participated in the Working Group, the troika (France, Japan and Cameroon), and in particular American civil society. The universal periodic review had been a useful tool to assess how the United States could continue to improve in achieving its own human rights goals. Civil society was involved in each and every step of the universal periodic review, with the participation of representatives of local and national organizations as well as hundreds of citizens from communities across the country. Since then, federal agencies had held numerous meetings with civil society to discuss the response to the recommendations.

719. Of the more than 12 federal agencies that had made essential contributions to the universal periodic review submission on the United States, the presence of the Civil Rights Division of the Department of Justice was particularly significant. Reflecting its historic role, the Division had played a critical role in all universal periodic review consultations and presentations. At the Working Group session, the United States had received a large number of recommendations, 228 in all, which have been the object of careful review. While the written submission (A/HRC/16/11/Add.1) provided a specific response to each recommendation, the delegation wished to discuss 10 broad areas covered by the recommendations, and review significant changes that had occurred since the review.

720. Firstly, the United States of America supported the recommendations concerning civil rights and discrimination, including those made by Ghana, Morocco, Costa Rica, Qatar and Indonesia. Members of civil society, and such States as Uruguay, Australia and Israel, had asked the United States to do more to address discrimination against lesbian, gay, bisexual and transgender individuals. The Government had taken important recent steps in that regard, most notably including the enactment on 22 December 2010 of the "Don't ask, don't tell" repeal act, which would allow gay men and women to serve openly in the United States military. In response to the mortgage crisis, the Civil Rights Division had established a new fair lending unit, which was addressing a wide range of allegations of discriminatory conduct. The Department of Justice had also stepped up its enforcement of laws prohibiting discrimination in areas including voting, employment, public accommodations and education. The United States also continued to prosecute violations of the federal hate crimes law.

721. In a second area, criminal justice, as recommended by Sweden, France, Haiti, Thailand, Belgium, Algeria and others, the United States continued to work to ensure protection of the rights of those accused of committing crimes and held in prisons or jails. About 25 countries had made recommendations concerning the administration of capital punishment by those Governments within the federal system that still applied it. Domestic civil society had also raised capital punishment as an issue of concern. The delegation noted

the decision made by the Government of Illinois of 9 March 2011 to abolish that State's death penalty.

722. In a third area, the rights of indigenous peoples, the United States committed itself to working with tribal governments to address many issues, including two particular recommendations. The first, the importance of tribal consultation, was repeatedly stressed during the universal periodic review with tribes and civil society. The second, reflected in recommendations from civil society and tribes and echoed by a number of countries, including Finland and New Zealand, was that the United States supported the United Nations Declaration on the Rights of Indigenous Peoples. At his second White House Tribal Nations Conference with tribal leaders from across the United States, held on 16 December 2010, President Obama had made a statement announcing the support of the United States for the Declaration and detailed ongoing work on native American issues.

723. Civil society and several countries, including Malaysia, Mexico and Norway, had made recommendations concerning national security. In this area, the United States abided by all applicable laws, including those laws respecting humane treatment, detention and the use of force. The United States did not, and would not, tolerate torture or inhumane treatment of detainees in its custody, wherever they are held. Ireland, Switzerland and others made recommendations about the Guantanamo Bay detention facility. As the White House had indicated on 14 March 2011, the President remained committed to closing that facility. As this effort continued, the United States was committed to ensuring that all practices on Guantanamo fully accorded with international law. On 7 March 2011, the President had reaffirmed the basic approach to ensure a lawful, sustainable, and principled regime for the handling of detainees at Guantanamo, consistent with the national security interests and national values of the United States. The United States would, *inter alia*, seek advice and consent to Additional Protocol II to the Geneva Conventions and would also adhere to the humane treatment and fair trial safeguards in article 75 of Additional Protocol I, in international armed conflicts, and expected all other nations to adhere to these principles as well. Particularly in the context of counter-terrorism, a number of United States civil society groups and countries, including Egypt and Algeria, had raised concerns regarding discrimination against Muslims. The United States did not support attempts to treat entire communities as a threat to national security, based solely on their race, religion or ethnicity.

724. Regarding immigration, the United States had accepted many recommendations from civil society and countries, including Guatemala, Mexico, Brazil, Ecuador, Viet Nam, Switzerland, and the United Kingdom of Great Britain and Northern Ireland. The contributions of immigrants have been an important element of every chapter of American history. In keeping with commitments relating to their status as a party to the Protocol relating to the Status of Refugees, the Government was reviewing its handling of emergent refugee cases. The Department of Homeland Security had provided 10,000 victims of crime and over 9,000 of their immediate family members with the opportunity to work and live permanently in the country. Recently, the Department had improved accessibility of care for immigration detainees and its procedures for handling, investigating and correcting complaints regarding all kinds of civil rights issues.

725. In a sixth area, economic, social, cultural and environmental rights, civil society and countries, including Thailand, Norway, Morocco and Brazil, had recommended that the local, State and federal Governments continue to protect the environment. Recent actions included the Department of Education's announcement in February 2011 of an equity and excellence commission to examine disparities in educational opportunities and to address the needs of children in distressed communities; grants from the Department of Health and Human Services to support health centres and to improve access to health care for the

uninsured; and two recent settlements from the Environmental Protection Agency concerning greenhouse gas emissions.

726. The delegation stated that the United States had long been a leader in a seventh area addressed by the recommendations, namely, workplace protections and the fight against human trafficking. In the latter area, the United States supported several recommendations, including one made by the Republic of Moldova. The United States Customs and Border Protection Agency had launched a media campaign in Guatemala, El Salvador and Mexico that offered information on the dangers of human trafficking and how to avoid becoming a victim. The United States continued to address worker protection in countless ways, including through the President's Equal Pay Task Force to strengthen responses to wage differences between men and women, the Justice and Equality in the Workplace Program, and an education campaign focusing on the civil rights of immigrant workers.

727. The United States was committed to an eighth goal as well, robust domestic implementation of its international human rights obligations, and supported recommendations by Egypt, Norway, Austria and Costa Rica. As a party to several human rights treaties, the United States was bound to comply with its obligations and to ensure effective application at the federal, state and local levels of government.

728. The ninth and largest group of recommendations concerned the ratification of treaties and other international instruments. Under the United States Constitution, treaty ratification required not only Executive Branch approval, but also the advice and consent of a two-thirds majority in the Senate. Despite this high threshold, the Administration had pushed for positive Senate action on a number of human rights and other treaties that afforded humanitarian protection. As noted, on 7 March 2011, the Administration announced that the Executive Branch intended to seek, as soon as practicable, Senate advice and consent to ratify Additional Protocol II to the 1949 Geneva Conventions. This responded to the points raised by Germany, the Russian Federation, Cyprus, Austria and Hungary.

729. As stated in the addendum, the United States did not support recommendations that urged particular action in pending judicial cases, which were outside executive branch control, nor did it support other inappropriate or politically motivated recommendations.

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

730. Cuba was concerned that a large number of recommendations had been rejected by the United States. The substance of these recommendations was also a source of concern. Cuba was disappointed that only one of its 13 recommendations had been accepted. The United States had rejected the call to end the blockade against Cuba, which constituted a human rights violation against a people. The United States had also rejected the liberation of five Cuban political prisoners and the extradition of terrorists under its jurisdiction. Cuba called on the United States to review its position.

731. The Islamic Republic of Iran regretted that a large number of recommendations, including those on the ratification of human rights instruments, had been rejected, and that some recommendations had been categorized as "partially accepted". It expressed its disappointment at the rejection of the recommendation to refrain from the application of unilateral measures against other countries, and stated that the United States should, inter alia, close its secret prisons, the Guantanamo Bay prison and stop human rights violations by its military forces abroad.

732. Venezuela (Bolivarian Republic of) was disappointed by the unwillingness shown by the United States to amend the human rights violations reported during the universal periodic review. It detailed the rejected recommendations that it had put forward. Of 228

recommendations received, only 40 per cent had been accepted, while the United States had presented a yearly report assessing the human rights situation in the world without any mandate to do so. It called on the Government of the United States to accept the recommendations made by progressive Governments and offered Venezuelan assistance to do so.

733. Algeria appreciated the review and clarifications of the recommendations received provided by the Government of the United States. It detailed the five recommendations it had made and was pleased that three of them had been accepted. It regretted that recommendation 92.84 had been rejected, and since no position on recommendation 92.129 had been provided, it invited the delegation to clarify its position in this regard.

734. China regretted the fact that the United States had rejected a number of recommendations, including those relating to the ratification of core human rights treaties. It noted that no thorough investigations of the killing of civilians in Iraq and Afghanistan had been conducted; Guantanamo Bay prison had not been closed; no measures had been taken to curb the extensive use of force by law enforcement agencies; and discrimination against minorities persisted. The United States should take effective measures to promote and protect human rights, and hold constructive dialogue and cooperate with other countries to jointly advance human rights.

735. The Russian Federation noted with appreciation the acceptance of a large number of recommendations. It enquired about consideration of the ratification of a number of human rights treaties. The Russian Federation regretted the fact that some recommendations relating to the ratification of the International Covenant on Economic, Social and Cultural Rights, the introduction of a moratorium on the death penalty and the establishment of an independent national human rights institution had been rejected. It urged the United States to review its decision and to reintroduce the moratorium on the functioning of special tribunals with jurisdiction over the cases of individuals suspected of terrorism and detained in the Guantanamo Bay detention centre.

736. Egypt welcomed the acceptance by the United States of the recommendations to continue to create an enabling environment for religious and cultural tolerance and to adopt effective measures to combat racial discrimination and ban racial profiling by police and migration officers. It noted that the United States had partially accepted the recommendation made by Egypt to, inter alia, address discrimination in law and practice against Americans of African, Arab and Muslim origin in the administration of justice. Egypt called for the commitment of the United States to investigate and prosecute allegations of human rights violations by its military forces in accordance with international law and that the results of such an investigation be made public.

737. Bolivia (Plurinational State of) regretted the fact that its recommendation on non-discrimination had only been partially accepted. It was concerned that the United States considered that the recommendation to reduce greenhouse emissions to mitigate threats against human rights resulting from climate change contained an invalid supposition. It referred to the substance of other rejected recommendations, and expressed its belief that the position was inconsistent with the international discourse of the United States on human rights. It acknowledged the recognition by the United States of the United Nations Declaration on the Rights of Indigenous Peoples.

738. Morocco thanked the delegation of the United States for providing further information on the recommendations received and the efforts to comply with the promotion and protection of human rights. Morocco appreciated the fact that the United States had accepted its recommendations and commended the constructive approach during its participation in the universal periodic review. It highlighted the importance of the

democratic American tradition that had given positive examples in the area of human rights protection at the national and international levels.

739. Botswana welcomed the acceptance of a large number of recommendations. It was encouraged by the decision of the United States to accept recommendations on the possibility of becoming a party to a number of human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. Botswana also welcomed the decision to engage in the Human Rights Council and expected the leadership of the United States in addressing key human rights issues, including the fight against racism and the right to development.

3. General comments made by other relevant stakeholders

740. Human Rights Watch stated that the invitation to the special procedures mandate holders to visit Guantanamo Bay should include full access to all detainees in private and in all locations within the facilities. It regretted the fact that the United States had rejected the recommendations relating to the abolition of the death penalty and on parole for youths under the age of 18 who commit murder. Human Rights Watch welcomed the fact that the United States had accepted a number of recommendations to improve detention conditions and treatment of migrants and combat racial profiling, and its engagement with civil society throughout the universal periodic review.

741. The Indian Council of South America referred to its shadow report of the universal periodic review of the United States, which noted violations of the American Constitution and international obligations with regard to the right to self-determination of Alaska and Hawaii and recalled, in this regard, recommendations 92.199 and 92.215. It regretted the decision by the United States to accept recommendation 92.96, on the prevention of racial bias in the criminal justice system, while rejecting recommendations 92.154 and 92.178, on the unjust incarceration of political prisoners and the right to vote of persons deprived of their liberty.

742. The World Association for the School as an Instrument of Peace acknowledged the unprecedented level of civil society engagement throughout the universal periodic review of the United States. It referred to several human rights issues and challenges that the country faced, including unemployment, the lack of adequate housing, affordable health care and education, the high percentage of Afro-American, Latino and Native Americans in the prison population, and the inhumane conditions that some prisoners endured in special prisons.

743. Mouvement contre le racisme et pour l'amitié entre les peuples joined others who recommended that the United States ratify the international and regional human rights instruments to which it was not yet a party. It was concerned by the fact that poverty was more prevalent among Afro-American, Latin American and Amerindian populations. These same groups made up the majority of the penitentiary population and those sentenced to the death penalty. It invited the United States to declare a moratorium on capital punishment. It regretted the rejection of the recommendation calling for an end of the blockade against Cuba.

744. The Iranian Elite Research Center stated that the Government of the United States aimed to punish the Islamic Republic of Iran by different means affecting the interests of the Iranian people and economy. It stated that civilians, not Governments, always paid the price of war and sanctions. It condemned all enemies of human development and all Governments that violated the rights of peoples in the name of the war against terrorism.

745. The Charitable Institute for Protecting Social Victims noted the inequalities in minorities' access to housing, employment, education, health care and the criminal justice system. It also noted the high percentage of African American inmates in prisons and the

high rate of rape and sexual abuse among native American women. It added that the United States had not accepted the right to development as a human right and had not ratified a number of core human rights treaties.

746. The Organization for Defending Victims of Violence reiterated its concern at the way the United States acted in Guantanamo and with regard to torture allegations. Regrettably, the United States had resumed military commissions for detainees at Guantanamo, ending a two-year ban. The functions of military tribunals were contrary to international norms and standards. It also expressed concern at the American self-interpretation regarding the meaning and scope of torture. Moreover, the United States had rejected recommendations regarding compensation for victims of torture. It requested the United States to comply with its obligations under the few international instruments it had ratified.

747. Verein Südwind Entwicklungspolitik (Südwind) stated that, despite the commitment expressed to ban the practice of torture and some actions undertaken in this regard, no senior State official has been charged. With regard to the Guantanamo detention facility, it expressed concern about the institutionalization of indefinite detention and the resumption of unfair military commissions. Südwind recommended that the United States should transform the Commission on Civil Rights into a national human rights institution in accordance with the Paris Principles. It regretted the Government's rejection of recommendations to end the sentencing of juveniles to life without parole.

748. The Network of Women's Non-Governmental Organizations in the Islamic Republic of Iran regretted that the Government of the United States had declined some 60 recommendations; with reference to recommendation 92.141, it condemned war crimes against unarmed civilians in Iraq and Afghanistan. It demanded that the instigators of these crimes be brought to justice. It demanded that the Government put an end to the occupation of Iraq and Afghanistan and the violation of human rights in these two countries.

749. Action Canada for Population and Development welcomed the acceptance of recommendation 92.86 as the first instance of affirmation of sex workers' rights, and expected that the United States would take concrete actions to ensure that no one faced discrimination in access to public services based on sexual orientation or their status as a person in prostitution. In this respect, it stressed that the Government should involve sex workers in policy decisions that affect them. Action Canada for Population and Development noted with appreciation the Government's engagement and openness with civil society throughout the review process.

4. Concluding remarks of the State under review

750. The delegation stated that the United States had studied each and every one of the 228 recommendations and tried to give honest and good-faith answers to each. Progress in areas of civil rights, criminal justice, indigenous issues, immigration and the environment was continuing. The universal periodic review process was an opportunity to shape an agenda for future work. Human rights were American core values and interests: without engaging in false rhetoric, the United States focused on the substance of a process of continuing self-examination and dialogue.

B. General debate on agenda item 6

751. At its 36th meeting, on 18 March 2011, the Human Rights Council held a general debate on agenda item 6, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: China, Cuba, Hungary (on behalf of the European Union, Albania, Armenia, Bosnia and

Herzegovina, Croatia, Georgia, Iceland, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Turkey), Malaysia, Mauritius, Poland, Republic of Moldova, Ukraine, United States of America;

(b) Representatives of the following observer States: Austria, Canada, Colombia, Czech Republic, Portugal;

(c) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Amnesty International, Arab Lawyers Union (also on behalf of the Maarif Foundation for Peace and Development), Colombian Commission of Jurists, Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples, European Disability Forum, Franciscans International, Geneva for Human Rights (also on behalf of the Asian Forum for Human Rights and Development, Baha'i International Community, Centro Regional de Derechos Humanos y Justicia de Genero, the Commonwealth Human Rights Initiative and the International Save the Children Alliance), Indian Council of South America, Indian Movement Tupaj Amaru, International Committee for the Indians of the Americas, International Indian Treaty Council, International Institute for Non-aligned Studies, International Service for Human Rights, United Nations Watch, Verein Südwind Entwicklungspolitik, World Union For Progressive Judaism.

C. Consideration of and action on draft proposals

Liberia

752. At its 31st meeting, on 16 March 2011, the Human Rights Council adopted draft decision 16/101 without a vote (for the text as adopted, see part one, chapter II).

Malawi

753. At its 31st meeting, on 16 March 2011, the Human Rights Council adopted draft decision 16/102 without a vote (for the text as adopted, see part one, chapter II).

Mongolia

754. At its 31st meeting, on 16 March 2011, the Human Rights Council adopted draft decision 16/103 without a vote (for the text as adopted, see part one, chapter II).

Panama

755. At its 32nd meeting, on 16 March 2011, the Human Rights Council adopted draft decision 16/104 without a vote (for the text as adopted, see part one, chapter II).

Maldives

756. At its 32nd meeting, on 16 March 2011, the Human Rights Council adopted draft decision 16/105 without a vote (for the text as adopted, see part one, chapter II).

Andorra

757. At its 32nd meeting, on 16 March 2011, the Human Rights Council adopted draft decision 16/106 without a vote (for the text as adopted, see part one, chapter II).

Bulgaria

758. At its 33rd meeting, on 17 March 2011, the Human Rights Council adopted draft decision 16/107 without a vote (for the text as adopted, see part one, chapter II).

Honduras

759. At its 33rd meeting, on 17 March 2011, the Human Rights Council adopted draft decision 16/108 without a vote (for the text as adopted, see part one, chapter II).

Lebanon

760. At its 33rd meeting, on 17 March 2011, the Human Rights Council adopted draft decision 16/109 without a vote (for the text as adopted, see part one, chapter II).

Marshall Islands

761. At its 34th meeting, on 17 March 2011, the Human Rights Council adopted draft decision 16/110 without a vote (for the text as adopted, see part one, chapter II).

Croatia

762. At its 34th meeting, on 17 March 2011, the Human Rights Council adopted draft decision 16/111 without a vote (for the text as adopted, see part one, chapter II).

Jamaica

763. At its 34th meeting, on 17 March 2011, the Human Rights Council adopted draft decision 16/112 without a vote (for the text as adopted, see part one, chapter II).

Micronesia

764. At its 35th meeting, on 18 March 2011, the Human Rights Council adopted draft decision 16/113 without a vote (for the text as adopted, see part one, chapter II).

Mauritania

765. At its 35th meeting, on 18 March 2011, the Human Rights Council adopted draft decision 16/114 without a vote (for the text as adopted, see part one, chapter II).

United States of America

766. At its 36th meeting, on 18 March 2011, the Human Rights Council adopted draft decision 16/115 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 the Committee of independent experts in international humanitarian and human rights law established pursuant to Council resolution 13/9

767. At the 37th meeting, on 21 March 2011, the Chairperson of the Committee of independent experts in international humanitarian and human rights laws to monitor and assess any domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian side in the context of the follow-up to the report of the international Fact-Finding Mission on the Gaza Conflict, Mary McGowan Davis, presented the report of the Committee (A/HRC/16/24).

768. At the same meeting, the representative of Israel made a statement as a concerned country, and the representative of Palestine made a statement as a concerned party.

769. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Chairperson questions:

(a) Representatives of States Members of the Human Rights Council: Bahrain, Bangladesh, Brazil, Cuba, Egypt⁵⁰ (on behalf of the Non-Aligned Movement), Iraq⁵⁰ (on behalf of the Group of Arab States), Jordan, Malaysia, Maldives, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Saudi Arabia, United States of America;

(b) Representatives of the following observer States: Algeria, Indonesia, Morocco, Nicaragua, South Africa, Turkey;

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

(d) Observers for the following non-governmental organizations: Al Haq – Law in the Service of Man, Amnesty International, BADIL Resource Centre for Palestinian Residency and Refugee Rights, International Federation for Human Rights Leagues, United Nations Watch.

770. At the same meeting, the Chairperson answered questions and made her concluding remarks.

B. Interactive dialogue with special procedures mandate holders

771. At the 38th meeting, on 21 March 2011, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk, presented his report (A/HRC/16/72).

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

773. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Special Rapporteur questions:

⁵⁰ Observer of the Human Rights Council speaking on behalf of Member and observer States.

(a) Representatives of States Members of the Human Rights Council: Bangladesh, Brazil, Cuba, Djibouti, Egypt⁵⁰ (on behalf of the Non-Aligned Movement), Iraq⁵⁰ (on behalf of the Group of Arab States), Jordan, Malaysia, Maldives, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Russian Federation, Saudi Arabia, United States of America;

(b) Representatives of the following observer States: Algeria, Iceland, Indonesia, Kuwait, Lebanon, Sudan, Syrian Arab Republic, Tunisia, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of);

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

(d) Observers for the following non-governmental organizations: BADIL Resource Centre for Palestinian Residency and Refugee Rights, Commission of the Churches on International Affairs of the World Council of Churches, North-South XXI, United Nations Watch.

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

C. Follow-up to Human Rights Council resolutions S-9/1, S-12/1, 13/5, 15/1 and 15/6

775. At the 39th meeting, on 21 March 2011, the High Commissioner introduced her report on the follow-up to the ninth and twelfth special sessions (A/HRC/16/71) and other reports under agenda items 2 and 7.

D. General debate on agenda item 7

776. At its 39th meeting, on 21 March 2011, the Human Rights Council held a general debate on agenda item 7, during which the following made statements:

(a) The representatives of Israel, the Syrian Arab Republic and Turkey, as concerned countries, and the representative of Palestine, as a concerned party;

(b) Representatives of States Members of the Council: Bahrain, Bangladesh, China, Cuba, Egypt⁵⁰ (on behalf of the Non-Aligned Movement), Hungary (on behalf of the European Union), Iraq⁵⁰ (on behalf of the Group of Arab States), Japan, Jordan, Malaysia, Maldives, Nigeria (on behalf of the Group of African States), Norway, Pakistan (also on behalf of the Organization of the Islamic Conference), Qatar, Russian Federation, Saudi Arabia, South Africa (on behalf of Brazil, India and South Africa), Switzerland, Thailand, United States of America;

(c) Representatives of the following observer States: Afghanistan, Algeria, Egypt, Indonesia, Iran (Islamic Republic of), Morocco, Lebanon, Oman, Sri Lanka, United Arab Emirates;

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

(e) Observers for the following non-governmental organizations: BADIL Resource Centre for Palestinian Residency and Refugee Rights, Cairo Institute for Human Rights Studies, Commission of the Churches on International Affairs of the World Council of Churches, Coordinating Board of Jewish Organizations (also on behalf of B'nai B'rith), European Union of Jewish Students, Foundation for Human Rights and Freedoms and Humanitarian Relief, Gherush92 – Committee for Human Rights (also on behalf of Cooperativa Tecnico-Scientifica di Base), Indian Movement Tupaj Amaru, International

Federation for Human Rights Leagues, Maarij Foundation for Peace and Development, Mouvement contre le racisme et pour l'amitié entre les peuples, North-South XXI, Organization for Defending Victims of Violence, United Nations Watch, United Towns Agency for North-South Cooperation (also on behalf of the Arab Lawyers Union), World Union for Progressive Judaism.

E. Consideration of and action on draft proposals

Human rights in the occupied Syrian Golan

777. At the 46th meeting, on 24 March 2011, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) introduced draft resolution A/HRC/14/L.2, sponsored by Pakistan (on behalf of the Organization of the Islamic Conference) and co-sponsored by Cuba, the Democratic People's Republic of Korea, Iraq (on behalf of the Group of Arab States) and Nigeria (on behalf of the Group of African States). Subsequently, Belarus, Nicaragua and Venezuela (Bolivarian Republic of) joined the sponsors.

778. At the same meeting, the representative of the Syrian Arab Republic made a statement as the concerned country.

779. At the same meeting, the representative of Hungary, on behalf of the States members of the European Union that are members of the Human Rights Council, made a statement in explanation of vote before the vote.

780. Also at the same meeting, at the request of the representative of Hungary, on behalf of the States members of the European Union that are members of the Human Rights Council, a recorded vote was taken on draft resolution A/HRC/16/L.2. The draft resolution was adopted by 29 votes in favour, 1 against, with 16 abstentions.

781. For the text as adopted and voting results, see part one, chapter I, resolution 16/17.

Human rights situation in the Occupied Palestinian Territory, including East Jerusalem

782. At the 48th meeting, on 25 March 2011, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) introduced draft resolution A/HRC/14/L.28, sponsored by Pakistan (on behalf of the Organization of the Islamic Conference) and co-sponsored by Algeria, Bolivia (Plurinational State of), Cuba, Iraq (on behalf of the Arab Group), Nicaragua, Palestine, Sri Lanka and Venezuela (Bolivarian Republic of). Subsequently, Belarus and Nigeria (on behalf of the Group of African States) joined the sponsors.

783. At the same meeting, the representative of Pakistan orally revised the draft resolution.

784. Also at the same meeting, the representative of Argentina made general comments in relation to the draft resolution.

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

786. Also at the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

787. At the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/HRC/16/L.28. The draft resolution was adopted by 30 votes in favour, 1 against, with 15 abstentions.

788. For the text as adopted and voting results, see part one, chapter I, resolution 16/29.

Right of the Palestinian people to self-determination

789. At the 48th meeting, on 25 March 2011, the representative of Pakistan, on behalf of the Organization of the Islamic Conference, introduced draft resolution A/HRC/14/L.29, sponsored by Pakistan (on behalf of the Organization of the Islamic Conference) and co-sponsored by Algeria, Austria, Bolivia (Plurinational State of), Cuba, Iraq (on behalf of the Arab Group), Luxembourg, Nicaragua, Palestine, Portugal, Slovenia, Sri Lanka, Switzerland and Venezuela (Bolivarian Republic of). Subsequently, Belarus, Belgium, Bulgaria, Cyprus, France, Finland, Greece, Iceland, Ireland, Malta, Nigeria (on behalf of the Group of African States), Norway, Serbia, Spain and Sweden joined the sponsors.

790. At the same meeting, the representative of Brazil (on behalf of the Common Market of the South, Bolivia (Plurinational State of), Chile, Colombia, Ecuador, Nicaragua, Peru and Venezuela (Bolivarian Republic of)) made general comments in relation to the draft resolution.

791. Also at the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

792. At the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/HRC/16/L.29. The draft resolution was adopted by 45 votes in favour, 1 against, with no abstentions.

793. For the text as adopted and voting results, see part one, chapter I, resolution 16/30.

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan

794. At the 48th meeting, on 25 March 2011, the representative of Pakistan, on behalf of the Organization of the Islamic Conference, introduced draft resolution A/HRC/14/L.30, sponsored by Pakistan (on behalf of the Organization of the Islamic Conference) and co-sponsored by Algeria, Austria, Bolivia (Plurinational State of), Cuba, Iraq (on behalf of the Arab Group), Luxembourg, Nicaragua, Palestine, Portugal, Sri Lanka, Switzerland and Venezuela (Bolivarian Republic of). Subsequently, Belgium, Belarus, Cyprus, Greece, Finland, Iceland, Ireland, Malta, Nigeria (on behalf of the Group of African States), Norway, Spain and Sweden joined the sponsors.

795. At the same meeting, the representative of Pakistan orally revised the draft resolution.

796. Also at the same meeting, the representative of the Syrian Arab Republic made a statement as a concerned country, and the representative of Palestine made a statement as a concerned party.

797. At the same meeting, the representatives of Hungary, on behalf of the States members of the European Union that are members of the Human Rights Council, and the United States of America made statements in explanation of vote before the vote.

798. Also at the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/HRC/16/L.30. The draft resolution was adopted by 45 votes in favour, 1 against, with no abstentions.

799. For the text as adopted and voting results, see part one, chapter I, resolution 16/31.

Follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict

800. At the 48th meeting, on 25 March 2011, the representative of Pakistan, on behalf of the Organization of the Islamic Conference, introduced draft resolution A/HRC/14/L.31, sponsored by Pakistan (on behalf of the Organization of the Islamic Conference) and co-sponsored by Algeria, Bolivia (Plurinational State of), Cuba, Iraq (on behalf of the Arab Group), Nicaragua, Palestine and Venezuela (Bolivarian Republic of). Subsequently, Belarus and Nigeria (on behalf of the Group of African States) joined the sponsors.

801. At the same meeting, the representative of Pakistan orally revised the draft resolution.

802. Also at the same meeting, the representative of Israel made a statement as a concerned country, and the representative of Palestine made a statement as a concerned party.

803. At the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

804. Also at the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/HRC/16/L.31. The draft resolution was adopted by 27 votes in favour, 3 against, with 16 abstentions.

805. For the text as adopted and voting results, see part one, chapter I, resolution 16/32.

806. At the 48th meeting, the representatives of China and the Russian Federation made statements in explanation of vote after the vote.

VIII. Follow-up to and implementation of the Vienna Declaration and Programme of Action

A. General debate on agenda item 8

807. At its 40th meeting, on 22 March 2011, the Human Rights Council held a general debate on agenda item 8, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Argentina, Bangladesh, China, Colombia⁵¹ (on behalf of Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Canada, the Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, Dominica, the Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Nauru, Nepal, the Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Poland, Portugal, Romania, Rwanda, Samoa, San Marino, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tuvalu, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay, Vanuatu and Venezuela (Bolivarian Republic of)), Costa Rica⁵¹ (on behalf of the Group of Latin American and Caribbean States), Hungary (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Mexico, Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of Islamic States), Paraguay (on behalf of the Common Market of the South), Poland, Republic of Moldova, Russian Federation, United States of America;

(b) Representatives of the following observer States: Algeria, Azerbaijan, Indonesia, Iran (Islamic Republic of), Morocco, South Africa;

(c) Observer for the Holy See;

(d) Observers for the following national human rights institutions: Asia Pacific Forum of National Human Rights Institutions, Canadian Human Rights Commission (also on behalf of the Australian Human Rights Commission), Comité senegalais des droits de l'homme, the Commission on Human Rights of the Philippines, the Danish Institute for Human Rights, Defensoria del Pueblo of Ecuador, the Equality and Human Rights Commission of Great Britain, the German Institute for Human Rights, the National Commission on Human Rights of Greece, the National Consultative Commission on Human Rights of France, the National Human Rights Commission of Korea, the National Human Rights Commission of Thailand, the New Zealand Human Rights Commission, Procuraduría de los Derechos Humanos de Guatemala, Procuraduría para la Defensa de los Derechos Humanos de Nicaragua, the Scottish Human Rights Commission and the South African Human Rights Commission), European Group of National Human Rights Institutions, Network of African National Human Rights Institutions, Network of National Human Rights Institutions of the Americas region;

⁵¹ Observer of the Human Rights Council speaking on behalf of Member and observer States.

(e) Observers for the following non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, African Association of Education for Development, Asian Forum for Human Rights and Development, Canadian HIV/AIDS Legal Network (also on behalf of Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit and the International Service for Human Rights), Centrist Democratic International, France Libertés: Fondation Danielle Mitterrand, Indian Council of Education, Indian Council of South America, International Club for Peace Research, International Humanist and Ethical Union, International Service for Human Rights, International Women's Rights Action Watch Asia Pacific (also on behalf of the Shirkat Gah Women's Resource Centre), Liberation, Marangopoulos Foundation for Human Rights (also on behalf of the International Alliance of Women), Organisation pour la communication en Afrique et de promotion de la coopération économique internationale, United Nations Watch, Verein Südwind Entwicklungspolitik, World Federation of Democratic Youth, World Union for Progressive Judaism.

B. Consideration of and action on draft proposals

The imperative need to respect the established procedures and practices of the General Assembly in the elaboration of new norms and standards and their subsequent integration into existing international human rights law

808. At the 48th meeting, on 25 March 2011, the President of the Council stated that, at the request of the representative of South Africa, draft resolution A/HRC/16/L.27, sponsored by South Africa, had been deferred for consideration by the Human Rights Council at a later stage.

IX. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

A. Reports presented under agenda item 9 and general debate on that item

809. At the 41st meeting, on 22 March 2011, 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 eighth session, held from 11 to 22 October 2010 (A/HRC/16/64).

810. At the same meeting and at the 42nd meeting, on the same day, the Human Rights Council held a general debate on agenda item 9, during which the following made statements:

(a) Representatives of States Members of the Council: Bangladesh, China, Cuba, Egypt⁵¹ (on behalf of the Non-Aligned Movement), Ghana, Hungary (on behalf of the European Union), Nigeria (on behalf of the Group of African States), Pakistan (on behalf of the Organization of the Islamic Conference), Qatar, Russian Federation, Senegal, Spain, United States of America;

(b) Representatives of the following observer States: Algeria, Costa Rica, Egypt, Germany, Indonesia, Iran (Islamic Republic of), Kuwait, Morocco, South Africa, Venezuela (Bolivarian Republic of), Zimbabwe;

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

(d) Observers for the following non-governmental organizations: African Association of Education for Development, African Commission of Health and Human Rights Promoters, Cairo Institute for Human Rights Studies (also on behalf of Article 19 – International Centre against Censorship), Center for Environmental and Management Studies, Centre for Human rights and Peace Advocacy, Cercle de recherche sur les droits et les devoirs de la personne humaine, Commission to Study the Organization of Peace, European Union of Public Relations, Femmes Africa Solidarité, Fraternité Notre Dame, Gherush92 – Committee for Human Rights (also on behalf of Cooperativa Tecnico Scientifica di Base), Indian Council of South America, International Association against Torture (also on behalf of the December Twelfth Movement International Secretariat), International Association for Democracy in Africa, International Club for Peace Research, International Committee for the Indians of the Americas, International Educational Development, International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Peace, International Movement against All Forms of Discrimination and Racism, International Muslim Women's Union, International Youth and Student Movement for the United Nations, Liberation, Ligue internationale contre le racisme et l'antisémitisme, Mouvement contre le racisme et pour l'amitié entre les peuples, North-South XXI, Organization for Defending Victims of Violence, Rencontre africaine pour la défense des droits de l'homme, United Nations Watch, Verein Südwind Entwicklungspolitik, World Muslim Congress, World Union of Progressive Judaism.

811. At the 42nd meeting, on 22 March 2011, a statement in exercise of the right of reply was made by the representative of the United States of America.

B. Consideration of and action on draft proposals

Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief

812. At the 46th meeting, on 24 March 2011, the representative of Pakistan, on behalf of the Organization of the Islamic Conference, introduced draft resolution A/HRC/16/L.38, sponsored by Pakistan. on behalf of the Organization of the Islamic Conference. Subsequently, Nicaragua, Thailand, Uruguay and Venezuela (Bolivarian Republic of) joined the sponsor.

813. 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.

814. At the same meeting, the representatives of Hungary, on behalf of the States members of the European Union that are members of the Human Rights Council, Norway, Saudi Arabia and the United States of America made general comments in relation to the draft resolution.

815. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 16/18).

816. At the 48th meeting, on 25 March 2011, the representatives of Algeria, Egypt, Indonesia and South Africa made comments in relation to the resolution.

Mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

817. At the 48th meeting, on 25 March 2011, the representative of Nigeria, on behalf of the Group of African States, introduced draft resolution A/HRC/16/L.34, sponsored by Nigeria, on behalf of the Group of African States. Subsequently, Bangladesh, Belarus, Brazil, Cuba, Indonesia, Mexico, Nicaragua, the Russian Federation, Pakistan, Uruguay and Venezuela (Bolivarian Republic of) joined the sponsors.

818. At the same meeting, the representative of Nigeria orally revised the draft resolution.

819. Also at the same meeting, the representatives of Maldives and the United States of America made statements in explanation of vote before the vote.

820. 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.

821. 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 16/33).

X. Technical assistance and capacity-building

A. Interactive dialogue with special procedures mandate holders

Independent expert on the situation of human rights in Burundi

822. At the 42nd meeting, on 22 March 2011, the President informed the Human Rights Council that the Bureau had considered the request of the Group of African States to postpone the interactive dialogue with the independent expert on the situation of human rights in Burundi until the seventeenth session. The representative of Nigeria, on behalf of the Group of African States, made a statement in that regard.

Joint report of special procedures mandate holders on the situation of human rights in the Democratic Republic of the Congo

823. At the 43rd meeting, on 23 March 2011, the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, presented the third joint report of seven United Nations experts on the situation in the Democratic Republic of the Congo (A/HRC/16/68).

824. At the same meeting, the representative of the Democratic Republic of the Congo made a statement as the concerned country.

825. 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: Belgium, Brazil, France, Japan, Norway, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Canada, Luxembourg, Zimbabwe;

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

(d) Observers for the following non-governmental organizations: Amnesty International, Association of World Citizens, International Federation for Human Rights Leagues, World Organization against Torture (also on behalf of the International Federation of Action by Christians for the Abolition of Torture).

826. At the same meeting, the Special Rapporteur answered questions and made her concluding remarks.

B. General debate on agenda item 10

827. At the 43rd meeting, on 23 March 2011, the Deputy High Commissioner introduced country-specific reports submitted under agenda items 2 and 10.

828. 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, William Schabas, presented the report of the Secretary-General on advisory services and technical cooperation in the field of human rights (A/HRC/16/66).

829. At the same meeting, the Chief of the Universal Periodic Review Section at OHCHR briefed the Human Rights Council on the progress achieved in operationalizing the Voluntary Fund for the participation in the universal periodic review mechanism.

830. At the same meeting, the Director of the Field Operations and Technical Cooperation Division at OHCHR briefed the Human Rights Council on the progress achieved in operationalizing the Voluntary Fund for Financial and Technical Assistance.

831. At the same meeting, and at the 44th meeting, on the same day, representatives of Afghanistan, Bolivia (Plurinational State of), Colombia, Cyprus, the Democratic Republic of the Congo, Guatemala, Guinea, Iran (Islamic Republic of), Kyrgyzstan and Nepal made statements as concerned countries.

832. During the ensuing general debate, at the 44th meeting, on the same day, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Australia⁵¹ (on behalf of Albania, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, Panama, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, Thailand, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America and Zambia), Brazil, China, Cuba, Hungary (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, and Turkey), Maldives, Nigeria (on behalf of the Group of African States), Norway, Pakistan, Russian Federation, Spain, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America;

(b) Representatives of the following observer States: Algeria, Germany, Greece, Italy, Kuwait, Sweden, Turkey;

(c) Observers for the following non-governmental organizations: Bischöfliches Hilfswerk Misereor e.V., Centre indépendant de recherches et d'initiatives pour le dialogue, Colombian Commission of Jurists, Friends World Committee for Consultation, Human Rights Watch, Indian Council of South America, Lawyers' Rights Watch Canada (also on behalf of the International Commission of Jurists), Liberation, Rencontre africaine pour la défense des droits de l'homme, Shirkat Gah Women's Resource Centre, United Nations Watch, Verein Südwind Entwicklungspolitik.

833. At the same meeting, statements in exercise of the right of reply were made by the representatives of Colombia, Cyprus, Greece and Turkey.

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

C. Consideration of and action on draft proposals

Cooperation between Tunisia and the Office of the United Nations High Commissioner for Human Rights

835. At the 46th meeting, on 24 March 2011, the representative of Hungary, on behalf of the European Union, introduced draft resolution A/HRC/16/L.32/Rev.1, sponsored by Hungary, on behalf of the European Union, and co-sponsored by Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Australia, Chile, Colombia, Costa Rica, Croatia, Ecuador, Honduras, Iceland, Iraq (on

behalf of the Arab Group), Japan, Jordan, Maldives, Monaco, Montenegro, New Zealand, Nigeria (on behalf of the Group of African States), Norway, Panama, Peru, the Republic of Moldova, Uruguay and Switzerland joined the sponsors.

836. At the same meeting, the representative of Hungary orally revised the draft resolution.

837. Also at the same meeting, the representatives of Nigeria and the United States of America made general comments in relation to the draft resolution.

838. At the same meeting, the representative of Tunisia made a statement as the concerned country.

839. 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 16/19).

Advisory services and technical assistance for Burundi

840. At the 48th meeting, on 25 March 2011, the representative of Nigeria, on behalf of the Group of African States, introduced draft resolution A/HRC/16/L.35, sponsored by Nigeria on behalf of the Group of African States.

841. At the same meeting, the representative of Nigeria orally revised the draft resolution.

842. Also at the same meeting, the representative of the United States of America made general comments in relation to the draft resolution.

843. At the same meeting, the representative of Burundi made a statement as the concerned country.

844. 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 16/34).

Human rights situation in the Democratic Republic of the Congo and the strengthening of technical cooperation and advisory services

845. At the 48th meeting, on 25 March 2011, the representative of Nigeria, on behalf of the Group of African States, introduced draft resolution A/HRC/16/L.36, sponsored by Nigeria on behalf of the Group of African States. Subsequently, Iceland joined the sponsors.

846. At the same meeting, the representative of Nigeria orally revised the draft resolution.

847. Also at the same meeting, the representative of the Democratic Republic of the Congo made a statement as the concerned country.

848. At the same meeting, the representatives of Hungary, on behalf of States members of the European Union that are members of the Human Rights Council, and the United States of America made statements in explanation of vote before the vote.

849. 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 16/35).

850. At the same meeting, the representative of Switzerland (also on behalf of Norway) made a statement in explanation of vote after the vote.

Strengthening of technical cooperation and consultative services in Guinea

851. At the 48th meeting, on 25 March 2011, the representative of Nigeria, on behalf of the Group of African States, introduced draft resolution A/HRC/16/L.37, sponsored by Nigeria on behalf of the Group of African States. Subsequently, Australia, Austria,

Bulgaria, Canada, the Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Greece, Hungary, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined the sponsors.

852. At the same meeting, the representative of Nigeria orally revised the draft resolution.

853. Also at the same meeting, the representative of Guinea made a statement as the concerned country.

854. 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 16/36).

Annex I

Attendance

States Members of the Human Rights Council

Angola	Guatemala	Republic of Moldova
Argentina	Hungary	Russian Federation
Bahrain	Japan	Saudi Arabia
Bangladesh	Jordan	Senegal
Belgium	Kyrgyzstan	Slovakia
Brazil	Malaysia	Spain
Burkina Faso	Maldives	Switzerland
Cameroon	Mauritania	Thailand
Chile	Mauritius	Uganda
China	Mexico	Ukraine
Cuba	Nigeria	United Kingdom of Great Britain and Northern Ireland
Djibouti	Norway	United States of America
Ecuador	Pakistan	Uruguay
France	Poland	Zambia
Gabon	Qatar	
Ghana	Republic of Korea	

States Members of the United Nations represented by observers

Afghanistan	Congo	India
Albania	Costa Rica	Indonesia
Algeria	Côte d'Ivoire	Iran (Islamic Republic of)
Andorra	Croatia	Iraq
Armenia	Cyprus	Ireland
Australia	Czech Republic	Israel
Austria	Democratic People's Republic of Korea	Italy
Azerbaijan	Democratic Republic of the Congo	Jamaica
Barbados	Denmark	Kazakhstan
Belarus	Egypt	Kenya
Benin	El Salvador	Kuwait
Bolivia (Plurinational State of)	Equatorial Guinea	Lao People's Democratic Republic
Bosnia and Herzegovina	Estonia	Latvia
Botswana	Ethiopia	Lebanon
Brunei Darussalam	Finland	Liberia
Bulgaria	Georgia	Liechtenstein
Burundi	Germany	Lithuania
Cambodia	Greece	Luxembourg
Canada	Guinea	Madagascar
Cape Verde	Haiti	Malawi
Chad	Honduras	Malta
Colombia	Iceland	Marshall Islands
		Micronesia (Federated States of)

Monaco	Philippines	The former Yugoslav Republic of Macedonia
Mongolia	Portugal	Timor-Leste
Montenegro	Romania	Togo
Morocco	Rwanda	Tunisia
Myanmar	Serbia	Turkey
Namibia	Singapore	United Arab Emirates
Nepal	Slovenia	United Republic of Tanzania
Netherlands	Somalia	Uzbekistan
New Zealand	South Africa	Venezuela (Bolivarian Republic of)
Nicaragua	Sri Lanka	Viet Nam
Oman	Sudan	Yemen
Panama	Sweden	Zimbabwe
Paraguay	Syrian Arab Republic	
Peru	Tajikistan	

Non-Member States represented by observers

Holy See

Other observers

Palestine

United Nations

Joint United Nations Programme on
HIV/AIDS

United Nations Children's Fund

United Nations Conference on Trade and
Development

United Nations Educational, Scientific and
Cultural Organization

United Nations High Commissioner for
Refugees

United Nations Relief and Works Agency
for Palestine in the Near East

United Nations World Food Programme

Specialized agencies and related organizations

International Labour Office

International Organization for Migration

World Trade Organization

Intergovernmental organizations

African, Caribbean and Pacific Group
of States

African Union

Commonwealth Secretariat

European Union

International Organization of the
Francophonie

League of Arab States

Organization of the Islamic Conference

Other entities

Sovereign Military Order of Malta

National human rights institutions, international coordinating committees and regional groups of national institutions

Asia Pacific Forum of National Human Rights Institutions	Equality and Human Rights Commission of Great Britain
Canadian Human Rights Commission	German Institute for Human Rights
Commission for Human Rights and Good Governance – Tanzania	International Coordinating Committee
Commission nationale consultative de promotion et de protection des droits de l'homme d'Algérie	Kenya National Commission on Human Rights
Commission nationale des droits de l'homme – Togo	Malawi Human Rights Commission
Conseil consultative des droits de l'homme du Royaume du Maroc	National Commission on Human Rights – Indonesia (Komnas HAM)
Counsel for the Defence of Human Rights in Nicaragua	National Human Rights Commission on Mongolia
Danish Institute for Human Rights	National Human Rights Commission of Nigeria
Defensoria des Pueblo de la Republica Bolivariana de Venezuela	National Human Rights Commission of the Republic of Korea
Egyptian National Council for Human Rights	National Human Rights Committee of Qatar
	Office of the Ombudsman – Croatia
	Scottish Human Rights Commission
	Ukrainian Parliament Commissioner for Human Rights

Non-governmental organizations

Action Canada for Population and Development	Asian Indigenous and Tribal Peoples Network
Action internationale pour la paix et le développement dans la région des Grands Lacs	Asian Legal Resource Centre
Advocates for Human Rights	Association des Badinga du Congo
African Association of Education for Development	Association for Women's Rights in Development
African-American Society for Humanitarian Aid and Development	Association of World Citizens
African Commission of Health and Human Rights Promoters	Associazione Comunità Papa Giovanni XXIII
Agence internationale pour le développement (Aide-Fédération)	B'nai B'rith International
Agir ensemble pour les droits de l'homme	B.A.B.E. – Be active, be emancipated
Al-Hakim Foundation	Badil Resource Center for Palestinian Residency and Resource Rights
Al-Haq, Law in the Service of Man	Baha'i International Community
Al-Zubair Charity Foundation	Bangwe et Dialogue
American Civil Liberties Union	Bridges International
American Association of Jurists	Cairo Institute for Human Rights Studies
Amman Center for Human Rights Studies	Canadian HIV/AIDS Legal Network
Amnesty International	Caritas Internationalis (International Confederation of Catholic Charities)
Asia Pacific Forum on Women, Law and Development	Catholic Organisation for Relief and Development
Asian Forum for Human Rights and Development	Cause Première
	Centre for Inquiry
	Center for Justice and International Law
	Center for Women's Global Leadership

Centre for Environmental and Management Studies
 Centre for Human Rights and Peace Advocacy
 Centre indépendant de recherches et d'initiatives pour le dialogue
 Centrist Democratic International
 Centro de Derechos Humanos Miguel Agustín Pro Juárez
 Charitable Institute for Protecting Social Victims
 China NGO Network for International Exchanges
 China Society for Human Rights Studies
 Chinese People's Association for Friendship with Foreign Countries
 Christian Action Research and Education
 Christian Blind Mission
 Civicus – World Alliance for Citizen Participation
 Colombian Commission of Jurists
 Commission of the Churches on International Affairs of the World Council of Churches
 Commission to Study the Organization of Peace
 Conectas Direitos Humanos
 Congregation of our Lady of Charity of the Good Shepherd
 Conscience and Peace Tax International
 Consortium for Street Children
 Coordinating Board of Jewish Organizations
 December Twelfth Movement International Secretariat
 Defense for Children International
 Democracy Coalition Project
 Eastern Sudan Women Development Organization
 ECPAT International
 European Disability Forum
 European Law Students' Association
 European Region of the International Lesbian and Gay Association
 European Union of Jewish Students
 European Bureau for Lesser Used Languages
 European Union of Public Relations
 Federatie van Nederlandse Verenigingen tot Integratie van Homoseksualiteit COC Nederland
 Federation for Women and Family Planning
 Federation of Cuban Women
 Femmes Africa Solidarité
 Foodfirst Information and Action Network
 Foundation for Human Rights and Freedoms and Humanitarian Relief
 France Libertés: Fondation Danielle Mitterrand
 Franciscans International
 Friedrich Ebert Foundation
 Friends World Committee for Consultation (Quakers)
 Front Line
 Fundacion para la Libertad
 Geneva for Human Rights
 Geneva International Model United Nations
 Gherush92 – Committee for Human Rights
 Hawa Society for Women
 Himalayan Research and Cultural Foundation
 Human Rights Advocates, Inc.
 Human Rights Council of Australia
 Human Rights First
 Human Rights Watch
 Inclusion International
 Indian Council of Education
 Indian Council of South America
 Indian Movement Tupaj Amaru
 Indigenous Peoples' Center for Documentation, Research and Information
 International Association for Democracy in Africa
 International Association of Democratic Lawyers
 International Association of Peace Messenger Cities
 International Association for Religious Freedom
 International Association of Schools of Social Work
 International Association against Torture
 International Bar Association
 International Catholic Child Bureau
 International Club for Peace Research
 International Commission of Jurists
 International Committee for the Indians of the Americas (Incomindios Switzerland)
 International Committee for the Respect and Application of the African Charter on Human and People's Rights
 International Educational Development, Inc.
 International Federation of Acat (Action by Christians for the Abolition of Torture)
 International Federation of Business and Professional Women

International Federation for Family Development	Jammu and Kashmir Council for Human Rights
International Federation of Human Rights Leagues	Japanese Workers' Committee for Human Rights
International Federation of Social Workers	Jubilee Campaign
International Federation Terre des Hommes	Lawyers' Rights Watch Canada
International Federation of University Women	Liberation
International Fellowship of Reconciliation	Ligue internationale contre le racisme et l'antisémitisme
International Harm Reduction Association	Lutheran World Federation
International Human Rights Association of American Minorities	Maarij Foundation for Peace and Development
International Human Rights Internship Program	Mandat International
International Humanist and Ethical Union	Marangopoulos Foundation for Human Rights
International Indian Treaty Council	Medical Care Development International
International Institute for Non-Aligned Studies	Minbyun – Lawyers for a Democratic Society
International Institute for Peace	Minority Rights Group International
International Islamic Federation of Student Organizations	MISEREOR
International Movement against All Forms of Discrimination and Racism	Mouvement contre le racisme et pour l'amitié entre les peuples
International Movement ATD Fourth World	Myochikai (Arigatou Foundation)
International Movement for Fraternal Union among Races and Peoples	National Association of Community Legal Centres, Inc.
International Network for the Prevention of Elder Abuse	Network of Women's Non-Governmental Organizations in the Islamic Republic of Iran
International NGO Forum on Indonesian Development	New Humanity
International Organization for the Elimination of All Forms of Racial Discrimination	Nonviolent Radical Party, Transnational and Transparty
International Organization for the Right to Education and Freedom of Education	Nord-Sud XXI
International Peace Bureau	Norwegian Refugee Council
International Pen	Open Society Institute
International Save the Children Alliance	Organisation pour la communication en Afrique et de promotion de la coopération économique internationale
International Service for Human Rights	Organisation des hommes démunis et enfants orphelins pour le développement
International Volunteerism Organization for Women, Education and Development – VIDES	Organisation marocaine des droits humains
International Women Bond	Organization for Defending Victims of Violence
International Women's Rights Action Watch Asia Pacific	Palestinian Centre for Human Rights
International Work Group for Indigenous Affairs	Pax Romana
International Youth and Student Movement for the United Nations	Permanent Assembly for Human Rights
Iranian Elite Research Center	Plan international. Inc.
Istituto Internazionale Maria Ausiliatrice	Planetary Association for Clean Energy, Inc.
	Presse Embleme Campagne
	Rencontre africaine pour la défense des droits de l'homme
	Rehabilitation and Research Centre for Torture Victims
	Reporters without Borders – International

Servas International	Women's Human Rights International Association
Shimin Gaikou Centre	Women's International League for Peace and Freedom
Shirkat Gah, Women's Resource Centre	World Association for the School as an Instrument of Peace
Society for Threatened Peoples	World Blind Union
Soka Gakkai International	World Federation of Democratic Youth
SOS Kinderdorf International	World Federation of Trade Unions
Sudan Council of Voluntary Agencies	World Federation of United Nations Associations
Swiss Catholic Lenten Fund	World Muslim Congress
Syriac Universal Alliance	World Organization against Torture
Tchad – Agir pour l'environnement	World Student Christian Federation
Union de l'action féminine	World Union for Progressive Judaism
United Nations Watch	World Vision International
United Network of Young Peacebuilders	World Young Women's Christian Association
United Schools International	Worldwide Organization for Women
United Towns Agency for North-South Cooperation	
Universal Peace Federation	
Urban Justice Center	
Verein Südwind Entwicklungspolitik	

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

Documents issued for the sixteenth session

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/16/1	1	Annotations to the agenda for the sixteenth session of the Human Rights Council
A/HRC/16/1/Add.1	1	Addendum
A/HRC/16/2	1	Report of the Human Rights Council on its sixteenth session
A/HRC/16/3	6	Report of the Working Group on the Universal Periodic Review on Liberia
A/HRC/16/3/Add.1	6	Addendum
A/HRC/16/4	6	Report of the Working Group on the Universal Periodic Review on Malawi
A/HRC/16/5	6	Report of the Working Group on the Universal Periodic Review on Mongolia
A/HRC/16/6	6	Report of the Working Group on the Universal Periodic Review on Panama
A/HRC/16/6/Add.1	6	Addendum
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A/HRC/16/NGO/42	3	Idem	
A/HRC/16/NGO/43	4	Idem	
A/HRC/16/NGO/44	4	Idem	
A/HRC/16/NGO/45	6	Written statement submitted by the Advocates for Human Rights	

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/16/NGO/46	3	Joint written statement submitted by the Asian Legal Resource Centre, Lawyers Rights Watch Canada and the International Association of Democratic Lawyers
A/HRC/16/NGO/47	6	Written statement submitted by the Arab NGO Network for Development
A/HRC/16/NGO/48	8	Written statement submitted by the Japan Federation of Bar Associations
A/HRC/16/NGO/49	3	Written statement submitted by the Federation of Western Thrace Turks in Europe (ABTTF)
A/HRC/16/NGO/50	5	Written statement submitted by Association Points-Coeur
A/HRC/16/NGO/51	3	Written statement submitted by the Asian Legal Resource Centre (ALRC)
A/HRC/16/NGO/52	3	Idem
A/HRC/16/NGO/53	4	Idem
A/HRC/16/NGO/54	4	Idem
A/HRC/16/NGO/55	4	Idem
A/HRC/16/NGO/56	3	Idem
A/HRC/16/NGO/57	3	Idem
A/HRC/16/NGO/58	3	Idem
A/HRC/16/NGO/59	3	Idem
A/HRC/16/NGO/60	4	Idem
A/HRC/16/NGO/61	3	Idem
A/HRC/16/NGO/62	3	Idem
A/HRC/16/NGO/63	3	Idem
A/HRC/16/NGO/64	3	Idem
A/HRC/16/NGO/65	4	Idem
A/HRC/16/NGO/66	3	Written statement submitted by People's Solidarity for Participatory Democracy (PSPD)
A/HRC/16/NGO/67	3	Written statement submitted by Rencontre africaine de défense pour les droits de l'homme (RADDHO)

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<i>Symbol</i>		<i>Agenda item</i>
A/HRC/16/NGO/68	7	Joint written statement submitted by the Palestinian Centre for Human Rights, Fédération internationale des droits de l'homme (FIDH), the BADIL Resource Center for Palestinian Residency and Refugee Rights, Al-Haq and Law in the Service of Man
A/HRC/16/NGO/69	3	Written statement submitted by the Maarij Foundation for Peace and Development (MFPD)
A/HRC/16/NGO/70	3	Written statement submitted by Franciscans International (FI)
A/HRC/16/NGO/71	3	Joint written statement submitted by the Organization for Defending Victims of Violence, the Khiam Rehabilitation Center for Victims of Torture, the Charitable Institute for Protecting Social Victims and the Network of Women's Non-governmental Organizations in the Islamic Republic of Iran
A/HRC/16/NGO/72	4	Joint written statement submitted by the Organization for Defending Victims of Violence, the Khiam Rehabilitation Center for Victims of Torture and the Network of Women's Non-governmental Organizations in the Islamic Republic of Iran
A/HRC/16/NGO/73	6	Joint written statement submitted by the Organization for Defending Victims of Violence, the Khiam Rehabilitation Center for Victims of Torture, the Charitable Institute for Protecting Social Victims and the Network of Women's Non-governmental Organizations in the Islamic Republic of Iran
A/HRC/16/NGO/74	7	Joint written statement submitted by the Organization for Defending Victims of Violence and the Khiam Rehabilitation Center for Victims of Torture
A/HRC/16/NGO/75	9	Joint written statement submitted by the Organization for Defending Victims of Violence, the Khiam Rehabilitation Center for Victims of Torture, the Charitable Institute for Protecting Social Victims and the Network of Women's Non-governmental Organizations in the Islamic Republic of Iran

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/16/NGO/76	7	Written statement submitted by the Charitable Institute for Protecting Social Victims
A/HRC/16/NGO/77	3	Idem
A/HRC/16/NGO/78	3	Joint written statement submitted by the Organization for Defending Victims of Violence, the Khiam Rehabilitation Center for Victims of Torture, the Charitable Institute for Protecting Social Victims and the Network of Women's Non-governmental Organizations in the Islamic Republic of Iran
A/HRC/16/NGO/79	7	Written statement submitted by the Al Mezan Centre for Human Rights
A/HRC/16/NGO/80	3	Written statement submitted by the International NGO Forum on Indonesian Development (INFID)
A/HRC/16/NGO/81	4	Joint written statement submitted by the Marangopoulos Foundation for Human Rights (MFHR), the Women's Human Rights International Association (WHRIA) and International Educational Development, Inc. (IED)
A/HRC/16/NGO/83	3	Joint written statement submitted by Defence for Children International and the World Organization against Torture
A/HRC/16/NGO/84	3	Joint written statement submitted by Défense des Enfants International and the International Catholic Child Bureau
A/HRC/16/NGO/85	3	Written statement submitted by the International Commission of Jurists
A/HRC/16/NGO/86	3	Idem
A/HRC/16/NGO/87	9	Written statement submitted by Nord-Sud XXI
A/HRC/16/NGO/88	3	Joint written statement submitted by New Humanity, Associazione Comunità Papa Giovanni XXIII, Association Points-Coeur, Dominicans for Justice and Peace – Order of Preachers, the International Catholic Child Bureau, the International Institute of Mary Our Help of the Salesians of Don Bosco, the International Organization for the Right to Education and Freedom of Education (OIDEF), the International Volunteerism Organization for Women, Education and Development

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<i>Symbol</i>	<i>Agenda item</i>	
		(VIDES), the Teresian Association and the World Union of Catholic Women's Organizations
A/HRC/16/NGO/89	2	Joint written statement submitted by Caritas Internationalis (International Confederation of Catholic Charities), Associazione Comunità Papa Giovanni XXIII, the International Catholic Child Bureau, the International Institute of Mary Our Help of the Salesians of Don Bosco, the International Volunteerism Organization for Women, Education and Development
A/HRC/16/NGO/90	4	Written statement submitted by Worldview International Foundation (WIF)
A/HRC/16/NGO/91	7	Joint written statement submitted by Al-Haq, the Al Mezan Centre for Human Rights, the Badil Resource Center for Palestinian Residency and Refugee Rights, the Palestinian Centre for Human Rights and the Women's Centre for Legal Aid and Counselling
A/HRC/16/NGO/92	3	Written statement submitted by the International Humanist and Ethical Union
A/HRC/16/NGO/93	3	Idem
A/HRC/16/NGO/94	7	Written statement submitted by the Sudan Council of Voluntary Agencies (SCOVA)
A/HRC/16/NGO/95	4	Written statement submitted by the African-American Society for Humanitarian Aid and Development (ASHAD)
A/HRC/16/NGO/96	3	Written statement submitted by the Society for Threatened Peoples
A/HRC/16/NGO/97	3	Idem
A/HRC/16/NGO/98	4	Idem
A/HRC/16/NGO/99	3	Idem
A/HRC/16/NGO/100	6	Written statement submitted by the American Civil Liberties Union
A/HRC/16/NGO/101	3	Joint written statement submitted by Rencontre africaine pour la défense des droits de l'homme (RADDHO) and the Al-Hakim Foundation

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/16/NGO/102	7	Written statement submitted by the Badil Resource Center for Palestinian Refugee and Residency Rights
A/HRC/16/NGO/103	6	Written statement submitted by the Center for Reproductive Rights, Inc.
A/HRC/16/NGO/104	3	Joint written statement submitted by the Front Line International Foundation for the Protection of Human Rights Defenders, the Center for Reproductive Rights, Inc. and the BAOBAB for Women's Human Rights
A/HRC/16/NGO/105	3	Joint written statement submitted by the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children and the African-American Society for Humanitarian Aid and Development (ASHAD)
A/HRC/16/NGO/106	6	Written statement submitted by Human Rights First
A/HRC/16/NGO/107	3	Written statement submitted by the European Disability Forum
A/HRC/16/NGO/108	3	Joint written statement submitted by the Asian Legal Resource Centre, Lawyers Rights Watch Canada and the International Association of Democratic Lawyers
A/HRC/16/NGO/109	6	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS)
A/HRC/16/NGO/110	3	Written statement submitted by France Libertés: Fondation Danielle Mitterrand
A/HRC/16/NGO/111	3	Written statement submitted by the International Movement against All Forms of Discrimination and Racism (IMADR)
A/HRC/16/NGO/112	7	Written statement submitted by the Foundation for Human Rights and Freedoms and Humanitarian Relief
A/HRC/16/NGO/113	6	Written statement submitted by the International Federation for Human Rights Leagues
A/HRC/16/NGO/114	3	Joint written statement submitted by France Libertés – Fondation Danielle Mitterrand, the American Association of Jurists and Mouvement contre le racisme et pour l'amitié entre les peuples

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/16/NGO/115	4	Joint written statement submitted by France Libertés – Fondation Danielle Mitterrand, the World Organization against Torture (OMCT) and Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP)
A/HRC/16/NGO/116	5	Joint written statement submitted by CIVICUS – World Alliance for Citizen Participation, the International Alliance of Women (IAW), the International Council of Women (ICW), the International Association for Religious Freedom (IARF), Soroptimist International (SI), New Humanity, the Women's Federation for World Peace International (WFWPI), Human Rights Education Associates (HREA), the International Organization for the Right to Education and Freedom of Education (OIDE), the International Network for the Prevention of Elder Abuse (INPEA), the Teresian Association, Association Points-Coeur, Myochikai (Arigatou Foundation), the Asian Forum for Human Rights and Development (FORUM-ASIA), the International Movement against All Forms of Discrimination and Racism (IMADR), the Al-Hakim Foundation, the International Catholic Child Bureau (ICCB), the Planetary Association for Clean Energy, Inc., the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), the World Federation for Mental Health (WFMH), the Sovereign Military Order of the Temple of Jerusalem (OSMTH), the Worldwide Organization for Women (WOW), the International Federation of University Women (IFUW), Equitas International Centre for Human Rights Education, the Cairo Institute for Human Rights Studies (CIHRS), the Association of Peace Messenger Cities (IAPMC), Association apprentissage sans frontières (ASF), Rencontre africaine pour la défense des droits de l'homme (RADDHO), the United Network of Young Peacebuilders (UNOY Peacebuilders), the Institute of Global Education (IGE), Soka Gakkai International (SGI), Servas International, the Association for World Education (AWE), the Association of World Citizens (AWC) and the Institute for Planetary Synthesis

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<i>Symbol</i>		<i>Agenda item</i>
A/HRC/16/NGO/117	3	Joint written statement submitted by the International Council of Women, World Vision International, the Consortium for Street Children, Defence for Children International, the International Catholic Child Bureau, Fundacion Intervida, the Foundation ECPAT International (End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes), Terre des Hommes International Federation, the World Organization against Torture and the Women's World Summit Foundation (WWSF)
A/HRC/16/NGO/118	3	Written statement submitted by Centrist Democratic International
A/HRC/16/NGO/119	3	Written statement submitted by the Asian Forum for Human Rights and Development
A/HRC/16/NGO/120	3	Joint written statement submitted by SOS Kinderdorf International and the Foundation ECPAT International (End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes)
A/HRC/16/NGO/121	3	Written statement submitted by Franciscans International (FI)
A/HRC/16/NGO/122	3	Joint written statement submitted by the Sudan Council of Voluntary Agencies (SCOVA) and the African-American Society for Humanitarian Aid and Development (ASHAD)
A/HRC/16/NGO/123	4	Joint written statement submitted by Amnesty International, Human Rights Watch and Reporters Without Borders International
A/HRC/16/NGO/124	4	Written statement submitted by Amnesty International
A/HRC/16/NGO/125	6	Written statement submitted by the Arab NGO Network for Development
A/HRC/16/NGO/126	6	Joint written statement submitted by Action Canada for Population and Development, Madre, Inc. and the Urban Justice Center
A/HRC/16/NGO/127	3	Written statement submitted by the Consortium for Street Children

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<i>Symbol</i>		<i>Agenda item</i>	
A/HRC/16/NGO/128	4	Written statement submitted by the Jubilee Campaign	
A/HRC/16/NGO/129	3	Written statement submitted by Centrist Democratic International	
A/HRC/16/NGO/130	3	Written statement submitted by the American Civil Liberties Union	
A/HRC/16/NGO/131	9	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM)	
A/HRC/16/NGO/132	3	Written statement submitted by the Himalayan Research and Cultural Foundation	
A/HRC/16/NGO/133	4	Written statement submitted by the Society for Threatened Peoples	
A/HRC/16/NGO/134	7	Written statement submitted by the World Union for Progressive Judaism (WUPJ)	
A/HRC/16/NGO/135	4	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM)	
A/HRC/16/NGO/136	3	Written statement submitted by Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP)	
A/HRC/16/NGO/137	3	Written statement submitted by the China NGO Network for International Exchanges	

Documents issued in the national institutions series

<i>Symbol</i>		<i>Agenda item</i>	
A/HRC/16/NI/1	2	Information presented by the Asia Pacific Forum of National Human Rights Institutions (APF)	
A/HRC/16/NI/2	3	Information presented by the Human Rights Commission of Malaysia (SUHAKAM)	
A/HRC/16/NI/3	3	Information presented by the Network of African national human rights institutions on behalf of "A" status national human rights institutions in Africa	
A/HRC/16/NI/4	3	Information presented by the Advisory Council on Human Rights of Morocco	

Documents issued in the national institutions series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/16/NI/5	3	Information presented by the Ukrainian Parliament Commissioner for Human Rights
A/HRC/16/NI/6	3	Information presented by the Ombudsman for Human Rights of Nicaragua
A/HRC/16/NI/7	3	Information presented by the Public Defender of Georgia
A/HRC/16/NI/8	3	Information presented by the Human Rights Ombudsman of Bosnia and Herzegovina

Annex IV

Special procedures mandate holders appointed by the Human Rights Council at its sixteenth session

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Maina Kiai (Kenya)

Working Group on the issue of discrimination against women in law and in practice

Emna Aouij (Tunisia)

Mercedes Barquet (Mexico)

Kamala Chandrakirana (Indonesia)

Frances Raday (Israel/United Kingdom of Great Britain and Northern Ireland)

Eleonora Zielinska (Poland)

Working Group of Experts on People of African Descent

Mireille Fanon-Mendes-France (France)

Annex V

List of members appointed to the Expert Mechanism on the Rights of Indigenous Peoples

Vital Bamberze (Burundi)

Anastasia Chukhman (Russian Federation)

Jannie Lasimbang (Malaysia)

Wilton Littlechild (Canada)

José Carlos Morales Morales (Costa Rica)

Annex VI

List of Advisory Committee members and duration of terms of membership

<i>Member</i>	<i>Term expires in</i>
Miguel d'Escoto Brockmann (Nicaragua)	2012
José Antonio Bengoa Cabello (Chile)	2013
Laurence Boisson de Chazournes (France)	2014
Chen Shiqiu (China)	2012
Chung Chinsung (Republic of Korea)	2013
Wolfgang Stefan Heinz (Germany)	2013
Latif Huseynov (Azerbaijan)	2014
Alfred Ntunduguru Karokora (Uganda)	2013
Vladimir Kartashkin (Russian Federation)	2013
Obiora Chinedu Okafor (Nigeria)	2014
Purificacion Quisumbing (Philippines)	2014
Anantonia Reyes Prado (Guatemala)	2014
Shigeki Sakamoto (Japan)	2013
Dheerujall Baramlall Seetulsingh (Mauritius)	2014
Ahmer Bilal Soofi (Pakistan)	2014
Halima Embarek Warzazi (Morocco)	2012
Jean Ziegler (Switzerland)	2012
Mona Zulficar (Egypt)	2013