

Advance unedited version

Distr.:
26 August 2013

Original: English

Human Rights Council

Twenty-first session

Agenda item 1

Organizational and procedural matters

Report of the Human Rights Council on its twenty-first session

Vice-President and Rapporteur: Ms. Gulnara Iskakova (Kyrgyzstan)

Contents

<i>Chapter</i>	<i>Paragraphs</i>	<i>Page</i>
Part One: Resolutions and decisions		6
I. Resolutions		6
21/1. Situation of human rights in Eritrea		6
21/2. The human right to safe drinking water and sanitation		7
21/3. Promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind: best practices		11
21/4. Enforced or involuntary disappearances		13
21/5. Contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights.....		17
21/6. Preventable maternal mortality and morbidity and human rights		19
21/7. Right to the truth		21
21/8. The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination		24
21/9. Promotion of a democratic and equitable international order		28
21/10. Human rights and international solidarity		33
21/11. Guiding principles on extreme poverty and human rights		37
21/12. Safety of journalists		39
21/13. Panel discussion on the negative impact of corruption on the enjoyment of human rights		41
21/14. World Programme for Human Rights Education		42
21/15. Human rights and transitional justice.....		43
21/16. The rights to freedom of peaceful assembly and of association.....		49
21/17. Mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes ..		51
21/18. Human rights and issues related to terrorist hostage-taking		53
21/19. Promotion and protection of the human rights of peasants and other people working in rural areas.....		53
21/20. High-level panel discussion to commemorate the twentieth anniversary of the adoption of the Vienna Declaration and Programme of Action		54
21/21. Enhancement of technical cooperation and capacity-building in the field of human rights		55
21/22. Technical assistance and capacity-building for Yemen in the field of human rights		58
21/23. The human rights of older persons.....		60
21/24. Human rights and indigenous peoples		61
21/25. Situation of human rights in the Republic of Mali.....		64

21/26.	Situation of human rights in the Syrian Arab Republic	65
21/27.	Technical assistance for the Sudan in the field of human rights	69
21/28.	Technical assistance and capacity-building for South Sudan in the field of human rights	70
21/29.	Open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies	71
21/30.	Elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination	72
21/31.	Assistance to Somalia in the field of human rights	73
21/32.	The right to development	76
21/33.	From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance	79
II.	Decisions	84
21/101.	Outcome of the universal periodic review: Bahrain	84
21/102.	Outcome of the universal periodic review: Ecuador	84
21/103.	Outcome of the universal periodic review: Tunisia	85
21/104.	Outcome of the universal periodic review: Morocco	85
21/105.	Outcome of the universal periodic review: Indonesia	85
21/106.	Outcome of the universal periodic review: Finland	86
21/107.	Outcome of the universal periodic review: United Kingdom of Great Britain and Northern Ireland	86
21/108.	Outcome of the universal periodic review: India	87
21/109.	Outcome of the universal periodic review: Brazil	87
21/110.	Outcome of the universal periodic review: Philippines	88
21/111.	Outcome of the universal periodic review: Algeria	88
21/112.	Outcome of the universal periodic review: Poland	89
21/113.	Outcome of the universal periodic review: Netherlands	89
21/114.	Outcome of the universal periodic review: South Africa	89
Part Two:	Summary of proceedings	1-898 91
I.	Organizational and procedural matters	1-47 91
A.	Opening and duration of the session	1-4 91
B.	Attendance	5 91
C.	Agenda and programme of work	6 91
D.	Organization of work	7-13 91
E.	Meetings and documentation	14-21 92
F.	Visits	22-28 93
G.	Election of members of the Human Rights Council Advisory Committee	29-32 93

H.	Selection and appointment of mandate holders	33–36	94
I.	Appointment of additional members of the independent international commission of inquiry on the Syrian Arab Republic	37–38	94
J.	Consideration of the progress report of the Task Force on secretariat services, accessibility for persons with disabilities and use of information technology	39	94
K.	Adoption of the report on the session	40–46	95
II.	Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General	47–53	96
A.	Update by the United Nations High Commissioner for Human Rights	47–51	96
B.	Reports of the Office of the High Commissioner and the Secretary-General	52–53	97
III.	Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development	54–197	98
A.	Special Representative of the Secretary-General for children and armed conflict	54–58	98
B.	Interactive dialogue with special procedures mandate holders	59–94	99
C.	Panels	95–102	104
D.	General debate on agenda item 3	103–106	105
E.	Consideration of and action on draft proposals	107–197	107
IV.	Human rights situations that require the Council's attention	198–218	116
A.	Interactive dialogue with the commission of inquiry on the Syrian Arab Republic	198–201	116
B.	Country reports of the Secretary-General and High Commissioner for Human Rights	202–204	116
C.	General debate on agenda item 4	205–208	117
D.	Consideration of and action on draft proposals	209–218	118
V.	Human rights bodies and mechanisms	219–247	120
A.	Panels	219–225	120
B.	Complaint procedure	226–229	121
C.	Expert Mechanism on the Rights of Indigenous Peoples	230–231	121
D.	Interactive dialogue with the Advisory Committee	232–234	121
E.	General debate on agenda item 5	235	122
F.	Consideration of and action on draft proposals	236–247	122
VI.	Universal periodic review	248–822	124
A.	Consideration of universal periodic review outcomes	249–806	124
B.	General debate on agenda item 6	807–808	201
C.	Consideration of and action on draft proposals	809–822	201
VII.	Human rights situation in Palestine and other occupied Arab territories	823–825	203

VIII.	Follow-up to and implementation of the Vienna Declaration and Programme of Action	826–836	204
A.	Panel discussion on the integration of a gender perspective	826–832	204
B.	General debate on agenda item 8	833	205
C.	Consideration of and action on draft proposals	834–836	206
IX.	Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action	837–860	207
A.	Nelson Mandela International Day Panel	837–842	207
B.	Interactive dialogue with special procedures mandate holders	843–846	207
C.	General debate on agenda item 9	847–849	208
D.	Consideration of and action on draft proposals	850–860	209
X.	Technical assistance and capacity-building	861–898	210
A.	Interactive dialogue with special procedures mandate holders	861–872	210
B.	General debate on agenda item 10	873–876	211
C.	Consideration of and action on draft proposals	877–898	212
Annexes			
I.	Attendance		215
II.	Agenda		221
III.	Documents issued for the twenty-first session		222
IV.	List of Advisory Committee members and duration of terms of membership		252
V.	Special procedures mandate holders appointed by the Human Rights Council at its twenty-first session		253
VI.	Additional members of the independent international commission of inquiry on the Syrian Arab Republic appointed by the Human Rights Council at its twenty-first session		254

Part One

Resolutions and decisions

I. Resolutions

21/1

Situation of human rights in Eritrea

The Human Rights Council,

Having considered the material relating to the situation of human rights in Eritrea, brought under the complaint procedure established in accordance with the annex to Human Rights Council resolution 5/1 of 18 June 2007, alleging widespread and systematic human rights violations in Eritrea, in particular regarding cases of arbitrary arrest and detention, torture, summary executions, violence against women, forced labour, forced conscription and restrictions on the liberty of movement and the rights to freedom of expression, peaceful assembly and of thought, conscience and religion,

Noting the efforts of the Government of Eritrea to cooperate with the Human Rights Council,

Regretting the inadequate and incomplete information provided in written form and orally during the closed meeting, held on 17 September 2012, by the representative of the Government of Eritrea concerning the questions raised in the communications,

Considering that the allegations made in the submitted complaints are a cause for grave concern to the extent that they may reveal a consistent pattern of gross and reliably attested violations of human rights,

Welcoming the establishment of the mandate of Special Rapporteur on the situation of human rights in Eritrea by the Human Rights Council in its resolution 20/20 of 6 July 2012,

1. *Decides*, in accordance with paragraph 109 (d) of the annex to Human Rights Council resolution 5/1, to discontinue reviewing the matter under the confidential complaint procedure in order to take up public consideration of the same in the context of the implementation of Council resolution 20/20;

2. *Also decides* that the documentation considered by the Human Rights Council under its complaint procedure relating to the situation of human rights in Eritrea should no longer be considered confidential, with the exception of the names or any other identifying information of specific individuals who have not consented, and should therefore be transmitted to the Special Rapporteur on the situation of human rights in Eritrea;

3. *Invites* the Special Rapporteur on the situation of human rights in Eritrea to investigate further the allegations contained in the submitted complaints and the circumstances of the individuals mentioned in the submitted communications whose names may be disclosed consistent with provisions of paragraph 2 above, and to report thereon to the Human Rights Council at its twenty-third session and in accordance with its programme of work;

4. *Urges* the Government of Eritrea to cooperate fully with the Special Rapporteur, in particular to permit access to visit all parts of the country and to provide the

information necessary for the fulfilment of the mandate, as reflected in Human Rights Council resolution 20/20;

5. *Requests* the Secretary-General to communicate the present resolution to the Government of Eritrea;
6. *Decides* to make public the present resolution;
7. *Also decides* to remain seized of the matter under agenda item 4.

*35th (closed) meeting
26 September 2012*

[Adopted without a vote.]

21/2

The human right to safe drinking water and sanitation

The Human Rights Council,

Reaffirming all previous relevant resolutions of the Human Rights Council, inter alia, resolutions 7/22 of 28 March 2008, 12/8 of 1 October 2009, 15/9 of 30 September 2010, 16/2 of 24 March 2011 and 18/1 of 28 September 2011,

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

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

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

Recalling Human Rights Council resolution 19/5 of 22 March 2012 on the question of the realization in all countries of economic, social and cultural rights,

Recalling also the relevant provisions of declarations and programmes with regard to access to safe drinking water and sanitation adopted by major United Nations conferences and summits, and by the General Assembly at its special sessions and during follow-up meetings, inter alia, the Mar del Plata Action Plan on Water Development and Administration, adopted at the United Nations Water Conference in March 1977, Agenda 21 and the Rio Declaration on Environment and Development, adopted at the United Nations Conference on Environment and Development in June 1992, and the Habitat Agenda, adopted at the second United Nations Conference on Human Settlements in June 1996, Assembly resolutions 54/175 of 17 December 1999 on the right to development, and 58/217 of 23 December 2003 proclaiming the International Decade for Action, “Water for Life” (2005–2015), 65/153 of 20 December 2010, establishing the follow-up to the International Year of Sanitation, 65/154 of 20 December 2010, establishing 2013 as the International Year of Water Cooperation, and the outcome document entitled “The future we want”, adopted at the United Nations Conference on Sustainable Development in Rio de Janeiro on 22 June 2012 and by the Assembly in its resolution 66/288 of 27 July 2012,

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

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

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

Recalling in particular paragraph 5 (f) of Human Rights Council resolution 16/2, in which the Council encouraged the Special Rapporteur on the human right to safe drinking water and sanitation, in fulfilling her mandate, 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,

Deeply concerned that approximately 780 million people still lack access to improved water sources and that more than 2.5 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 2012 Joint Monitoring Programme report, concerned that these figures do not fully capture the water safety aspect and equity, equality and non-discrimination issues as indicated by that report, and therefore underestimate the numbers of those without access to safe drinking water and sanitation, and alarmed that, every year, approximately 1.5 million children under five years of age die and 443 million school days are lost as a result of water- and sanitation-related diseases,

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

1. *Welcomes* the recognition of the human right to safe drinking water and sanitation by the General Assembly and the Human Rights Council, and the reaffirmation 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 commitments of States regarding the human right to safe drinking water and sanitation made at the United Nations Conference on Sustainable Development on 22 June 2012;

3. *Further welcomes* the fact that, according to the 2012 Joint Monitoring Programme report, the Millennium Development Goal target relating to the reduction by 50 per cent of people without access to an improved water source has been met five years before its deadline of 2015, insists that much remains to be done on safety, equity, equality and non-discrimination issues, and regrets the fact that the Millennium Development Goal target on sanitation is still one of the most off-track of the United Nations development agenda beyond 2015;

4. *Welcomes* the work of the Special Rapporteur on the human right to safe drinking water and sanitation, the comprehensive, transparent and inclusive consultations conducted with relevant and interested actors from all regions for her thematic reports and compilation of good practices, and the undertaking of country missions;

5. *Also welcomes* the second annual report of the Special Rapporteur submitted to the General Assembly on financing for the realization of the right to water and sanitation,¹ and takes note with appreciation of her recommendations and clarifications with regard to questions of financing the implementation of the human right to safe drinking water and sanitation;

6. *Takes note* of the fourth annual report of the Special Rapporteur submitted to the Human Rights Council;²

7. *Expresses deep concern* at the negative impact of discrimination, marginalization and stigmatization on the full enjoyment of the human right to safe drinking water and sanitation;

8. *Reaffirms* that States have the primary responsibility to ensure the full realization of all human rights and must take steps, nationally and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, to achieve progressively the full realization of the right to safe drinking water and sanitation by all appropriate means, including in particular the adoption of legislative measures in the implementation of their human rights obligations;

9. *Takes note* of the finding made by the Special Rapporteur that ensuring safe drinking water and sanitation for all will require considerably more resources;

10. *Also takes note* of the finding made by the Special Rapporteur that better targeted use of existing resources to prioritize the most excluded and marginalized, as well as more transparent budgets and better coordination, will help to realize fully the human right to safe drinking water and sanitation;

11. *Calls upon* States:

(a) To prioritize in an appropriate way funding for safe drinking water and sanitation, with a particular focus on extending access to the unserved or underserved, including measures to identify the most marginalized, excluded and disadvantaged persons in terms of access to safe drinking water and sanitation, to develop the capacity of decision makers and practitioners for implementing strategies and concepts specifically focusing on the sustainable provision of safe drinking water and sanitation to the unserved poor, and to

¹ A/66/255.

² A/HRC/21/42.

develop specific initiatives that are more likely to reach the most marginalized and disadvantaged and improve their situation;

(b) To consider increasing the percentage of international aid allocated to safe drinking water and sanitation, and to incorporate a human rights-based approach;

(c) To monitor the affordability of safe drinking water and sanitation in order to determine whether specific measures are needed to ensure that household contributions are and remain affordable by means of, inter alia, effective regulation and oversight of all service providers;

(d) To promote transparency of budgets and other funding, as well as of programmes and projects of all actors in the water and sanitation sector, in order to ensure an adequate basis for planning with regard to the most vulnerable and marginalized sectors of society and in order to inform decision-making and policymaking processes in both public and private sectors;

(e) To consult with communities on adequate solutions to ensure sustainable access to safe drinking water and sanitation;

(f) To ensure the sustainability of access to water and sanitation by, inter alia, capacity-building of Government authorities at all levels with regard to their responsibilities in the service delivery chain, adequate budgeting of costs, including costs of maintenance, and establishing an adequate and effective regulatory system;

12. *Invites* States to continue to promote, at all levels, including at the highest level, the full realization of the human right to safe drinking water and sanitation in forthcoming national, regional and international initiatives;

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

14. *Encourages* the Special Rapporteur to continue to make contributions to the discussions on the United Nations development agenda beyond 2015, in particular on the integration of the human right to safe drinking water and sanitation and, in this regard, calls upon States to build the post-2015 framework on the values outlined in the Millennium Declaration around the fundamental principles of respect for human rights, equality and sustainability, and to integrate the human right to safe drinking water and sanitation into the international development agenda beyond 2015;

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

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

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

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

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

36th meeting
27 September 2012

[Adopted without a vote.]

21/3

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

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,

Reiterating the call of the Universal Declaration of Human Rights to promote respect for human rights and fundamental freedoms by teaching and education, and to secure their universal and effective recognition and observance by progressive measures, national and international,

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 practices contrary to human dignity and violating international human rights law,

Recalling its previous resolutions on the issue, in particular resolutions 12/21 of 2 October 2009 and 16/3 of 24 March 2011,

Noting the ongoing work of the Advisory Committee, in accordance with Human Rights Council resolution 16/3, on the preparation of 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,

1. *Reaffirms* that a better understanding and appreciation of traditional values shared by all humanity and embodied in universal human rights instruments contribute to promoting and protecting human rights and fundamental freedoms worldwide;

2. *Recalls* 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;

3. *Stresses* that human rights derive from the dignity and worth inherent in the human person;

4. *Notes* that traditional values, especially those shared by all humanity, can be practically applied in the promotion and protection of human rights and upholding human dignity, in particular in the process of human rights education;

5. *Takes note* of recommendation 9/4 of the Advisory Committee³ on the progress of work on 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 decides to accord it additional time to finalize the study;

6. *Requests* the Office of the United Nations High Commissioner for Human Rights to collect information from States Members of the United Nations and other relevant stakeholders on best practices in the application of traditional values while promoting and protecting human rights and upholding human dignity, and to submit a summary thereon to the Human Rights Council before its twenty-fourth session;

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

*36th meeting
27 September 2012*

[Adopted by a recorded vote of 25 to 15, with 7 abstentions. The voting was as follows:

In favour:

Angola, Bangladesh, Burkina Faso, Cameroon, China, Congo, Cuba, Djibouti, Ecuador, India, Indonesia, Jordan, Kuwait, Kyrgyzstan, Libya, Malaysia, Maldives, Mauritania, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda

Against:

Austria, Belgium, Botswana, Costa Rica, Czech Republic, Hungary, Italy, Mauritius, Mexico, Norway, Poland, Romania, Spain, Switzerland, United States of America

Abstaining:

Benin, Chile, Guatemala, Nigeria, Peru, Republic of Moldova, Uruguay]

³ See A/HRC/AC/9/6.

21/4

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 16/16 of 24 March 2011, in which the Council renewed by consensus the mandate of the Working Group on Enforced or Involuntary Disappearances,

Acknowledging the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance by the General Assembly in its resolution 61/177 on 20 December 2006,

Recalling 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,

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

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,

Recalling also that no exceptional circumstance whatsoever may be invoked as a justification for enforced disappearance,

Recalling further that no one shall be held in secret detention,

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

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

I. International Convention on the Protection of All Persons from Enforced Disappearance

1. *Recognizes* that the implementation of the International Convention on the Protection of All Persons from Enforced Disappearance will be a significant contribution to ending impunity and to the promotion and protection of all human rights for all;

2. *Welcomes* the entry into force of the Convention on 23 December 2010, as well as the work achieved by the Committee on Enforced Disappearances during its two first sessions, and encourages all States parties to the Convention to support and promote the Committee's work and to implement its recommendations;

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

4. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue their intensive efforts to assist States in becoming parties to the Convention, with a view to achieving universal adherence;

II. Declaration on the Protection of All Persons from Enforced Disappearance

5. *Recognizes* the importance of the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States designed to punish enforced disappearances, to prevent their commission and to help victims of such acts and their families to seek fair, prompt and adequate reparation;

6. *Notes* that 2012 marks the twentieth anniversary of the adoption by the General Assembly of the Declaration;

7. *Urges* all States to promote and to give full effect to the Declaration;

8. *Encourages* all States to translate the Declaration into their languages in order to assist its global dissemination and the ultimate goal of preventing enforced disappearances;

III. Working Group on Enforced or Involuntary Disappearances

9. *Takes note* of the report submitted by the Working Group on Enforced or Involuntary Disappearances⁴ and of the recommendations contained therein;

10. *Stresses the importance* of the work of the Working Group, and encourages it to pursue the fulfilment of its mandate as set out in Human Rights Council resolution 16/16;

11. *Welcomes* the cooperation established between the Working Group and the Committee on Enforced Disappearances, within the framework of their respective mandates;

12. *Takes note with interest* of all the general comments of the Working Group, including the most recent one on the right to recognition as a person before the law in the context of enforced disappearances, which are aimed at helping States to apply the Declaration in a way that is most conducive to the protection of all persons from enforced disappearances;

⁴ A/HRC/19/58/Rev.1.

13. *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;

14. *Urges* States to cooperate with the Working Group to help it to carry out its mandate effectively and, in that framework, to give serious consideration to responding favourably to its requests for visits to their countries;

15. *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;

16. *Expresses:*

(a) Its thanks to the many Governments that have cooperated with the Working Group and replied to its requests for information, and the Governments that have accepted visits of the Working Group to their countries, requesting them to give all necessary attention to the Working Group's recommendations and inviting them to inform the Working Group of any action that they take on them;

(b) Its appreciation to the Governments that are investigating, cooperating at the international and bilateral levels, and have developed or are developing appropriate mechanisms to investigate any claims of enforced disappearance brought to their attention, and encourages all the Governments concerned to expand their efforts in this area;

IV. General principles

17. *Takes note* of the reports submitted by the Office of the High Commissioner, including their recommendations, on programmes and other measures for the protection of witnesses implemented within the framework of criminal procedures relating to gross violations of human rights and serious violations of international humanitarian law,⁵ on the seminar on the importance of archives as a means to guarantee the right to the truth⁶ and on the obligation of States to investigate serious violations of human rights, and the use of forensic genetics;⁷

18. *Urges* States:

(a) To prevent the occurrence of enforced disappearances, including by guaranteeing that any person deprived of liberty is held solely in officially recognized and supervised places of detention, guaranteeing access to all places of detention by authorities and institutions whose competence in this regard has been recognized by the concerned State, maintaining official, accessible, up-to-date registers and/or records of detainees, and ensuring that detainees are brought before a competent authority promptly after detention as provided for by article 10 of the Declaration on the Protection of All Persons from Enforced Disappearance;

(b) To work to eradicate the culture of impunity for the perpetrators of enforced disappearances and to elucidate cases of enforced disappearance as a crucial step in effective prevention;

⁵ A/HRC/15/33.

⁶ A/HRC/17/21.

⁷ A/HRC/18/25 and Corr.1.

(c) To prevent and investigate with special attention the enforced disappearance of persons belonging to vulnerable groups, especially children, and the enforced disappearance of women, as they may become particularly vulnerable to sexual violence and other forms of violence, and to bring the perpetrators of those enforced disappearances to justice;

(d) To ensure that their competent authorities proceed immediately to conduct impartial inquiries in all circumstances where there is reason to believe that an enforced disappearance has occurred in territory under their jurisdiction and, if such belief is borne out, to ensure that all the perpetrators of enforced or involuntary disappearances are brought to justice;

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

(f) To consider the use of forensic genetics to contribute to the identification of the remains of the victims of enforced or involuntary disappearances and to address the issue of impunity;

(g) To take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances, and the lawyers and families of disappeared persons against any intimidation, persecution, reprisals or ill-treatment to which they might be subjected, paying special attention to women as relatives of disappeared persons in the context of their struggle to resolve the disappearance of members of their families;

(h) To make provisions in their legal systems for victims of enforced or involuntary disappearances or their families to seek fair, prompt and adequate reparation and, in addition, where appropriate, to consider symbolic measures recognizing the suffering of victims and restoring their dignity and reputation;

(i) To adopt an archival policy that ensures that all archives pertaining to human rights violations related to enforced disappearances held by all types of institutions are preserved, protected and accessible in accordance with applicable law, in order to habilitate victims to realize their right to the truth to judicial accountability and non-judicial truth seeking process and for reparations;

(j) To address the specific needs of the families of disappeared persons;

(k) To take appropriate steps to address the legal uncertainty under domestic law of the absence of the disappeared person and faced by their family members, the next-of-kin and others connected to him or her, including by considering the possibility to put in place a system of declaration of absence as a result of enforced disappearance;

(l) To intensify their cooperation with civil society organizations that deal with the issue of enforced disappearances;

19. *Decides* to continue consideration of the question of enforced or involuntary disappearances in accordance with its programme of work.

*36th meeting
27 September 2012*

[Adopted without a vote.]

21/5

Contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights

The Human Rights Council,

Recalling all previous Human Rights Council resolutions on the issue of human rights and transnational corporations and other business enterprises, including Council resolutions 8/7 of 18 June 2008 and 17/4 of 16 June 2011, as well as Commission on Human Rights resolution 2005/69 of 20 April 2005,

Recalling also the endorsement of the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework by the Human Rights Council in its resolution 17/4,

Recalling further the request made by the Human Rights Council in its resolution 17/4 to the Secretary-General to prepare a report on how the United Nations system as a whole, including programmes, funds and specialized agencies, can contribute to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles, addressing in particular how capacity-building of all relevant actors to this end can best be addressed within the United Nations system,

Stressing that the obligation and the primary responsibility to promote and protect human rights and fundamental freedoms lie with the State,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect human rights, irrespective of where they conduct their business,

Recognizing the importance that guidance, initiatives and practices relevant to the area of business and human rights, at the international, regional and national levels, are guided by the Guiding Principles,

Recognizing also the importance of building the capacity of all actors to better manage challenges in the area of business and human rights, and that the United Nations system has an important role to play in advancing the business and human rights agenda, particularly the Guiding Principles, including by supporting capacity-building efforts directed at Governments, business enterprises, civil society and other stakeholders,

1. *Welcomes* the report of the Secretary-General on the contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights;⁸

2. *Underscores* the need to adopt a coordinated strategic approach to ensure the integration of the business and human rights agenda, particularly the Guiding Principles, into all relevant aspects of the work of the United Nations system, and recognizes the role of the United Nations High Commissioner for Human Rights, her Office and existing system-wide policy and coordination mechanisms, in that effort;

⁸ A/HRC/21/21.

3. *Encourages* all stakeholders to take into account in their submissions in connection with the universal periodic review the implementation of the State duty to protect against human rights abuses by third parties, including business enterprises, set out in the Guiding Principles;

4. *Recognizes* the particular role and mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises, and encourages all special procedures mandate holders of the Human Rights Council to take into account the Guiding Principles as appropriate in their analyses of specific situations or thematic areas;

5. *Also recognizes* that States parties' obligations relating to business and human rights may be relevant for United Nations treaty bodies, in consistency with their mandates;

6. *Encourages* United Nations resident coordinators and country teams to take a lead, where possible, in collaboration with the Office of the High Commissioner, to ensure the integration of the Guiding Principles into planning, advocacy and capacity-building and development efforts at the national level, based on consultation with the relevant State;

7. *Encourages* all relevant entities of the United Nations system:

(a) To develop guidance and training relating to the dissemination and implementation of the Guiding Principles for Governments, business enterprises and civil society, as applicable, in the context of their respective mandates, in close collaboration with the Office of the High Commissioner and the Working Group on the issue of human rights and transnational corporations and other business enterprises;

(b) To strengthen efforts relating to the development and promotion of more specific and coherent guidance, advocacy, capacity-building and engagement with relevant stakeholders, and to further integrate the business and human rights agenda into their activities consistent with their respective mandates; this should include capacity-building directed at Government agencies, business enterprises, national human rights institutions, non-governmental organizations, trade unions, human rights defenders active in the context of business operations and other stakeholders, with a particular focus on the needs of individuals and groups that are especially vulnerable to adverse impact;

8. *Recommends* that relevant United Nations entities apply the Guiding Principles when formulating and implementing internal policies and procedures, including in investment management, procurement and partnerships with the business sector, taking into account the recommendations made in the report of the Secretary-General;

9. *Recognizes* the work done by the Global Compact in developing tools and guidance materials for the business sector and facilitating the sharing of knowledge and good practices, as well as the important role that the Global Compact could play in supporting dissemination and implementation of the Guiding Principles, particularly aimed at its local networks;

10. *Requests* the Secretary-General to report, from within existing resources, to the Human Rights Council at its twenty-sixth session on the challenges, strategies and developments with regard to the implementation of the present resolution by the United Nations system, including programmes, funds and agencies, and to make concrete recommendations for action;

11. *Also requests* the Secretary-General to undertake a feasibility study to explore the establishment of a global fund to enhance the capacity of stakeholders to advance the implementation of the Guiding Principles; the study should explore relevant issues, including how to secure multi-stakeholder engagement, governance models and

funding options; stakeholders should be involved in a consultative process using existing channels such as the Forum on Business and Human Rights, consultations with the Working Group on the issue of human rights and transnational corporations and other business enterprises, written and other informal consultations; the conclusions should be presented to the Human Rights Council and included in the report of the Secretary-General in June 2014;

12. *Decides* to organize a panel discussion at the twenty-second or twenty-third session of the Human Rights Council, with high-level representatives from relevant United Nations programmes, funds and agencies to discuss strategies for advancing the business and human rights agenda by the United Nations system; ideally as a topic for the annual half-day discussion on human rights mainstreaming at the twenty-second session;

13. *Also decides* to continue consideration of this question in conformity with its annual programme of work.

*36th meeting
27 September 2012*

[Adopted without a vote.]

21/6

Preventable maternal mortality and morbidity and human rights

The Human Rights Council,

Recalling its resolutions 11/8 of 17 June 2009, 15/17 of 30 September 2010 and 18/2 of 28 September 2011 on preventable maternal mortality and morbidity and human rights,

Reaffirming the Beijing Declaration and Platform for Action, the Programme of Action of the International Conference on Population and Development and its review conferences, including the outcome document of the 15-year review of the Programme of Action contained in Commission on Population and Development resolution 2009/1 of 3 April 2009, Commission on the Status of Women resolutions 54/5 of 12 March 2010 and 56/3 of 9 March 2012, the targets and commitments regarding the reduction of maternal mortality and universal access to reproductive health, including those contained in the 2000 Millennium Declaration, the 2005 World Summit Outcome and the outcome document of the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals, and Commission on Population and Development resolution 2012/1 of 27 April 2012,

Taking note of the various processes within the United Nations system to review the implementation of the Programme of Action of the International Conference on Population and Development, to review the realization of the Millennium Development Goals and to prepare for a post-2015 development framework,

Welcomes the organization by the United Nations High Commissioner for Human Rights, in cooperation with other relevant entities of the United Nations system, of an expert workshop and a public consultation in April 2012, with the participation of Governments, regional organizations, relevant United Nations bodies and civil society organizations, and the preparation of concise technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity,⁹

⁹ A/HRC/21/22 and Corr.1 and 2.

Convinced that increased political will and commitment, cooperation and technical assistance at all levels are urgently required to reduce the unacceptably high global rate of preventable maternal mortality and morbidity, and that the integration of a human rights-based approach can contribute positively to the common goal of reducing this rate,

1. *Requests* all States to renew their political commitment to eliminate preventable maternal mortality and morbidity at the local, national, regional and international levels, and to redouble their efforts to ensure the full and effective implementation of their human rights obligations, the Beijing Declaration and Platform for Action, the Programme of Action of the International Conference on Population and Development and its review processes, including the commitments relating to sexual and reproductive health and reproductive rights, and the Millennium Declaration and the Millennium Development Goals, in particular the goals on improving maternal health and promoting gender equality and empowering women, including through the allocation of necessary domestic resources to health systems and the provision of the necessary information and health services addressing the sexual and reproductive health of women and girls;

2. *Requests* States and other relevant actors to give renewed emphasis to maternal mortality and morbidity initiatives in their development partnerships and cooperation arrangements, including by honouring existing commitments and considering new ones, and the exchange of effective practices and technical assistance to strengthen national capacities, and to integrate a human rights-based perspective into such initiatives, addressing the impact that discrimination against women has on maternal mortality and morbidity;

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

4. *Welcomes* the technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity, and calls upon all relevant actors, including Governments, regional organizations, relevant United Nations agencies, national human rights institutions, and civil society organizations to disseminate the technical guidance and apply it, as appropriate, when designing, implementing and reviewing policies and evaluating programmes to reduce preventable maternal mortality and morbidity;

5. *Calls upon* all relevant United Nations agencies to provide technical cooperation and assistance to States, as requested, to support the implementation of the technical guidance;

6. *Encourages* the Office of the United Nations High Commissioner for Human Rights to bring the technical guidance to the attention of the Secretary-General and all United Nations entities with mandates relevant to maternal mortality and morbidity and human rights, and to continue dialogue on the issue of preventable maternal mortality and morbidity with all relevant actors in order to accelerate the realization of the rights of women and girls and the achievement of Millennium Development Goal 5 by 2015;

7. *Requests* the Office of the High Commissioner to prepare, from within existing resources, in consultation with States, United Nations agencies, in particular the World Health Organization, the United Nations Population Fund, the United Nations Children's Fund and the United Nations Entity for Gender Equality and the Empowerment of Women, and all other relevant stakeholders a report on how the technical guidance has

been applied by States and other relevant actors, to be presented to the Human Rights Council at its twenty-seventh session;

8. *Requests* the Secretary-General to transmit the technical guidance to the General Assembly as a contribution to the review of the realization of the Millennium Development Goals and the implementation of the Programme of Action of the International Conference on Population and Development, including at its special event in 2013 to follow up on efforts made towards achieving the Millennium Development Goals and its special session on the theme “The ICPD beyond 2014”;

9. *Decides* to continue to consider the issue under the same agenda item.

*36th meeting
27 September 2012*

[Adopted without a vote.]

21/7

Right to the truth

The Human Rights Council,

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

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

Recalling article 32 of Additional Protocol I to the Geneva Conventions of 12 August 1949 relating to the protection of victims of international armed conflicts, which recognizes the right of families to know the fate of their relatives,

Recalling also that article 33 of Additional Protocol I provides that the parties to an armed conflict shall search for the persons who have been reported missing by an adverse party as soon as circumstances permit,

Recalling further the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly in its resolution 61/177 of 20 December 2006, article 24 (2) of which sets out the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person, and sets forth State party obligations to take appropriate measures in this regard, and the preamble to the Convention, which reaffirms the right to freedom to seek, receive and impart information to that end, and welcoming the entry into force of the Convention on 23 December 2010,

Taking into account Commission on Human Rights resolution 2005/66 of 20 April 2005, Human Rights Council decision 2/105 of 27 November 2006, and Council resolutions 9/11 of 18 September 2008 and 12/12 of 1 October 2009 on the right to the truth,

Taking also into account Human Rights Council resolutions 10/26 of 27 March 2009 and 15/5 of 29 September 2010 on forensic genetics and human rights, in which the Council recognized the importance of the utilization of forensic genetics to deal with the issue of impunity within the framework of investigations relating to gross human rights violations and serious violations of international humanitarian law,

Welcoming the creation of the mandate of Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence by the Human Rights Council in its resolution 18/7 of 29 September 2011, and the appointment of a mandate holder by the Council at its nineteenth session,

Noting with interest the general comment of the Working Group on Enforced or Involuntary Disappearances on the right to the truth in relation to enforced disappearance,

Acknowledging the reports of the Office of the United Nations High Commissioner for Human Rights on the right to the truth¹⁰ and their significant conclusions relating to the right to know the truth about gross violations of human rights and serious violations of international humanitarian law,

Acknowledging also the report of the Office of the High Commissioner on the right to the truth¹¹ and its conclusions regarding the importance of the protection of witnesses within the framework of criminal procedures relating to gross human rights violations and serious violations of international humanitarian law, as well as on issues relating to the elaboration and management of archive systems to guarantee the effective implementation of the right to the truth,

Stressing that adequate steps to identify victims should also be taken in situations not amounting to armed conflict, especially in cases of massive or systematic violations of human rights,

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

Noting that the Special Rapporteur on the independence of judges and lawyers has recognized the right to the truth, its scope and implementation,¹⁴ and also that the Human Rights Committee and the Working Group on Enforced or Involuntary Disappearances have recognized the right of the victims of gross violations of human rights and the right of their relatives to the truth about the events that have taken place, including the identification of the perpetrators of the facts that gave rise to such violations,¹⁵

Acknowledging in cases of gross violations of human rights and serious violations of international humanitarian law the need to study the interrelationship between the right to the truth and the right to access to justice, the right to obtain effective remedy and reparation and other relevant human rights,

Stressing the importance for the international community to endeavour to recognize the right of victims of gross violations of human rights and serious violations of international humanitarian law, and their families and society as a whole, to know the truth regarding such violations, to the fullest extent practicable, in particular the identity of the perpetrators, the causes and facts of such violations and the circumstances under which they occurred,

Stressing also that it is important for States to provide appropriate and effective mechanisms for society as a whole and, in particular, for relatives of the victims to know

¹⁰ E/CN.4/2006/91, A/HRC/5/7, A/HRC/15/33.

¹¹ A/HRC/12/19.

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

¹³ E/CN.4/2005/102/Add.1.

¹⁴ E/CN.4/2006/52.

¹⁵ E/CN.4/1999/62.

the truth regarding gross violations of human rights and serious violations of international humanitarian law,

Recalling that a specific right to the truth may be characterized differently in some legal systems as the right to know, the right to be informed, or freedom of information,

Emphasizing that the general public and individuals are entitled to have access, to the fullest extent practicable, to information regarding the actions and decision-making processes of their Government, within the framework of each State's domestic legal system,

Recognizing the importance of preserving historic memory relating to gross human rights violations and serious violations of international humanitarian law through the conservation of archives and other documents relating to those violations,

Convinced that States should preserve archives and other evidence concerning gross violations of human rights and serious violations of international humanitarian law to facilitate knowledge of such violations, to investigate allegations and to provide victims with access to an effective remedy in accordance with international law,

1. *Recognizes* the importance of respecting and ensuring the right to the truth so as to contribute to ending impunity and to promote and protect human rights;

2. *Welcomes* the establishment in several States of specific judicial mechanisms and other non-judicial mechanisms, such as truth and reconciliation commissions, that complement the justice system, to investigate violations of human rights and of international humanitarian law, and appreciates the elaboration and publication of the reports and decisions of these bodies;

3. *Encourages* the States concerned to disseminate, implement and monitor implementation of the recommendations of such non-judicial mechanisms as truth and reconciliation commissions, and to provide information regarding compliance with the decisions of judicial mechanisms;

4. *Encourages* other States to consider establishing specific judicial mechanisms and, where appropriate, truth and reconciliation commissions to complement the justice system, in order to investigate and address gross violations of human rights and serious violations of international humanitarian law;

5. *Encourages* States and international organizations to provide requesting States with necessary and appropriate assistance regarding the right to the truth by means of, among other actions, technical cooperation and the exchange of information concerning administrative, legislative and judicial and non-judicial measures, as well as experiences and best practices that have as a purpose the protection, promotion and implementation of this right, including practices regarding the protection of witnesses and the preservation and management of archives;

6. *Encourages* States to design programmes and other measures to protect witnesses and individuals who cooperate with judicial bodies and mechanisms of a quasi-judicial or non-judicial nature, such as human rights commissions and truth commissions;

7. *Calls upon* States to work in cooperation with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence in accordance with his mandate, including by extending invitations to the Special Rapporteur;

8. *Welcomes* the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance, and encourages all States that have not yet signed, ratified or acceded to the Convention to consider doing so;

9. *Takes note with appreciation* of the report of the Office of the United Nations High Commissioner for Human Rights on the right to the truth¹⁶ and, in accordance with its conclusions, calls upon all States to consider developing comprehensive witness protection programmes covering all types of crimes, including gross human rights violations and serious violations of international humanitarian law;

10. *Also takes note with appreciation* of the report of the Office of the High Commissioner on the seminar on experience of archives as a means to guarantee the right to the truth,¹⁷ which outlined the importance of archives to the ability of victims to realize their right to the truth, to judicial accountability and non-judicial truth-seeking processes, and for reparations, and, in accordance with its concluding observations, encourages States that have not yet done so to establish a national archival policy that ensures that all archives pertaining to human rights are preserved and protected, and to enact legislation that declares that the nation's documentary heritage is to be retained and preserved, and creates the framework for managing State records from their creation to destruction or preservation;

11. *Requests* the Office of the High Commissioner to invite, from within existing resources, Member States, United Nations organs, intergovernmental organizations, national human rights institutions and non-governmental organizations to provide information on good practices in the establishment, preservation and provision of access to national archives on human rights, and to make the information received publically available in an online database;

12. *Invites* special procedures and other mechanisms of the Human Rights Council, in the framework of their mandates, to take into account, as appropriate, the issue of the right to the truth;

13. *Decides* to consider this matter at its twenty-seventh session under the same agenda item or at the corresponding session in conformity with its annual programme of work.

*36th meeting
27 September 2012*

[Adopted without a vote.]

21/8

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

The Human Rights Council,

Recalling all previous resolutions adopted by the General Assembly, the Human Rights Council and the Commission on Human Rights on the subject, including Assembly resolution 64/151 of 18 December 2009 and Council resolutions 10/11 of 26 March 2009, 15/12 of 30 September 2010, 15/26 of 1 October 2010 and 18/4 of 29 September 2011,

Recalling also all relevant resolutions that, inter alia, condemn any State that permits or tolerates the recruitment, financing, training, assembly, transit or use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation

¹⁶ A/HRC/15/33.

¹⁷ A/HRC/17/21.

movements, and recalling further the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council, the African Union and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the Elimination of Mercenarism in Africa,

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

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

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

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

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

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

Recalling the holding of regional consultations in all five regions from 2007 to 2011, in which participants noted that the enjoyment and exercise of human rights were increasingly impeded by the emergence of several new challenges and trends relating to mercenaries or their activities and by the role played by private military and security companies registered, operating or recruiting personnel in each region, and expressing its appreciation to the Office of the United Nations High Commissioner for Human Rights for its support for the holding of those consultations,

Convinced that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form they take to acquire a semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

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

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

3. *Urges* once again all States to take the necessary steps and to exercise the utmost vigilance against the threat posed by the activities of mercenaries, and to take legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training, protection and transit of mercenaries for the planning of activities designed to impede the right to self-determination, to overthrow the Government of any State or to dismember or

impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

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

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

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

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

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

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

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

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

12. *Acknowledges* with appreciation the work and contributions made by the Working Group, including its research activities, and takes note of its latest report;¹⁸

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

¹⁸ A/HRC/21/43.

14. *Takes note* of the note by the Secretariat on the report of the second session of the open-ended intergovernmental working group;¹⁹

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

16. *Requests* the Working Group on the use of mercenaries to continue the work already done by previous mandate holders on the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition of a mercenary drafted by the Special Rapporteur on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination in his report submitted to the Commission on Human Rights at its sixtieth session;²⁰

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

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

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

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

21. *Requests* the Secretary-General and the High Commissioner to provide the Working Group with all the assistance and support necessary for the fulfilment of its mandate, both professional and financial, including through the promotion of cooperation between the Working Group and other components of the United Nations system that deal with countering mercenary-related activities, in order to meet the demands of its current and future activities;

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

¹⁹ A/HRC/21/40.

²⁰ E/CN.4/2004/15.

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

*36th meeting
27 September 2012*

[Adopted by a recorded vote of 34 to 12, with 1 abstention. The voting was as follows:

In favour:

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

Against:

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

Abstaining:

Mexico]

21/9

Promotion of a democratic and equitable international order

The Human Rights Council,

Recalling all previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on this issue, in particular Assembly resolution 65/223 of 21 December 2010 and Council resolutions 8/5 of 18 June 2008 and 18/6 of 29 September 2011,

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

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

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

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

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom,

to practice tolerance and good neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally and that, in this regard, the central role must be played by the United Nations as the most universal and representative organization in the world,

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

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

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

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

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

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

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

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

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

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

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change,

natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

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

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

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

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

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

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

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

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

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

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

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

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

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

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural

and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

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

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

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

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

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

14. *Takes note* of the report submitted by the Independent Expert on the promotion of a democratic and equitable international order;²¹

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

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

17. *Requests* the Independent Expert to submit to the Human Rights Council, at its twenty-fourth session, a report on the implementation of the present resolution, with particular emphasis on the fostering of full, equitable and effective participation, including the obstacles to that aim and possible measures to overcome them;

18. *Invites* the Independent Expert to develop close cooperation with academia, think tanks and research institutes, such as South Centre, and other stakeholders from all regions;

19. *Requests* the human rights treaty bodies, the Office of the High Commissioner, the special mechanisms extended by the Human Rights Council and the

²¹ A/HRC/21/45 and Corr.1.

Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions to its implementation;

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

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

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

*36th meeting
27 September 2012*

[Adopted by a recorded vote of 31 to 12, with 4 abstentions. The voting was as follows:

In favour:

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

Against:

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

Abstaining:

Chile, Costa Rica, Mexico, Peru]

21/10

Human rights and international solidarity

The Human Rights Council,

Reaffirming all previous resolutions adopted by the Commission on Human Rights and the Human Rights Council on the issue of human rights and international solidarity, including Commission resolution 2005/55 of 20 April 2005, Council resolutions 6/3 of 27 September 2007, 7/5 of 27 March 2008, 9/2 of 24 September 2008, 12/9 of 1 October 2009, 15/13 of 30 September 2010, 17/6 of 16 June 2011 and 18/5 of 29 September 2011, and taking note of the reports submitted by the Independent Expert on human rights and international solidarity,²²

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

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

²² A/HRC/21/44 and Add.1.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11. *Takes note with appreciation* of the report of the Independent Expert on human rights and international solidarity,²³ and welcomes her participation in the United Nations Conference on Sustainable Development (Rio+20) and in the People's Summit,²⁴ and encourages her active engagement in the post-2015 process, stressing the role of international solidarity as a key element to achieve a sustainable and more inclusive development;

12. *Welcomes* the holding of the expert workshop on human rights and international solidarity in Geneva on 7 and 8 June 2012, and takes note of the summary of the discussion contained in the addendum to the report of the Independent Expert;²⁵

13. *Requests* the Independent Expert:

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

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

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

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

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

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

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

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

16. *Takes note* of the final paper on human rights and international solidarity submitted by the drafting group on human rights and international solidarity of the Human

²³ A/HRC/21/44.

²⁴ Ibid., paras. 65–67.

²⁵ A/HRC/21/44/Add.1.

Rights Council Advisory Committee,²⁶ as an input to the process of elaborating a draft declaration on the right of peoples and individuals to international solidarity, and to the further development of guidelines, standards, norms and principles with a view to promoting and protecting this right;

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

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

*36th meeting
27 September 2012*

[Adopted by a recorded vote of 35 to 12, with no abstentions. The voting was as follows:

In favour:

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

Against:

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

21/11

Guiding principles on extreme poverty and human rights

The Human Rights Council,

Recalling all relevant resolutions on extreme poverty and human rights adopted by the General Assembly, including resolution 65/214 of 21 December 2010,

Recalling also all previous resolutions adopted by the Subcommission on the Promotion and Protection of Human Rights, including its resolution 2006/9 of 24 August 2006, in which the Subcommission welcomed and approved the draft guiding principles prepared by the ad hoc group of experts, and requested the Human Rights Council to study them with the view to adopting them and forwarding them to the General Assembly,

Recalling further all relevant Human Rights Council resolutions, including resolution 15/19 of 30 September 2010, in which the Council invited the independent expert on the question of human rights and extreme poverty to pursue further work on the draft guiding principles on extreme poverty and human rights with a view to submitting a final draft of the revised guiding principles to the Council at its twenty-first session, in order to allow the Council to take a decision on the way forward with a view to the adoption, by 2012, of guiding principles on the rights of persons living in extreme poverty, and resolution 17/13 of 17 June 2011, in which the Council decided to extend the mandate of the mandate holder as a special rapporteur,

Welcoming the submission of views and contributions of Member States and other relevant stakeholders on the draft guiding principles, including in accordance with Human

²⁶ A/HRC/21/66.

Rights Council resolution 12/19 of 2 October 2009 and 15/19, as well as the holding of different rounds of consultations on this matter between 2001 and 2012, the latest being the two-day consultation organized by the Office of the United Nations High Commissioner for Human Rights on 22 and 23 June 2011,

Expressing its appreciation to the Special Rapporteur on extreme poverty and human rights for finalizing the draft guiding principles by integrating the views and contributions of Member States and other relevant stakeholders,

Reaffirming the commitments made at relevant United Nations conferences and summits, including those made at the Millennium Summit, at which Heads of State and Government committed themselves to eradicate extreme poverty and to halve, by 2015, the proportion of the world's people whose income is less than one dollar a day and of those who suffer from hunger, and at the 2005 World Summit, and welcoming the conclusions of the summit on the Millennium Development Goals, held in New York from 20 to 22 September 2010,

Deeply concerned that extreme poverty and social exclusion persist in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and manifestations are particularly severe in developing countries,

Acknowledging the need to continue national and international efforts, including through international cooperation to eradicate extreme poverty, in particular in the framework of the post-2015 development agenda, and taking note in this regard of the contribution of the United Nations Conference on Sustainable Development (Rio+20) and of its outcome document "The future we want",²⁷

Stressing that respect for all human rights, including the right to development, is important for all policies and programmes that specifically address the situation of people living in extreme poverty,

1. *Takes note with appreciation* of the report of the Special Rapporteur on extreme poverty and human rights on the guiding principles on extreme poverty and human rights,²⁸ and welcomes the work of the Special Rapporteur;

2. *Adopts* the guiding principles on extreme poverty and human rights as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate;

3. *Encourages* Governments, relevant United Nations bodies, specialized agencies, funds and programmes, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations and non-State actors, including the private sector, to consider the guiding principles in the formulation and implementation of their policies and measures concerning persons affected by extreme poverty;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to disseminate the guiding principles, as appropriate;

5. *Decides* to transmit the guiding principles on extreme poverty and human rights to the General Assembly for its consideration.

*36th meeting
27 September 2012*

²⁷ General Assembly resolution 66/288.

²⁸ A/HRC/21/39.

[Adopted without a vote.]

21/12

Safety of journalists

The Human Rights Council,

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

Reaffirming the Universal Declaration of Human Rights, and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Convention for the Protection of All Persons from Enforced Disappearance, as well as the Geneva Conventions of 1949 and the Additional Protocols thereto of 8 June 1977,

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council on the right to freedom of opinion and expression, in particular Council resolution 12/16 of 2 October 2009, as well as Council resolutions 13/24 of 26 March 2010 and 20/8 of 5 July 2012,

Mindful that the right to freedom of opinion and expression is a human right guaranteed to all in accordance with articles 19 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights, and that it constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and development,

Reaffirming that everyone has the right to life, liberty and security of person,

Recognizing the importance of all forms of the media, including the printed media, radio, television and the Internet, in the exercise, promotion and protection of the right to freedom of opinion and expression,

Acknowledging the particular role played by journalists in matters of public interest, including by raising awareness of human rights,

Underlining the importance of voluntary professional principles and ethics developed and observed by the media,

Recognizing that the work of journalists often puts them at specific risk of intimidation, harassment and violence,

Acknowledging the specific risks faced by women journalists in the exercise of their work, and underlining, in this context, the importance of taking a gender-sensitive approach when considering measures to address the safety of journalists,

Taking note of the good practices of different countries aiming at the protection of journalists, as well as, inter alia, those designed for the protection of human rights defenders that can, where applicable, be relevant to the protection of journalists,

Underlining the important role of regional and subregional organizations in the safety of journalists,

Welcoming the important work of the United Nations Educational, Scientific and Cultural Organization for the safety of journalists,

Taking note of the International Conference on Protection of Journalists in Dangerous Situations, held on 22 and 23 January 2012 in Doha,

1. *Recalls*, in the context of this resolution, the rights contained in the International Covenant on Civil and Political Rights, in particular article 19, which states that:

1. Everyone shall have the right to hold opinions without interference;
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice;
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order (ordre public), or of public health or morals;

2. *Takes note* of the reports of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression²⁹ and the Special Rapporteur on extrajudicial, summary or arbitrary executions,³⁰ presented to the Human Rights Council at its twentieth session, and the interactive dialogue thereon;

3. *Expresses its concern* that violations of the right to freedom of opinion and expression continue to occur, including increased attacks against and killings of journalists and media workers, and stressing the need to ensure greater protection for all media professionals and for journalistic sources;

4. *Condemns in the strongest terms* all attacks and violence against journalists, such as torture, extrajudicial killings, enforced disappearances and arbitrary detention, as well as intimidation and harassment;

5. *Expresses its concern* that there is a growing threat to the safety of journalists posed by non-State actors, including terrorist groups and criminal organizations;

6. *Calls on* all parties to armed conflict to respect their obligations under international human rights law and international humanitarian law, including their obligations under the Geneva Conventions of 12 August 1949 and, where applicable, the Additional Protocols thereto of 8 June 1977, the provisions of which extend protection to journalists in situations of armed conflict, and to allow, within the framework of applicable rules and procedures, media access and coverage, as appropriate, in situations of international and non-international armed conflict;

7. *Expresses its concern* that attacks against journalists often occur with impunity, and calls upon States to ensure accountability through the conduct of impartial, speedy and effective investigations into such acts falling within their jurisdiction, and to bring to justice those responsible and to ensure that victims have access to appropriate remedies;

8. *Calls upon* States to promote a safe and enabling environment for journalists to perform their work independently and without undue interference, including by means of (a) legislative measures; (b) awareness-raising in the judiciary, law enforcement officers

²⁹ A/HRC/20/17 and Add.1–3.

³⁰ A/HRC/20/22, Corr.1 and Add.1–4.

and military personnel, as well as journalists and civil society, regarding international human rights and humanitarian law obligations and commitments relating to the safety of journalists; (c) the monitoring and reporting of attacks against journalists; (d) publicly condemning attacks; and (e) dedicating necessary resources to investigate and prosecute such attacks;

9. *Encourages* States to put in place voluntary protection programmes for journalists, based on local needs and challenges, including protection measures that take into account the individual circumstances of the persons at risk, as well as, where applicable, the good practices in different countries;

10. *Invites* relevant special procedures of the Human Rights Council, as appropriate, in the framework of their mandates, to continue to address the relevant aspects of the safety of journalists in their work;

11. *Stresses* the need to ensure better cooperation and coordination at the international level with regard to ensuring the safety of journalists, including with regional organizations, and invites United Nations agencies, funds and programmes, other international and regional organizations, Member States and all relevant stakeholders, when applicable and in the scope of their mandates, to cooperate further in the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, elaborated by the United Nations Educational, Scientific and Cultural Organization and endorsed by the United Nations System Chief Executives Board for Coordination;

12. *Requests* the Office of the United Nations High Commissioner for Human Rights, in collaboration with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, to prepare, working in consultation with States and other relevant stakeholders, a compilation of good practices in the protection of journalists, the prevention of attacks and the fight against impunity for attacks committed against journalists, and to present the compilation in a report to the Human Rights Council at its twenty-fourth session.

*37th meeting
27 September 2012*

[Adopted without a vote.]

21/13

Panel discussion on the negative impact of corruption on the enjoyment of human rights

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council, including Council resolution 19/20 of 23 March 2012 on the role of good governance in the promotion and protection of human right, as well as the United Nations Millennium Declaration,

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

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

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

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

1. *Decides* to convene, at its twenty-second session, from within existing resources, a panel discussion on the issue of the negative impact of corruption on the enjoyment of human rights;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to organize the above-mentioned panel discussion and to liaise with States, relevant United Nations bodies, agencies, treaty bodies and special procedures, in particular the United Nations Office on Drugs and Crime and the United Nations Development Programme, international organizations, in particular the International Anti-Corruption Academy, relevant regional human rights mechanisms, as well as with civil society, non-governmental organizations and national human rights institutions, with a view to ensuring their participation in the panel discussion;

3. *Also requests* the Office of the High Commissioner to prepare and submit a summary report on the panel discussion to the Human Rights Council at its twenty-third session.

*37th meeting
27 September 2012*

[Adopted without a vote.]

21/14

World Programme for Human Rights Education

The Human Rights Council,

Reaffirming that, as stipulated in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights and in other international human rights instruments, States are duty-bound to ensure that education is aimed at strengthening the respect of human rights and fundamental freedoms,

Recalling General Assembly resolution 43/128 of 8 December 1988, by which the Assembly launched the World Public Information Campaign on Human Rights, resolutions 59/113 A of 10 December 2004 and 59/113 B of 14 July 2005, in which the Assembly proclaimed the World Programme for Human Rights Education and adopted the Plan of Action for its first phase, and 60/251 of 15 March 2006, in which the Assembly decided, inter alia, that the Human Rights Council should promote human rights education and learning, as well as Commission on Human Rights resolution 2005/61 of 20 April 2005 and Subcommission for the Promotion and Protection of Human Rights resolution 2006/19 of 24 August 2006 on the World Programme for Human Rights Education,

Recalling also Human Rights Council resolutions 6/9 and 6/24 of 28 September 2007, 9/12 of 24 September 2008, 10/3 of 25 March 2009, 12/4 of 1 October 2009 and 15/11 of 30 September 2010,

Recalling further that the World Programme is an ongoing initiative structured in consecutive phases to advance the implementation of human rights education programmes in all sectors, and that Member States should continue the implementation of human rights education in primary and secondary school systems, which was the focus of the first phase (2005–2009), while taking the necessary measures to implement the second phase (2010–2014), which focuses on human rights education for higher education and on human rights training programmes for teachers and educators, civil servants, law enforcement officials and military personnel at all levels,

Welcoming the adoption by the General Assembly of the United Nations Declaration on Human Rights Education and Training in its resolution 66/137 of 19 December 2011,

1. *Takes note* of the progress report on the implementation of the World Programme for Human Rights Education prepared by the Office of the United Nations High Commissioner for Human Rights;

2. *Welcomes* initiatives by all relevant stakeholders on the implementation of the second phase of the World Programme;

3. *Encourages* all States, and, where appropriate, relevant stakeholders that have not yet taken steps to implement, within their capabilities, the World Programme and the Plan of Action to do so;

4. *Encourages* all States and other relevant stakeholders to apply in their human rights education initiatives sound educational methodologies based on good practices and assessed through continued evaluation, and recommends cooperation, networking and information sharing among all actors;

5. *Recognizes* that the World Programme for Human Rights Education is among useful tools that may assist and enhance the national implementation of the United Nations Declaration on Human Rights Education and Training;

6. *Requests* the Office of the High Commissioner to seek the views of States, national human rights institutions and other relevant stakeholders on the target sectors, focus areas or thematic human rights issues for the third phase of the World Programme, and to submit a report thereon to the Council at its twenty-fourth session.

*37th meeting
27 September 2012*

[Adopted without a vote.]

21/15

Human rights and transitional justice

The Human Rights Council,

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

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

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

Welcoming Human Rights Council resolution 18/7 of 29 September 2011, in which the Council created the mandate of special rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, and the appointment of a mandate holder by the Council at its nineteenth session,

Welcoming also the decision of the General Assembly to convene a high-level meeting on the theme “The rule of law at the national and international levels” during the high-level segment of its sixty-seventh session,³¹

Recalling the reports of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies,³² including the relevant recommendations contained therein, the report of the Secretary-General entitled “Uniting our strengths: Enhancing United Nations support for the rule of law”,³³ which designated the Office of the United Nations High Commissioner for Human Rights as the lead entity within the United Nations system on, inter alia, transitional justice, subsequent reports of the Secretary-General on the rule of law³⁴ and the report of the Secretary-General on enhancing mediation and its support activities,³⁵ and taking note of the guidance note of the Secretary-General on the United Nations Approach to Transitional Justice of March 2010,

Recalling also the set of principles for the protection and promotion of human rights through action to combat impunity,³⁶ and taking note with appreciation of the updated version of those principles,³⁷ as well as the report of the Special Rapporteur on the independence of judges and lawyers submitted to the Commission on Human Rights,³⁸

Recalling further Security Council resolution 1325 (2000) of 31 October 2000 and its subsequent resolutions 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women, peace and security, and reaffirming the important role of women in the prevention and resolution of conflicts and in peacebuilding, and the need to increase their role in decision-making with regard to conflict prevention and resolution,

Welcoming the role of the Peacebuilding Commission in this regard, and recalling the necessity for the Commission to intensify its efforts, within its mandate, in cooperation

³¹ General Assembly resolution 65/32, para. 13.

³² S/2004/616 and S/2011/634.

³³ A/61/636-S/2006/980.

³⁴ A/63/226, A/63/64, A/64/298, A/65/318 and A/66/133.

³⁵ S/2009/189.

³⁶ E/CN.4/Sub.2/1997/20/Rev.1, annex II.

³⁷ E/CN.4/2005/102/Add.1.

³⁸ E/CN.4/2006/52.

with national and transitional Governments and in consultation with the relevant United Nations entities, to incorporate human rights, when advising on or proposing country-specific peacebuilding strategies for post-conflict situations in cases under consideration, where applicable,

Recognizing the role of the International Criminal Court in a multilateral system that aims to end impunity, establish the rule of law, promote and encourage respect for human rights and international humanitarian law and achieve sustainable peace, in accordance with international law and the purposes and principles of the Charter,

Noting the inclusion of a range of sexual violence offences in the Rome Statute of the International Criminal Court and the statutes of the ad hoc international criminal tribunals, and also that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide,

Welcoming the activities of the United Nations, including through its field presences, in assisting States to design, establish and implement transitional justice mechanisms and promote the rule of law, as well as its conceptual and analytical work on transitional justice and human rights, and encouraging greater efforts to ensure that a gender perspective and a victim-centred approach are fully integrated into all of these activities,

Welcoming also the increased integration of a human rights perspective, including through activities of the Office of the High Commissioner in cooperation with other relevant actors of the United Nations system, in the United Nations activities related to transitional justice, as well as the importance given to the rule of law and transitional justice by the High Commissioner and her Office, including its Rule of Law and Democracy Unit,

Stressing that the full range of civil, cultural, economic, political and social rights should be taken into account in any transitional justice context in order to promote, inter alia, the rule of law and accountability,

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

2. *Underlines* that, when designing a transitional justice strategy, the specific context of each situation has to be taken into account with a view to preventing the recurrence of crises and future violations of human rights, and to ensure social cohesion, institution-building, ownership and inclusiveness at the national and local levels;

3. *Also underlines* that truth-seeking processes, such as truth and reconciliation commissions, that investigate patterns of past human rights violations and their causes and consequences are important tools that can complement judicial processes and that, when established, such mechanisms have to be designed within a specific societal context and to be founded on broad national consultations with the inclusion of victims and civil society, including non-governmental organizations;

4. *Stresses* the need within a sustainable transitional justice strategy to develop national prosecutorial capacities that are based on a clear commitment to combat impunity, to take into account the victim's perspective and to ensure compliance with human rights obligations concerning fair trials;

5. *Reaffirms* the responsibility of States to comply with their relevant obligations to prosecute those responsible for gross violations of human rights and serious violations of international humanitarian law constituting crimes under international law, with a view to end impunity;

6. *Calls upon* States, in particular, to comply with their obligations under applicable international law when prosecuting persons for gender-based and sexual violence, to ensure that all victims of such violence have equal access to justice, and stresses the importance of ending impunity for such acts as part of a comprehensive approach to seeking truth, justice, reparation and guarantees of non-recurrence;

7. *Notes with interest* the position of the Secretary-General that peace agreements endorsed by the United Nations can never permit amnesties for genocide, crimes against humanity, war crimes and gross violations of human rights;

8. *Reaffirms* that remedies for gross violations of international human rights law and serious violations of international humanitarian law include, as provided for under international law, the victim's right to:

- (a) Equal and effective access to justice;
- (b) Adequate, effective and prompt reparation for harm suffered;
- (c) Access to relevant information concerning violations and reparation mechanisms;

9. *Emphasizes* that a human rights-based approach should be incorporated into vetting processes as part of institutional reform aiming at preventing the recurrence of human rights violations and at building confidence in State institutions;

10. *Welcomes* the report of the United Nations High Commissioner for Human Rights on human rights and transitional justice,³⁹ taking note of the analysis of the relationship between disarmament, demobilization and reintegration and transitional justice, and stressing that disarmament, demobilization and reintegration and transitional justice processes are interrelated and that coordination between the two efforts is essential to facilitate their coherence and mutual reinforcement;

11. *Emphasizes* that justice, peace, democracy and development are mutually reinforcing imperatives;

12. *Welcomes* the fact that a growing number of peace agreements contain provisions for transitional justice processes, such as truth-seeking, prosecution initiatives, reparations programmes and institutional reform, and do not provide for blanket amnesties;

13. *Underlines* the importance and urgency of national and international efforts to end human rights violations, restore justice and the rule of law in conflict and post-conflict situations and, where relevant, in the context of transitional processes;

14. *Stresses* the importance of a comprehensive process of national consultation, particularly with those affected by human rights violations, in contributing to a holistic transitional justice strategy that takes into account the particular circumstances of every situation and is in conformity with human rights;

15. *Underlines* the importance of giving vulnerable groups, including those marginalized for political, socioeconomic or other reasons, a voice in these processes and to

³⁹ A/HRC/18/23.

ensure that discrimination, the root causes of conflict, and violations of all human rights, including economic, social and cultural rights, are addressed;

16. *Recognizes* the important role played in the realization of transitional justice goals and in the reconstruction of society, as well as in the promotion of the rule of law and accountability, by:

(a) Victims' associations, human rights defenders and other actors of civil society, as well as national human rights institutions created in conformity with the Paris Principles;

(b) Women's organizations in the design, establishment and implementation of transitional justice mechanisms, so as to ensure that women are represented in their structures and that a gender perspective is reflected in their mandates and work;

(c) Free and independent media in informing the public about the human rights dimension in the area of transitional justice mechanisms locally, nationally and internationally;

17. *Strongly condemns* violence against women and girls committed in conflict and post-conflict situations, such as murder, rape, including systematic rape, sexual slavery, forced pregnancy and enforced sterilization, recognizing that the term "violence against women" is not limited to sexual violence but includes any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, and calls for effective measures of accountability and redress where those acts amount to violations of international human rights and humanitarian law;

18. *Recognizes* that sexual and gender-based violence is also committed against men and boys in conflict and post-conflict situations and, as such, can also constitute a gross violation of international human rights law and a serious violation of international humanitarian law and that such violations must be investigated, prosecuted and punished, and redress be provided to victims in accordance with applicable domestic law obligations under international law;

19. *Also recognizes* that sexual and gender-based violence, particularly in conflict and post-conflict situations, affects victims, families, communities and societies, and stresses that effective remedies in those situations should include access to health care, psychosocial support, legal assistance and socioeconomic reintegration services for victims of such violence;

20. *Underlines* the needs of women and the particular needs of children in transitional justice processes and the obligation and importance of enabling the full and equal participation of women, and the importance of engaging children, consistent with their age and maturity, in all aspects of post-conflict recovery, recognizing their crucial role in facilitating the reconstruction of society, the promotion of the rule of law and ensuring accountability;

21. *Also underlines* the need for the rights of both victims and accused persons to be respected, in accordance with international human rights law, with particular attention to be paid to those most affected by conflicts and the lack of effective rule of law mechanisms, among them women, children, migrants, refugees, internally displaced persons, persons with disabilities and persons belonging to national or ethnic, religious or linguistic minorities and indigenous peoples, and to ensure that specific measures are taken for their free participation and protection and for the sustainable return of refugees and internally displaced persons in safety and dignity;

22. *Emphasizes* the need to provide gender-sensitive human rights training in the context of transitional justice to all relevant national actors, including police, military, intelligence and security services, prosecution staff and members of the judiciary, in dealing with victims of human rights violations, particularly women and girls, in order to ensure gender sensitivity and gender mainstreaming in the restoration of the rule of law and transitional justice processes;

23. *Calls upon* States to assist the United Nations in its ongoing work on the relevant recommendations of the reports of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies,⁴³ the report of the Secretary-General entitled “Uniting our strengths: Enhancing United Nations support for the rule of law”⁴⁴ as well as subsequent reports of the Secretary-General on the rule of law,⁴⁴ including by incorporating international human rights law, principles and best practices into the development and implementation of transitional justice mechanisms and by cooperating fully with United Nations field presences in the area of human rights and transitional justice and by facilitating the work of relevant special procedures;

24. *Calls upon* the international community and regional organizations to assist countries who so consent, in the context of transitional justice, to ensure the promotion and protection of human rights and to incorporate best practices into the development and implementation of transitional justice mechanisms;

25. *Recommends* that a human rights and transitional justice perspective be taken into account in peace negotiations, and that those conducting peace negotiations draw upon the relevant human rights and transitional justice expertise available within the United Nations system;

26. *Welcomes* the report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence,⁴⁰ in which the Special Rapporteur concluded that, as a set of measures, the four components of his mandate are interrelated and mutually reinforcing when implemented to redress gross violations of human rights and serious violations of international humanitarian law and that, with respect to the meaningful participation of victims, the participatory procedures necessary to address the different needs and opportunities of women, men and children have yet to be established;

27. *Acknowledges* the fundamental importance of human rights education and training in contributing to the promotion, protection and effective realization of all human rights, including the area of human rights and transitional justice;

28. *Invites* States to avail themselves of the expertise and advisory services of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence in the area of human rights and transitional justice, and encourages the Special Rapporteur, within his mandate, to share experience and information relating to good practices, technical assistance and capacity-building in his interaction with States in this regard;

29. *Encourages* the Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence to work, within his mandate, in close cooperation with relevant special procedures of the Human Rights Council and relevant actors within the United Nations system, including the United Nations Entity for Gender Equality and the Empowerment of Women, the Department of Peacekeeping Operations, the Special Representative of the Secretary-General on Sexual Violence in Conflict, the Special Representative of the Secretary-General for Children and Armed Conflict and the

⁴⁰ A/HRC/21/46.

Committee on the Elimination of Discrimination against Women, as appropriate, in the fulfilment of the gender-specific dimension of his mandate;

30. *Requests* the Office of the High Commissioner to continue to enhance its leading role within the United Nations, including with regard to conceptual and analytical work regarding transitional justice, and to assist States, with their consent, to design, establish and implement transitional justice mechanisms from a human rights perspective, while stressing the importance of close cooperation between the Office of the High Commissioner and the Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence, as well as with other relevant actors of the United Nations and other international and non-governmental organizations, with regard to incorporating human rights and best practices into the development and implementation of transitional justice mechanisms and to the ongoing process of strengthening the United Nations system in the area of the rule of law and transitional justice;

31. *Invites* other relevant actors of the United Nations system to cooperate fully with the Office of the High Commissioner and the Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence in the area of human rights and transitional justice;

32. *Requests* the Office of the High Commissioner to submit an analytical study to the Human Rights Council, prior to its twenty-seventh session, focusing on gender-based and sexual violence in relation to transitional justice in conflict and post-conflict situations, the effective participation of victims and the participatory procedures necessary to address the different needs and opportunities of women, men and children, including good practices of States in the field of truth-seeking, justice, reparation and institutional reform and undertaken in consultation with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the Special Rapporteur on violence against women, its causes and consequences, other relevant mandate holders, the United Nations Entity for Gender Equality and the Empowerment of Women, the Special Representative of the Secretary-General on Sexual Violence in Conflict, the Special Representative of the Secretary-General for Children and Armed Conflict, other relevant actors of the United Nations system, civil society and other stakeholders;

33. *Decides* to continue its consideration of this matter at its twenty-seventh session or at the corresponding session in conformity with its annual programme of work.

*37th meeting
27 September 2012*

[Adopted without a vote.]

21/16

The rights to freedom of peaceful assembly and of association

The Human Rights Council,

Reaffirming Human Rights Council resolution 15/21 of 30 September 2010, and recalling Council resolutions 19/35 of 23 March 2012 and 20/8 of 5 July 2012 and relevant resolutions of the Commission on Human Rights,

Recognizing the importance of the rights of everyone to freedom of peaceful assembly and of association to the full enjoyment of all human rights,

Recalling that, in accordance with the International Covenant on Civil and Political Rights and as similarly prescribed in the International Covenant on Economic, Social and Cultural Rights, no restriction may be placed on the exercise of the rights to freedom of

peaceful assembly and of association other than those that are prescribed by law and that are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others,

Reiterating the critical mandate, role, expertise and specialized supervisory mechanisms and procedures of the International Labour Organization with respect to employers' and workers' rights to freedom of association,

Taking note of the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association,⁴¹

Reiterating the important role of new information and communications technologies in enabling and facilitating the enjoyment of the rights to freedom of peaceful assembly and of association, and the importance for all States to promote and facilitate access to the Internet and international cooperation aimed at the development of media and information and communications facilities in all countries,

Recognizing the importance of the freedoms of peaceful assembly and of association, as well as the importance of civil society, to good governance, including through transparency and accountability, which is indispensable for building peaceful, prosperous and democratic societies,

Aware of the crucial importance of active involvement of civil society in processes of governance that affect the life of people,

1. *Reminds* States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law;

2. *Expresses concern* at violations of the rights to freedom of peaceful assembly and of association;

3. *Emphasizes* the critical role of the rights to freedom of peaceful assembly and of association for civil society, and recognizes that civil society facilitates the achievement of the purposes and principles of the United Nations;

4. *Stresses* that respect for the rights to freedom of peaceful assembly and of association, in relation to civil society, contributes to addressing and resolving challenges and issues that are important to society, such as the environment, sustainable development, crime prevention, human trafficking, empowering women, social justice, consumer protection and the realization of all human rights;

5. *Reiterates its call upon* States to cooperate fully with and assist the Special Rapporteur on the rights to freedom of peaceful assembly and of association in the performance of his mandate;

6. *Reiterates its call upon* the Office of the United Nations High Commissioner for Human Rights to assist States to promote and protect the rights to freedom of peaceful assembly and of association, including through the technical assistance programmes of the Office, at the request of States, and to cooperate with relevant bodies of the United Nations

⁴¹ A/HRC/20/27.

system and other intergovernmental organizations to assist States to promote and protect the rights to freedom of peaceful assembly and of association;

7. *Invites* the Special Rapporteur on the rights to freedom of peaceful assembly and of association to include, in his next annual report, the importance of the freedom of peaceful assembly and of association to the work of civil society actors, including with respect to the progressive realization of economic, social and cultural rights;

8. *Requests* the Special Rapporteur to present an annual report to the General Assembly;

9. *Decides* to continue its consideration of the issue of the rights to freedom of peaceful assembly and of association in accordance with its programme of work.

*37th meeting
27 September 2012*

[Adopted without a vote.]

21/17

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

The Human Rights Council,

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

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

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

Recalling also its resolutions 9/1 of 24 September 2008 and 18/11 of 27 September 2011, and all the resolutions of the Commission on Human Rights on this matter,

1. *Takes note* of the report of the previous Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes;⁴²

2. *Requests* the new Special Rapporteur, in accordance with his mandate, to provide comprehensive and up-to-date information on the adverse effects that the improper management and disposal of hazardous substances and wastes may have on the full enjoyment of human rights, for example, information on:

(a) The human rights issues raised by transnational corporations and other business enterprises in connection with the environmentally sound management and disposal of hazardous substances and wastes;

⁴² A/HRC/21/48 and Corr.1.

(b) The scope of national legislation relating to the human rights implications of the management and disposal of hazardous substances and wastes;

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

(d) Support and assistance to victims of human rights violations relating to the environmentally sound management and disposal of hazardous substances and wastes;

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

(f) Human rights abuses and violations committed against human rights defenders owing to their activities relating to the environmentally sound management and disposal of hazardous substances and wastes;

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

4. *Urges* the Special Rapporteur to continue his consultations with the competent United Nations agencies and organizations and the secretariats of relevant international environmental conventions concerning a multidisciplinary, in-depth approach to existing problems, and to take due account of progress made in other bodies, as well as to identify gaps, with a view to finding lasting solutions for the management of such substances and wastes and to preparing a progress report thereon, with specific recommendations and proposals on the steps to be taken immediately to address adverse effects on human rights of hazardous substances and wastes, and to submit that report to the Human Rights Council at its twenty-fourth session;

5. *Also urges* the Special Rapporteur to develop, in consultation with relevant stakeholders and with the support of the United Nations High Commissioner for Human Rights, a guide to best practices regarding the human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes, and to submit the guide together with his report to the Human Rights Council at its twenty-seventh session;

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

7. *Reiterates its call* to States and other stakeholders to facilitate the work of the Special Rapporteur by providing information and inviting him to undertake country visits;

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

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

*37th meeting
27 September 2012*

[Adopted without a vote.]

21/18

Human rights and issues related to terrorist hostage-taking

The Human Rights Council,

Guided by the Charter of the United Nations,

Recalling Human Rights Council resolution 18/10 of 29 September 2011, in which the Council requested the Advisory Committee to prepare a study on human rights and issues related to terrorist hostage-taking and to present an interim report on the study at its twenty-first session, and the final study at its twenty-third session,

1. *Takes note* of the preliminary report submitted by the drafting group of the Advisory Committee to the Committee at its ninth session;⁴³

2. *Decides* to grant the Advisory Committee further time to allow it to submit an interim report on the subject to the Human Rights Council at its twenty-second session and the final study at its twenty-fourth session.

*37th meeting
27 September 2012*

[Adopted without a vote.]

21/19

Promotion and protection of the human rights of peasants and other people working in rural areas

The Human Rights Council,

Recalling Human Rights Council resolutions 13/4 of 24 March 2010, 16/27 of 25 March 2011 and 19/7 of 22 March 2012,

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

Underlining the imperative need to achieve the Millennium Development Goals by 2015 in order to contribute to making the right to development a reality for everyone,

Gravely concerned that hunger, like poverty, is still predominantly a rural problem, and that in the rural population it is those who produce food who suffer disproportionately, and alarmed that 80 per cent of people suffering from hunger live in rural areas, particularly in developing countries, and 50 per cent are small-scale and traditional farm holders, and that these people are especially vulnerable to food insecurity, discrimination and exploitation,

Recognizing that livelihoods in rural areas are disproportionately affected by poverty, climate change, lack of development and lack of access to scientific progress,

Taking note of the draft declaration on the rights of peasants and other people working in rural areas prepared by the Advisory Committee and submitted to the Human Rights Council,⁴⁴

⁴³ A/HRC/AC/9/CRP.1.

Convinced of the need to strengthen the protection and realization of the human rights of peasants and other people working in rural areas,

1. *Decides* to establish an open-ended intergovernmental working group with the mandate of negotiating, finalizing and submitting to the Human Rights Council a draft United Nations declaration on the rights of peasants and other people working in rural areas, on the basis of the draft submitted by the Advisory Committee, and without prejudging relevant past, present and future views and proposals;
2. *Also decides* that the working group shall hold its first session for five working days in 2013, before the twenty-third session of the Human Rights Council;
3. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the working group with the human, technical and financial assistance necessary for it to fulfil its mandate;
4. *Requests* the President of the Human Rights Council to invite the Rapporteur of the Advisory Committee drafting group on the draft declaration to participate in the first session of the working group;
5. *Invites* States, civil society, representatives of peasants and other people working in rural areas and all relevant stakeholders to contribute actively and constructively to the work of the working group;
6. *Requests* the working group to submit a report on progress made to the Human Rights Council for its consideration at its twenty-sixth session.

*37th meeting
27 September 2012*

[Adopted by a recorded vote of 23 to 9, with 15 abstentions. The voting was as follows:

In favour:

Angola, Bangladesh, Benin, Burkina Faso, Cameroon, Chile, China, Congo, Costa Rica, Cuba, Djibouti, Ecuador, Guatemala, India, Indonesia, Kyrgyzstan, Malaysia, Peru, Philippines, Russian Federation, Thailand, Uganda, Uruguay

Against:

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

Abstaining:

Botswana, Jordan, Kuwait, Libya, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Norway, Qatar, Republic of Moldova, Saudi Arabia, Senegal, Switzerland]

21/20

High-level panel discussion to commemorate the twentieth anniversary of the adoption of the Vienna Declaration and Programme of Action

The Human Rights Council,

⁴⁴ A/HRC/19/75, annex.

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,

Noting that 2013 will mark the twentieth anniversary of the adoption of the Vienna Declaration and Programme of Action by the World Conference on Human Rights on 25 June 1993,

Emphasizing that the anniversary offers an important opportunity to reiterate the commitment to the universal promotion and protection of the human rights of all, as well as to reflect on achievements, best practices and challenges with regard to the implementation of the Declaration and Programme of Action,

Emphasizing also the need for continued and reinforced efforts for the full realization of the human rights of all,

1. *Decides* to convene, at the first day of the high-level segment of its twenty-second session, a high-level panel discussion to commemorate the twentieth anniversary of the Vienna Declaration and Programme of Action, with a particular focus on its implementation, as well as on achievements, best practices and challenges in this regard;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to organize the panel discussion and to liaise with States, relevant United Nations bodies, agencies, treaty bodies, special procedures and regional human rights mechanisms, as well as with civil society, including non-governmental organizations, and national human rights institutions, with a view to ensuring their participation in the panel discussion;

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

*37th meeting
27 September 2012*

[Adopted without a vote.]

21/21

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

The Human Rights Council,

Guided by the purposes and principles of the United Nations, particularly with regard to achieving international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

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

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

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

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

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

Reaffirming also Human Rights Council resolution 18/18 of 29 September 2011,

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

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

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

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

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

3. *Decides*, in accordance with paragraphs 3 and 4 of Human Rights Council resolution 18/18, that the theme for an annual thematic panel discussion under agenda item 10, to be held during the twenty-second session of the Council, shall be “Promoting technical cooperation for the strengthening of the judiciary system and administration of justice in order to ensure human rights and rule of law”;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to prepare a report on activities undertaken by the Office, other relevant United Nations agencies, in particular the United Nations Office on Drugs and Crime, and, where applicable, regional organizations to support efforts by States to strengthen their judiciary system and administration of justice, for submission to the Human Rights Council at its twenty-second session, to serve as a basis for the thematic panel discussion, and to liaise with States, relevant United Nations bodies and agencies, relevant special procedures and other stakeholders, including, where applicable, those involved in technical cooperation projects that demonstrate best practices, constructive engagement and a positive impact on the ground, with a view to ensuring their participation in the thematic panel discussion;

5. *Encourages* States Members and observers of the Human Rights Council to use, where relevant, the general debate under agenda item 10 as a platform to share experiences, challenges and information on assistance needed in the implementation of their human rights obligations and voluntary pledges and commitments, including accepted universal periodic review recommendations, as well as their achievements and good

practices in the area of technical cooperation in the field of human rights, particularly in response to the information on technical assistance and capacity-building provided by the High Commissioner and the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, in accordance with paragraphs 7 and 8 of Council resolution 18/18;

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

7. *Also emphasizes* that technical cooperation projects should be designed and implemented taking into account the principle that civil, political, economic, social and cultural rights are interdependent;

8. *Affirms* that technical cooperation should be an inclusive exercise that engages and involves all national stakeholders, including Government agencies and civil societies, at all stages;

9. *Welcomes* the panel discussion, held under agenda item 10 at the nineteenth session of the Human Rights Council, on the theme “Sharing of best practices and promoting technical cooperation: paving the way towards the second cycle of the universal periodic review”, the presentations given under agenda item 10 at the twentieth session of the Council by the High Commissioner and the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, as well as the constructive dialogue among Members and observers of the Council generated therefrom;

Technical cooperation and the universal periodic review

10. *Recognizes* that technical cooperation, including the sharing of experiences, best practices, expertise and capacity-building, is a useful tool to promote the implementation of all international human rights obligations and accepted universal periodic review recommendations;

11. *Affirms* that the universal periodic review process as a channel to initiate constructive dialogue on human rights and explore avenues for technical cooperation with States under review and that the accepted universal periodic review recommendations, pledges and commitments could serve as a platform to develop and strengthen technical cooperation among States and between States and relevant United Nations agencies, as well as to develop partnerships among United Nations agencies, in order to support the implementation of international human rights obligations by States;

12. *Encourages* donor countries and relevant United Nations agencies to take technical assistance needs, as identified by States under review, for supporting States’ efforts to implement universal periodic review recommendations into consideration in the formulation of their bilateral technical cooperation programmes;

13. *Welcomes* the contributions made by States towards the process of follow-up and implementation of universal periodic review recommendations in States under review, and encourages all States to contribute to the follow-up to and implementation of such recommendations by States under review through, inter alia, the sharing of experiences, best practices and expertise and the offering of technical assistance, on the basis of requests and the consent of the States concerned;

14. *Also welcomes* the efforts made by the Office of the High Commissioner and other relevant United Nations agencies to promote and support the implementation of

universal periodic review recommendations by States, including the strengthening by the Office of its capacity to provide such support, and calls for the Office and other relevant United Nations agencies to continue to provide timely and quality support for States' requests in their efforts to implement accepted universal periodic review recommendations and the preparation of their national reports for the review, and encourages greater coordination in this regard;

15. *Stresses* the important role of the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review in promoting the implementation of accepted universal periodic review recommendations, and encourages States and other donors to make a contribution to the Fund in order to meet the increased demand for assistance, and also encourages the Office of the High Commissioner to establish transparent criteria for its allocation;

16. *Recognizes* that existing national human rights institutions and civil society can play an important role in supporting the implementation of accepted universal periodic review recommendations and the preparation of national universal periodic review reports, and hence encourages States and relevant United Nations agencies to provide technical assistance and capacity-building for and to collaborate with these actors in those processes.

*37th meeting
27 September 2012*

[Adopted without a vote.]

21/22

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

The Human Rights Council,

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

Recalling Security Council resolutions 2014 (2011) of 21 October 2011 and 2051 (2012) of 12 June 2012 and Human Rights Council resolutions 18/19 of 29 September 2011 and 19/29 of 23 March 2012,

Recognizing that the promotion and protection of human rights are key factors in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability for the country,

Welcoming the process of political transition based on the Gulf Cooperation Council initiative and its implementation mechanism that has started in Yemen, and the commitment of the Government of Yemen to fully promote and protect human rights,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the human rights situation in Yemen⁴⁵ and of the debate held during the twenty-first session of the Human Rights Council, as well as the statement and comments by the Government of Yemen on the report and its willingness to cooperate with the United Nations and Office of the High Commissioner;

2. *Notes with appreciation* the efforts made by the Government of Yemen to implement Human Rights Council resolutions 18/19 and 19/29;

⁴⁵ A/HRC/21/37.

3. *Welcomes and supports* the signing of the host country agreement between the Government of Yemen and the High Commissioner to establish a country office of the High Commissioner in Yemen, to take place in New York on 26 September 2012;

4. *Acknowledges with appreciation* the issuance of Republican Decree No. 140, which establishes a committee to investigate allegations of violations of human rights, and notes that the Decree states that investigations shall be transparent, independent and adhere to international standards, and looks forward to further steps of the Government of Yemen towards the implementation of the Decree, in accordance with Human Rights Council resolution 19/29;

5. *Calls upon* all parties to release persons arbitrarily detained by them and to end any practice of unlawful detention of persons;

6. *Calls upon* the Government of Yemen and armed opposition groups to take immediate measures to end the use and recruitment of children, to demobilize those who have already been recruited and to cooperate with the United Nations and other qualified groups for their reintegration into their communities, taking into consideration the relevant recommendations made by the Secretary-General in his report on children and armed conflict;⁴⁶

7. *Encourages* the Government of Yemen to continue its efforts to ensure that women are represented at all levels of the political process and that they are able to participate in public life, free of discrimination and intimidation;

8. *Also encourages* the Government of Yemen to continue to implement the accepted recommendations contained in the reports of the High Commissioner⁴⁷ with the support of her Office, and calls upon the Government to address the recommendations contained in the report of the High Commissioner submitted to the Human Rights Council at its twenty-first session;

9. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect human rights;

10. *Invites* all bodies of the United Nations system, including the Office of the High Commissioner and Member States, to assist the transitional process in Yemen, including by supporting the mobilization of resources to tackle the economic and social challenges faced by Yemen, in coordination with the international donor community and according to the priorities set by the Yemeni authorities;

11. *Calls upon* the international community to provide financial support for the Yemen humanitarian response plan of 2012 and the urgent appeals for Abyan, as well as the joint United Nations stabilization plan;

12. *Requests* the High Commissioner to provide technical assistance and to work with the Government of Yemen, as needed, to identify additional areas of assistance to enable Yemen to fulfil its human rights obligations;

13. *Requests* the Office of the High Commissioner to present to the Human Rights Council, at its twenty-fourth session, a progress report on the situation of human rights in Yemen and on the follow-up to the present resolution and Council resolutions 18/19 and 19/29.

⁴⁶ A/66/782-S/2012/261.

⁴⁷ A/HRC/18/21 and A/HRC/19/51.

[Adopted without a vote.]

21/23

The human rights of older persons

The Human Rights Council,

Recalling General Assembly resolution 65/182 of 21 December 2010 on the follow-up to the Second World Assembly on Ageing, in which the Assembly established an open-ended working group for the purpose of strengthening the protection of the human rights of older persons by considering the existing international framework of the human rights of older persons and identifying possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures,

Recognizing that older persons face specific vulnerabilities and challenges in the enjoyment of all human rights, that current international initiatives on the matter have been insufficient and that enhanced measures are needed without delay,

Bearing in mind the Political Declaration and the Madrid International Plan of Action on Ageing of 2002 and relevant General Assembly resolutions,

Taking note with appreciation of the report of the Secretary-General on the follow-up to the Second World Assembly on Ageing⁴⁸ and of the report of the United Nations High Commissioner for Human Rights on the human rights of older persons,⁴⁹

Recalling general comment No. 6 of the Committee on Economic, Social and Cultural Rights on the economic, social and cultural rights of older persons, as well as other relevant documents by treaty bodies,

Conscious that older persons represent a large and growing segment of the population and that greater attention is needed to the specific human rights challenges affecting them,

Concerned at the multiple forms of discrimination that may affect older persons and at the high incidence of poverty among this particularly vulnerable group, especially older women, persons with disabilities, persons of African descent, individuals belonging to indigenous peoples, persons belonging to national or ethnic, religious and linguistic minorities, rural persons, persons living on the streets and refugees, among other groups,

1. *Recognizes* the challenges related to the enjoyment of all human rights that older persons face in areas such as prevention and protection against violence and abuse, social protection, food and housing, employment, legal capacity, access to justice, health support, long-term and palliative care, and that those challenges require in-depth analysis and action to address protection gaps;

2. *Notes with appreciation* multilateral, regional and subregional initiatives aimed at the promotion and protection of rights of older persons, including discussions on possible normative standards;

3. *Calls upon* all States to ensure the full and equal enjoyment of all human rights and fundamental freedoms for older persons, including by taking measures to combat

⁴⁸ A/67/188.

⁴⁹ E/2012/51.

age discrimination, neglect, abuse and violence, and to address issues related to social integration and adequate health care, bearing in mind the crucial importance of family intergenerational interdependence, solidarity and reciprocity for social development;

4. *Encourages* all States to conduct their age-related policies through inclusive and participatory consultations with relevant stakeholders and social development partners in the interest of developing effective policies creating national policy ownership and consensus-building;

5. *Calls upon* all States to enhance their existing mechanisms related to the protection and promotion of human rights for older persons, including by adopting, as appropriate, legal or other dedicated mechanisms;

6. *Encourages* all States to raise awareness of the challenges facing the enjoyment of all human rights by older persons, and to ensure that older persons receive information about those rights;

7. *Invites* existing special procedures and encourages treaty bodies, within their existing mandates, to pay attention to the human rights of older persons;

8. *Encourages* all States to consider including in their national reports, to be submitted for the universal periodic review, information on the human rights of older persons;

9. *Requests* the Office of the United Nations High Commissioner for Human Rights to organize, in Geneva, an intersessional public consultation on the promotion and protection of the human rights of older persons, with the participation of States Members of the United Nations, relevant international organizations, United Nations agencies and stakeholders, in order to receive information and share good practices on the matter;

10. *Also requests* the Office of the High Commissioner to present a summary report of the above-mentioned consultation to the Human Rights Council at its twenty-fourth session;

11. *Decides* to continue consideration of the question of human rights of older persons at its twenty-fourth session.

*38th meeting
28 September 2012*

[Adopted without a vote.]

21/24

Human rights and indigenous peoples

The Human Rights Council,

Recalling all Commission on Human Rights and Human Rights Council resolutions on human rights and indigenous peoples,

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

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

Welcoming General Assembly resolution 65/198 of 21 December 2010, in which the Assembly expanded the mandate of the United Nations Voluntary Fund for Indigenous

Populations so that it can assist representatives of indigenous peoples' organizations and communities to participate in sessions of the Human Rights Council, the Expert Mechanism on the Rights of Indigenous Peoples, the Permanent Forum and of human rights treaty bodies, based on diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996, and urging States to contribute to the Fund,

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

Taking note of the study by the Expert Mechanism on the Rights of Indigenous Peoples on the role of languages and culture in the promotion and protection of the rights and identity of indigenous peoples, according to which cultural and language rights are indivisible and central to all the other rights,⁵⁰

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

Welcoming the completion by the Expert Mechanism of its follow-up study on the right to participate in decision-making, with a focus on extractive industries,⁵¹ and encouraging all parties to consider the examples of good practices and recommendations included in the report as practical advice on how to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples,

1. *Welcomes* the report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples,⁵² and requests the High Commissioner to continue to submit to the Human Rights Council an annual report on the rights of indigenous peoples containing information on relevant developments in human rights bodies and mechanisms and activities undertaken by the Office of the High Commissioner at Headquarters and in the field that contribute to the promotion of, respect for and the full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and follow-up on the effectiveness of the Declaration;

2. *Also welcomes* the work of the Special Rapporteur on the rights of indigenous peoples and the official visits he has made in the past year, takes note with appreciation of his report,⁵³ and encourages all Governments to respond favourably to his requests for visits;

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

4. *Welcomes* the work of the Expert Mechanism on the Rights of Indigenous Peoples, takes note with appreciation of the report on its fifth session,⁵⁴ and encourages States to continue to participate in and contribute to its discussions, including by their national specialized bodies and institutions;

5. *Calls upon* States to consider, in consultation and cooperation with indigenous peoples, initiating and strengthening, as appropriate, effective legislative and

⁵⁰ A/HRC/21/53, para. 8.

⁵¹ A/HRC/EMRIP/2012/2.

⁵² A/HRC/21/23.

⁵³ A/HRC/21/47 and Add.1–3.

⁵⁴ A/HRC/21/52.

policy measures to protect, promote, respect and, where necessary, revitalize indigenous peoples' languages and culture, taking into account, as appropriate, the study on the role of languages and culture in the promotion and protection of the rights and identity of indigenous peoples;⁵⁵

6. *Stresses* the need to pay particular attention to the rights and special needs of indigenous women and girls, as set out in the United Nations Declaration on the Rights of Indigenous Peoples, including in the process of protecting and promoting indigenous peoples languages and culture;

7. *Requests* the Expert Mechanism to prepare a study on access to justice in the promotion and protection of the rights of indigenous peoples, and to present it to the Human Rights Council at its twenty-fourth session;

8. *Also requests* the Expert Mechanism to continue to undertake, with the assistance of the Office of the High Commissioner, a questionnaire survey to seek the views of States and of indigenous peoples on best practices with regard to possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples, with a view to completing a final summary of responses for presentation to the Human Rights Council at its twenty-fourth session, and encourages those States which have not yet provided their responses to do so;

9. *Welcomes* the adoption by the General Assembly of its resolution 65/198 and resolution 66/296 of 17 September 2012, on the organization of the High-level Plenary Meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, to be held 22 and 23 September 2014, and takes note of its inclusive preparatory process, including the preparatory meeting to be held in Guatemala on 21 December 2012 and, in this regard:

(a) Encourages States, in accordance with the provisions contained in General Assembly resolution 66/296, to continue to promote the participation of indigenous peoples during the preparatory process of the World Conference and to support it, in particular by means of technical and financial contributions;

(b) Recommends that the studies and advice of the Expert Mechanism be considered in the formulation of the agendas of the preparatory process;

10. *Notes with appreciation* the report of the Secretary-General on the ways and means of promoting participation at the United Nations of indigenous peoples' representatives on issues affecting them,⁵⁶ and invites the General Assembly to consider and include in its agenda the issue based on the possible steps elaborated in the report and taking into account practical ways to enable indigenous peoples' representatives to participate, existing procedural rules regulating such participation, and issues for consideration and conclusions contained in the report;

11. *Decides* to hold, from within existing resources, at its twenty-fourth session, a half-day panel discussion on the World Conference on Indigenous Peoples;

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

⁵⁵ A/HRC/21/53.

⁵⁶ A/HRC/21/24.

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

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

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

16. *Also welcomes* the role of national human rights institutions established in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) in advancing indigenous issues, and encourages such institutions to develop and strengthen their capacities to play that role effectively, including with the support of the Office of the High Commissioner;

17. *Encourages* relevant United Nations mechanisms, indigenous peoples and States to increase their attention to the human rights of indigenous persons with disabilities;

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

*38th meeting
28 September 2012*

[Adopted without a vote.]

21/25

Situation of human rights in the Republic of Mali

The Human Rights Council,

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

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

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

Reaffirming also its commitment to the sovereignty, independence, unity and territorial integrity of the Republic of Mali,

Reaffirming further Human Rights Council resolution 20/17 of 6 July 2012 on the situation of human rights in Mali, in which the Council welcomed the communiqués on the situation in Mali dated 6 April 2012 from the African Union, dated 23 March, 3 April, 12 June and 4 September 2012 from the African Union Peace and Security Council, and dated 6 June 2012 from the Commission of the Economic Community of West African States, not

least with regard to their condemnation of the coup d'état of 22 March 2012 and the unilateral declaration of independence,

Welcoming the formation on 20 August 2012 of a Government of national unity,

Concerned at the impact of the activities of organized transnational crime networks on the situation of human rights in Mali and in the other countries of the region,

Deeply concerned at the deterioration in the situation of human rights in the northern part of the Republic of Mali and at the humanitarian situation and its consequences for the countries of the Sahel,

1. *Condemns* the excesses and abuses committed in the Republic of Mali, particularly in the north of the country, by, among others, rebels, terrorist groups and other organized transnational crime networks, and including violence against women and children, killings, hostage-taking, pillaging, theft, the destruction of cultural and religious sites and the recruitment of child soldiers, as well as all other human rights violations;

2. *Notes* the measures taken by the Government of Mali to bring the perpetrators of such acts to justice;

3. *Repeats its call* for an immediate halt to the abuses and all human rights violations and acts of violence, and for strict respect for all human rights and fundamental freedoms;

4. *Calls for* an immediate halt to the destruction of cultural and religious sites;

5. *Continues* to support current efforts by the African Union and the Economic Community of West African States to settle the crisis in the Republic of Mali, and to bring about a definitive return to constitutional order, peace and security in that country;

6. *Emphasizes* the need to pursue humanitarian assistance to the population affected by the crisis, and urges the international community, in conjunction with the Government of Mali and the neighbouring countries concerned, to continue to deliver appropriate humanitarian assistance to refugees and displaced persons and to respond to the challenges posed by the humanitarian crisis in the Sahel;

7. *Renews* its urgent request to the United Nations High Commissioner for Human Rights to submit to the Human Rights Council, at its twenty-second session, a written report on the situation of human rights in the Republic of Mali, particularly the northern part of the country;

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

*38th meeting
28 September 2012*

[Adopted without a vote.]

21/26

Situation of human rights in the Syrian Arab Republic

The Human Rights Council,

Recalling General Assembly resolutions 66/176 of 19 December 2011, 66/253A of 16 February 2012 and 66/253B of 3 August 2012, Human Rights Council resolutions S-16/1 of 29 April 2011, S-17/1 of 23 August 2011, S-18/1 of 2 December 2011, 19/1 of 1 March 2012, 19/22 of 23 March 2012, S-19/1 of 1 June 2012 and 20/22 of 6 July 2012, and

Security Council resolutions 2042 (2012) of 14 April 2012 and 2043 (2012) of 21 April 2012,

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

Recalling further all resolutions of the League of Arab States relating to the situation in the Syrian Arab Republic, in particular its resolution 7523 of 5 September 2012, in which the League expressed its strong condemnation of the continuing violence, murder and heinous crimes committed by the Syrian authorities and its affiliated militias *Shabbiha* against Syrian civilians and the use of heavy weapons, including tanks, artillery and warplanes in its bombardment of populated neighbourhoods and villages, as well as arbitrary executions and enforced disappearances, in flagrant violation of human rights and fundamental freedoms, and called upon the Government of the Syrian Arab Republic to cease immediately and completely all forms of killing and violence against the Syrian people,

Recalling resolution 2/4-EX (IS) of the Organization of Islamic Cooperation of 15 August 2012 on the situation in the Syrian Arab Republic, in which the Organization called for the immediate implementation of the transitional plan and the development of a peaceful mechanism that would allow the building of a new Syrian State based on pluralism and a democratic and civilian system, where there would be equality on the basis of law, citizenship and fundamental freedoms,

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

Expressing grave concern at the escalation of violence in the Syrian Arab Republic and at the growing number of refugees and internally displaced persons fleeing the violence, and welcoming the efforts by neighbouring countries to host Syrian refugees,

Expressing its deep concern at the failure to implement the six-point plan of the former joint special envoy Kofi Annan, and welcoming the appointment of Lakhdar Brahimi as the new joint special representative of the United Nations and the League of Arab States on the Syrian crisis,

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

1. *Welcomes* the report of the independent international commission of inquiry on the Syrian Arab Republic,⁵⁷ submitted pursuant to Human Rights Council resolution 19/22 and the recommendations contained therein;

2. *Regrets* the non-cooperation of the Government of the Syrian Arab Republic with the commission of inquiry;

3. *Condemns* all violence, irrespective of where it comes from, including terrorist acts;

4. *Strongly condemns* the continued widespread and systematic gross violations of human rights and fundamental freedoms by the Syrian authorities and the Government-controlled militia *Shabbiha*, such as the use of heavy weapons and force against civilians,

⁵⁷ A/HRC/21/50.

massacres, arbitrary executions, extrajudicial killings, the killing and persecution of protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, interference with access to medical treatment, torture, sexual violence and ill-treatment, including against children, as well as any human rights abuses by armed opposition groups;

5. *Condemns in the strongest terms* the massacre of the village of Al-Houla near Homs, where the forces of the Government of the Syrian Arab Republic and members of the *Shabbiha* were found by the commission of inquiry to be the perpetrators of outrageous and heinous crimes, and stresses the need to hold those responsible to account;

6. *Calls upon* all parties to put an end to all forms of violence;

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

8. *Urges* the Syrian authorities to release immediately all persons arbitrarily detained, to publish a list of all detention facilities, to ensure that conditions of detention comply with applicable international law and to allow immediately access of independent monitors to all detention facilities;

9. *Reiterates its call* upon the Syrian authorities to meet its responsibility to protect the Syrian population;

10. *Stresses the need* to follow up on the report of the commission of inquiry and to conduct an international, transparent, independent and prompt investigation into abuses and violations of international law, with a view to hold to account those responsible for violations and abuses, including those that may amount to crimes against humanity and war crimes, and encourages members of the international community to ensure that there is no impunity for such violations or abuses, stressing that the Syrian authorities have failed to prosecute alleged perpetrators of serious violations or abuses, which may amount to war crimes or crimes against humanity, and notes in this regard the potential relevance of international justice, while underscoring the importance of the recommendation of the commission of inquiry that the Syrian people, on the basis of broad, inclusive and credible consultations, should determine, within the framework provided by international law, the process and mechanisms to achieve reconciliation, truth and accountability for gross violations, as well as reparations and effective remedies for victims;

11. *Stresses its support* for the aspirations of the Syrian people for a peaceful, democratic and pluralistic society, in which there is no room for sectarianism or discrimination on ethnic, religious, linguistic or any other grounds, based on the promotion of universal respect for and observance of human rights and fundamental freedoms;

12. *Underlines* the responsibility of all States Members of the Human Rights Council and the international community as a whole to be mindful of the dire situation in the Syrian Arab Republic;

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

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

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

16. *Reiterates its call* upon the Syrian authorities to allow and facilitate immediate, unimpeded and full access of humanitarian organizations to all areas of the Syrian Arab Republic in order to allow them to provide relief and humanitarian assistance, and calls on all sides to respect the safety of humanitarian workers and United Nations personnel;

17. *Decides* to extend the mandate of the independent international commission of inquiry on the Syrian Arab Republic established by the Human Rights Council in its resolution S-17/1, and requests the commission to continue its work and to present a written report on the situation of human rights in the Syrian Arab Republic at an interactive dialogue during the twenty-second session of the Council;

18. *Requests* the commission of inquiry to continue to update its mapping exercise of gross violations of human rights in the Syrian Arab Republic since March 2011, including the assessment of casualty figures, and to publish it periodically;

19. *Condemns in the strongest terms* the increasing number of massacres taking place in the Syrian Arab Republic, and requests the commission of inquiry to investigate all massacres;

20. *Requests* the Secretary-General to provide additional resources, including staffing, to the commission of inquiry in order to allow it to fulfil completely its mandate in the light of the increasingly deteriorating situation of human rights in the Syrian Arab Republic;

21. *Reiterates its call* upon the Syrian authorities to cooperate fully with the commission of inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

22. *Decides* to transmit all reports and oral updates of the commission of inquiry to all relevant bodies of the United Nations and the Secretary-General for appropriate action;

23. *Also decides* to remain seized of the matter.

*38th meeting
28 September 2012*

[Adopted by a recorded vote of 41 to 3, with 3 abstentions. The voting was as follows:

In favour:

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

Against:

China, Cuba, Russian Federation

Abstaining:

India, Philippines, Uganda]

21/27

Technical assistance for the Sudan in the field of human rights*The Human Rights Council,**Guided* by the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant instruments,*Reaffirming* the obligation of States to promote and protect human rights and fundamental freedoms,*Emphasizing* that States have the primary responsibility for the promotion and protection of all human rights,*Recognizing* the developments taking place in the Sudan, and the record of the Government of the Sudan in the promotion and protection of human rights,*Noting with concern* the human rights abuses and violations by all parties, in particular in the States of Darfur, South Kordofan and Blue Nile,*Recalling* Human Rights Council resolution 18/16 of 29 September 2011,1. *Takes note* of the report of the Independent Expert on the situation of human rights in the Sudan;⁵⁸2. *Expresses its appreciation* to the Independent Expert for his work and his recommendations;3. *Notes* that the Independent Expert commended the cooperation extended by the Government of the Sudan to him during his most recent visit to the country;4. *Welcomes* the commitment made by the Government of the Sudan to resolve outstanding issues with the Government of South Sudan;5. *Also welcomes* the Memorandum of Understanding signed by the Government of the Sudan and the United Nations, the League of Arab States and the African Union for the assessment and delivery of humanitarian assistance to war-affected civilians in the States of South Kordofan and Blue Nile;6. *Strongly affirms* the need for the positive commitment of all stakeholders to the effective implementation of the Doha Document for Peace in Darfur, particularly the chapters on human rights and fundamental freedoms, and on justice and reconciliation, and urges non-signatory groups to join it without delay;7. *Welcomes* the continued work of the Sudanese Advisory Council on Human Rights aimed at the promotion and protection of human rights in the country;8. *Also welcomes* the establishment of the National Human Rights Commission as an independent mechanism for the promotion and protection of human rights in the Sudan, and urges the Government of the Sudan to provide it with the necessary resources;9. *Further welcomes* the submission by the Government of the Sudan of its first report for the universal periodic review,⁵⁹ acknowledges the steps taken by the Government to implement the recommendations accepted as highlighted by the Independent Expert in his report, and notes the need to specify time frames for implementation strategies;⁵⁸ A/HRC/21/62.⁵⁹ A/HRC/WG.6/11/SDN/1 and Corr.1.

10. *Urges* the Government of the Sudan to rebuild a lasting climate of confidence and trust with civil society organizations and the international community, and to ensure the promotion and protection of human rights in the country;

11. *Urges* Member States, relevant United Nations agencies and other stakeholders to support the national efforts of the Government of the Sudan, in accordance with Human Rights Council resolution 18/16, with a view to further improving the situation of human rights in the country, and to respond to its requests for technical assistance;

12. *Notes with concern* the humanitarian situation in the States of South Kordofan and Blue Nile, and calls upon all parties to make every effort to immediately end violence and to halt clashes, to facilitate access for humanitarian assistance and to take action to strengthen respect for the rule of law in the two provinces, and to respect all human rights and fundamental freedoms;

13. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Sudan with the necessary technical support and training;

14. *Urges* the Government of the Sudan to continue its cooperation with the Independent Expert, including by giving him access to the entire country, in particular in the States of Darfur, South Kordofan and Blue Nile, in order to assess and verify the situation of human rights, to determine technical assistance needs and to report on his findings;

15. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in the Sudan under agenda item 10 for a period of one year, requests the Independent Expert to continue his engagement with the Government of the Sudan with a view to implementing the projects that will further help the Sudan to fulfil its human rights obligations, and to submit a report to the Human Rights Council for consideration at its twenty-fourth session;

16. *Requests* the Independent Expert to assist the Government in its strategy to implement the remaining universal periodic review accepted recommendations;

17. *Decides* to continue its consideration of this issue in accordance with its programme of work under agenda item 10.

*38th meeting
28 September 2012*

[Adopted without a vote.]

21/28

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

The Human Rights Council,

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

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

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

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

Welcoming the establishment of the South Sudan Human Rights Commission, and calling upon both the international community and the Government of South Sudan to support the South Sudan Human Rights Commission, through technical assistance and capacity-building programmes, with a view to ensuring its independence and enabling it to contribute to the promotion and protection of the human rights of the South Sudanese people, in accordance with the Paris Principles,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on technical assistance and capacity-building for South Sudan in the field of human rights;⁶⁰
2. *Calls upon* the Government of South Sudan to strengthen ongoing cooperation with the United Nations Mission in South Sudan on issues pertaining to the promotion and protection of human rights;
3. *Encourages* the Government of South Sudan to ratify the main international and regional human rights instruments;
4. *Encourages* the continuous commitment of the Government of South Sudan to resolve all outstanding issues with regard to the provisions of the Comprehensive Peace Agreement of 2005 with the Government of the Sudan;
5. *Requests* Member States, relevant United Nations agencies and stakeholders to support, as a matter of urgency, the national efforts of the Government of South Sudan, in accordance with Human Rights Council resolution 18/17 of 29 September 2011 on technical assistance and capacity-building;
6. *Requests* the Office of the High Commissioner to provide South Sudan with the necessary technical support and training;
7. *Also requests* the Office of the High Commissioner to submit a written report on the progress of technical assistance and capacity-building in the field of human rights for South Sudan to the Human Rights Council at its twenty-third session.

*38th meeting
28 September 2012*

[Adopted without a vote.]

21/29

Open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies

The Human Rights Council,

Guided by the Charter of the United Nations,

⁶⁰ A/HRC/21/34.

Recalling all previous resolutions adopted by the General Assembly, the Human Rights Council and the Commission on Human Rights on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination,

Recalling also Human Rights Council resolution 15/26 of 1 October 2010, in which the Council established the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies,

Welcoming the convening of the first and second sessions of the open-ended intergovernmental working group, held from 23 to 27 May 2011 and 13 to 17 August 2012, respectively, pursuant to Human Rights Council resolution 15/26,

1. *Requests* the Chairperson-Rapporteur of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies to present to the Human Rights Council, at its twenty-second session, the report of the working group;

2. *Decides* to consider the conclusions and recommendations of the open-ended intergovernmental working group at its twenty-second session.

*39th meeting
28 September 2012*

[Adopted without a vote.]

21/30

Elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination

The Human Rights Council,

Recalling its decision 3/103 of 8 December 2006 on the elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination and the establishment of the Ad Hoc Committee for this purpose,

Welcoming the progress achieved and noting the views expressed during the fourth session of the Ad Hoc Committee,

Recalling the need for adequate protection for victims of racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels, as well as appropriate remedies while combating all forms of impunity in this regard,

Underlining the imperative need for the Ad Hoc Committee to elaborate complementary standards to the International Convention in accordance with paragraph 199 of the Durban Programme of Action,

1. *Decides* that the Ad Hoc Committee shall convene its fifth session from 8 to 19 April 2013;

2. *Takes note* of the report of the Ad Hoc Committee on its fourth session;⁶¹

⁶¹ A/HRC/21/59.

3. *Invites* the Chairperson-Rapporteur of the Ad Hoc Committee to hold informal consultations, from within existing resources, with regional and political coordinators during the intersessional period between the fourth and fifth sessions of the Ad Hoc Committee, with the aim of preparing the fifth session and collecting concrete proposals for discussion on the topics of xenophobia, establishment, designation or maintaining of national mechanisms with competencies to protect against and prevent all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance, and procedural gaps with regard to the International Convention on the Elimination of All Forms of Racial Discrimination, in accordance with its mandate;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to send out a questionnaire, from within existing resources, to gather information regarding the three topics discussed during the fourth session of the Ad Hoc Committee and in its report (xenophobia, national mechanisms and procedural gaps), including legal and judicial frameworks and practices, substantive and procedural measures in line with the mandate of the Ad Hoc Committee, and possible recommendations;

5. *Invites* the Office of the High Commissioner to post the responses to the questionnaire on its website and, in consultation with the Chairperson-Rapporteur, to prepare a summary of responses to the questionnaire received during the intersessional period for discussion by the Ad Hoc Committee at its fifth session;

6. *Recommends* that the Ad Hoc Committee, at its fifth session, discuss new topic(s) as contained in its report on its third session⁶² or additional topic(s) submitted during the intersessional period;

7. *Decides* to remain seized of this priority issue.

39th meeting
28 September 2012

[Adopted without a vote.]

21/31

Assistance to Somalia in the field of human rights

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights, and recalling General Assembly resolution 60/251 of 15 March 2006,

Reaffirming all previous resolutions of the Human Rights Council on Somalia, in particular resolutions 7/35 of 28 March 2008, 10/32 of 27 March 2009, 12/26 of 2 October 2009, 15/28 of 1 October 2010, 17/25 of 17 June 2011, 19/28 of 23 March 2012 and 20/21 of 6 July 2012,

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

Welcoming the report of the Secretary-General on Somalia,⁶³

Welcoming also the end of the transition as envisaged by the road map endorsed at the high-level consultative meeting, held on 6 September 2011, in Mogadishu, and the consequent Garoowe I and II and Galkayo principals, including the crucial role played by

⁶² A/HRC/18/36.

⁶³ S/2012/643.

the outgoing Prime Minister Abdiweli Mohamed Ali and his “national salvation Government”, and by all the signatories of the road map, which marks a milestone in the path of Somalia towards a more stable system of governance, with a special focus on the promotion and protection of human rights,

Welcoming further the increased representation of women in Parliament, commending the Somali authorities and underlining the need to continue to increase their representation and their role in decision-making with regard to conflict prevention and resolution,

Welcoming the historic political development inside the country that, after forty-five years, culminated in the election of Hassan Sheikh Mohamud on 10 September 2012 as the new President of Somalia, thus marking the end of a twelve-year transition process,

Acknowledging the commitment and efforts made by the African Union and those States contributing to its mission to achieve security in Somalia, and supporting the efforts of the Intergovernmental Authority on Development to reconcile parts of central and south Somalia, and those of the international community and regional stakeholders to help Somalia to re-establish stability, peace and security on its national territory, as well as the rule of law,

Welcoming the work of the Independent Expert on the situation of human rights in Somalia and his report submitted to the Human Rights Council,⁶⁴

Recalling the signing, on 11 May 2012, of the Memorandum of Understanding on technical assistance to the Transitional Federal Government in the field of human rights by the Office of the United Nations High Commissioner for Human Rights and the United Nations Political Office for Somalia, and encouraging the Government of the Federal Republic of Somalia to continue its efforts to implement the accepted recommendations included in the outcome of the country’s first universal periodic review, and encourages the United Nations system, regional bodies and all States to support the Government in these efforts, including through bilateral assistance,

Strongly concerned about the continuing violations and abuses perpetrated against children, including sexual violence, in particular in areas of conflict or transition in Somalia, by State and non-State actors, including the recruitment and use of child soldiers, and concerned about the continued death, injury and displacement of children as a result of armed conflict, while welcoming the signing of a plan of action on 3 July 2012 to end the recruitment and use of children by the Somalia National Armed Forces, and of the plan of action of 6 August 2012 on ending the killing and maiming of children in armed conflict,

Expressing grave concern at the abuses and violations perpetrated against women in Somalia, including sexual violence, and emphasizing the need for accountability for all such abuses and violations,

Reiterating the importance of taking measures against both internal and external actors engaged in actions aimed at undermining the peace and reconciliation process in Somalia,

1. *Strongly condemns* the grave and systematic human rights abuses and violations perpetrated against the civilian population, including women, children, journalists and human rights defenders, in particular by Al-Shabaab and its affiliates, and calls for their immediate cessation;

⁶⁴ A/HRC/21/61.

2. *Also strongly condemns* all attacks against civilians, including the heinous terrorist attack targeting the new President, Hassan Sheikh Mohamud, and the visiting Minister for Foreign Affairs of Kenya, Sam Ogeri, and his delegation on 12 September 2012, for which responsibility was claimed by Al-Shabaab;

3. *Further strongly condemns* all attacks on journalists, including the deadly terror attack on 20 September and the assassination on 21 September 2012 of a prominent journalist in Mogadishu, calls upon the Government of the Federal Republic of Somalia to protect the safety of the journalist, calls on all States to provide necessary technical assistance to the Government, subnational authorities, the national union of Somali journalists and individual journalist in this regard, and urges State and non-State actors to refrain from intentional violence against and harassment of journalists and to respect freedom of expression;

4. *Emphasizes the need* to hold perpetrators of human rights violations and abuses accountable and to bring them to justice;

5. *Urges* the Government of the Federal Republic of Somalia to allow and facilitate rapid and unhindered humanitarian access to the population in need throughout the country, calls on the African Union and all States to support this essential effort, and strongly encourages the Government and the African Union to increase awareness and training among the troops of the African Union Mission in Somalia and Somali security forces at the national and subnational levels on human rights and on international humanitarian law, including the protection of civilians, with the support of the international community, while noting that humanitarian access and security and the fulfilment of human rights are linked, and that assistance efforts should take these linkages into account;

6. *Condemns* the abuses and violations committed against children, urges the Government of the Federal Republic of Somalia to take immediate steps to protect them, urges non-State actors, in particular Al-Shabaab, to immediately refrain from abusing the rights of the children and to refrain from hindering the essential efforts of the Government in this regard, and calls on the Government, relevant United Nations entities and others to strengthen child protection efforts, including by setting up the structures and committees agreed upon in the plan of action and ensuring that child protection efforts receive adequate support, including resources from Member States;

7. *Calls on* the Government of the Federal Republic of Somalia to take immediate steps to protect women, and to end abuses and violations of their human rights, in particular sexual violence, emphasizes the need for accountability for all such abuses and violations, urges non-State actors, in particular Al-Shabaab, to immediately refrain from abusing the rights of women, including forced and underage marriage, and calls on all States to support these essential efforts;

8. *Urges* the Government of the Federal Republic of Somalia and subnational authorities to seek the tangible and timely assistance from, inter alia, regional bodies to reform the Somali judiciary system, to select and enhance the capacity of the Somali judges inside the country, with a particular focus on the promotion and protection of human rights and, in this regard, calls upon all States to provide assistance;

9. *Requests* the Independent Expert on the situation of human rights in Somalia, in close cooperation with the Government of the Federal Republic of Somalia, subnational authorities and the Special Representative of the Secretary-General for Somalia and the United Nations Political Office for Somalia to provide advisory services to the new Government and Parliament for the establishment of a national human rights commission, in compliance with the Paris Principles, as well as for a truth and reconciliation commission, as provided for by the provisions of articles 111 B and 111 I of the new

provisional Constitution of the Federal Republic of Somalia, and calls upon Member States to support this crucial task;

10. *Encourages* the Government of the Federal Republic of Somalia to develop, with the assistance of the Independent Expert, a human rights post-transition road map with benchmarks and timelines to promote and protect all human rights, including, inter alia, the right to water and sanitation, the right to health care and the right to education and other basic needs of vulnerable people, such as internally displaced persons, women, returnees, children, minorities and journalists;

11. *Emphasizes* the need to enhance and rationalize international assistance to Somalia, and encourages the Independent Expert to identify and make recommendations on technical assistance needs, while underlining the full Somali ownership of the process;

12. *Invites* the special procedures system and thematic mandate holders to engage fully and coordinate with the Independent Expert on the situation of human rights in Somalia;

13. *Decides* to remain actively seized of the matter.

*39th meeting
28 September 2012*

[Adopted without a vote.]

21/32

The right to development

The Human Rights Council,

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

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

Reaffirming also Human Rights Council resolutions 4/4 of 30 March 2007 and 9/3 of 17 September 2008, and recalling all Commission on Human Rights, Council and General Assembly resolutions on the right to development, the most recent being Council resolution 19/34 of 23 March 2012,

Recognizing the renewed commitments to achieve the Millennium Development Goals by their target date of 2015, as set out in the outcome document adopted at the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals,⁶⁵

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

Cognizant of the importance of engaging the United Nations system, including United Nations funds, programmes and specialized agencies, within their respective mandates, relevant international organizations, including financial and trade organizations, and relevant stakeholders, including civil society organizations, in discussions on the right to development,

Recognizing that achieving the internationally agreed development goals, including the Millennium Development Goals, requires effective policy coherence and coordination,

⁶⁵ General Assembly resolution 65/1.

Taking note of the commitment declared by a number of United Nations specialized agencies, funds and programmes and other international organizations to make the right to development a reality for all and, in this regard, encouraging all relevant bodies of the United Nations system and other international organizations to mainstream the right to development into their objectives, policies, programmes and operational activities, as well as into development and development-related processes, including the follow-up to the Fourth United Nations Conference on the Least Developed Countries,

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

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

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

1. *Takes note* of the consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development,⁶⁶ which provided information on the activities undertaken by the Office of the High Commissioner relating to the promotion and realization of the right to development in the period from December 2011 to June 2012;

2. *Requests* the Office of the High Commissioner to continue to submit to the Human Rights Council an annual report on its activities, including on inter-agency coordination within the United Nations system with regard to the promotion and realization of the right to development;

3. *Takes note* of the efforts under way in the framework of the Working Group on the Right to Development, with a view to completing the tasks entrusted to it by the Human Rights Council in its resolution 4/4, in fulfilment of the Working Group's mandate as established by the Commission on Human Rights in its resolution 1998/72 of 22 April 1998;

4. *Welcomes* the launching in the Working Group of the process of considering, revising and refining the draft right to development criteria and corresponding operational subcriteria,⁶⁷ with the first reading of the draft criteria;

5. *Takes note with appreciation* of the report of the Working Group on its thirteenth session;⁶⁸

6. *Recalls* that the Working Group, at its thirteenth session, had before it two documents containing detailed views and comments on the draft criteria and operational subcriteria,⁶⁹ submitted by Governments, groups of Governments, regional groups and other relevant stakeholders, including United Nations agencies, funds and programmes and institutions, as well as other relevant multilateral institutions and forums, in fulfilment of the conclusions and recommendations agreed at its twelfth session;

⁶⁶ A/HRC/21/28.

⁶⁷ See A/HRC/15/WG.2/TF/2/Add.2.

⁶⁸ A/HRC/21/19.

⁶⁹ A/HRC/WG.2/13/CRP.1 and 2.

7. *Acknowledges* the need to have the contributions of experts and, in this context, re-emphasizes the importance of engaging further and inviting to the fourteenth session of the Working Group experts from relevant United Nations agencies, funds and programmes and institutions, as well as other multilateral institutions and forums, international organizations and other relevant stakeholders;

8. *Also acknowledges* the need to further consider, revise and refine the draft criteria and corresponding operational subcriteria mentioned in paragraph 4 above, as mandated by the Human Rights Council in its resolution 19/34;

9. Decides:

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

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

(c) That the Working Group shall take appropriate steps to ensure respect for and practical application of the above-mentioned standards, which could take various forms, including guidelines on the implementation of the right to development, and evolve into a basis for consideration of an international legal standard of a binding nature through a collaborative process of engagement;

(d) To endorse the recommendations of the Working Group as reflected in its report on its thirteenth session;⁷⁰

(e) To convene a two-day informal intersessional intergovernmental meeting of the Working Group with the participation of States, groups of States and relevant United Nations agencies, funds and programmes and institutions, as well as other multilateral institutions and forums, and international organizations and other relevant stakeholders, with a view to improve the effectiveness of the Working Group at its fourteenth session;

(f) To consider the extension of the meeting time of the Working Group, as appropriate;

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

11. *Encourages* relevant bodies of the United Nations system, within their respective mandates, including United Nations funds, programmes and specialized agencies, relevant international organizations, including the World Trade Organization and relevant stakeholders, including civil society organizations, to contribute further to the work of the Working Group and to cooperate with the High Commissioner in the fulfilment of her mandate with regard to the implementation of the right to development;

⁷⁰ A/HRC/21/19, para. 47.

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

39th meeting
28 September 2012

[Adopted by a recorded vote of 46 to 1, with no abstentions. The voting was as follows:

In favour:

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

Against:

United States of America]

21/33

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

The Human Rights Council,

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

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

Recalling further Commission on Human Rights resolutions 2002/68 of 25 April 2002 and 2003/30 of 23 April 2003, and Human Rights Council resolution 18/28 of 30 September 2011,

Recalling the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, adopted on 22 September 2011,⁷¹ which reaffirmed the political commitment to the full and effective implementation of the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference, and their follow-up processes at the national, regional and international levels,

Recalling also General Assembly resolution 66/144 of 19 December 2011, in which the Assembly encouraged the Working Group of Experts on People of African Descent to develop a programme of action, including a theme, for adoption by the Human Rights Council, with a view to proclaiming the decade starting in 2013 the Decade for People of African Descent,

Taking note of the Global African Diaspora Summit, held in Sandton, Johannesburg, on 25 May 2012, and the outcome adopted at its conclusion,

⁷¹ General Assembly resolution 66/3.

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

Recognizing that poverty, underdevelopment, marginalization, social exclusion and economic disparities are closely associated with racism, racial discrimination, xenophobia and related intolerance and contribute to the persistence of racist attitudes and practices, which in turn generate more poverty,

Expressing concern that the current economic and financial crisis and its consequences on poverty and unemployment may have further contributed to the rise of extremist political parties, movements and groups and exacerbated identity-related issues, and that in this period of economic crisis, non-citizens, members of minorities, migrants, refugees and asylum seekers are still the main scapegoat of extremist political parties that have a xenophobic and racist agenda and that sometimes incite racial discrimination and violence against them,

Underlining the importance of eliminating discriminatory practices and laws that hamper some specific groups of individuals from fully participating in the public and political life of the countries they live in, including legal and practical obstacles such as discriminatory regulations regarding voter registration, the lack of identification documents, administrative and financial barriers, and discrimination in access to citizenship,

Concerned at the use of the Internet and social media by extremist groups and individuals to disseminate racist ideas and propagate racism, racial discrimination, xenophobia and related intolerance,

Recognizing that the Internet and social media can also be a useful tool for preventing the spread of racist ideologies by extremist political parties, groups and movements, as well as its potential to contribute to development as an international and equal forum, aware that there are disparities in the use of and access thereto,

Deploing the misuse of print, audiovisual and electronic media, including the Internet, and any other means that constitute incitement to acts of national, racial or religious violence, discrimination and hatred, which have targeted and severely affected racial and religious communities and persons belonging to national or ethnic, religious and linguistic minorities, emanating from a variety of sources,

Deeply concerned that despite the immense potential of sport in promoting tolerance, racism in sport is still a serious problem,

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

2. *Takes note* of the report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action;⁷²

3. *Decides* that the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action should convene its eleventh session from 7 to 18 October 2013;

⁷² A/HRC/19/77.

4. *Recalls* that preventing and combating racism, racial discrimination, xenophobia and related intolerance is a primary responsibility of States and, in this regard, recommends that States:

(a) Consider developing and implementing national plans of action to combat racism and racial discrimination, and to promote equality, equity, social justice, equality of opportunity, respect for diversity and the participation of all; these plans should aim at creating conditions for all to participate effectively in decision-making and realize civil, cultural, economic, political and social rights in all spheres of life on the basis of non-discrimination;

(b) Consider linking their development programmes and priorities for the improvement of the socioeconomic conditions of individuals and groups experiencing racial discrimination, social exclusion and marginalization, and that these linkages should be reflected in, inter alia, States' reports for the universal periodic review mechanism of the Human Rights Council;

(c) Invest in education as a tool for transforming attitudes and eliminating ideas of racial hierarchies and superiority;

(d) Consider collecting ethnically disaggregated data with a view to setting up concrete targets and designing appropriate and effective anti-discrimination legislation, policies and programmes aimed at promoting equality and preventing and eliminating racism, racial discrimination, xenophobia and related intolerance; any such information should, as appropriate, be collected with the explicit consent of individuals, based on their self-determination and in accordance with provisions on human rights and fundamental freedoms, as well as data protection regulations and privacy guarantees; this information must not be misused;

(e) Consider adopting effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, take measures so that motivations are considered an aggravating factor for the purpose of sentencing, prevent these crimes from going unpunished and ensure the rule of law;

5. *Emphasizes* the importance of ensuring equality for all in the enjoyment of civil, cultural, economic, social and political rights, including the rights of persons belonging to national or ethnic, religious and linguistic minorities, without any discrimination based on race, colour, descent, national or ethnic origin as one effective way through which States may prevent and address the rise of tension and conflict;

6. *Underlines* in the above context that all citizens have the right to participate freely in the electoral processes in their countries, including the right to vote, consistent with article 25 of the International Covenant on Civil and Political Rights, particularly since any restriction inconsistent with that article is incompatible with democracy, the rule of law and transparent and accountable electoral processes;

7. *Welcomes* the setting up of projects at the national level by civil society groups, including with the financial support of public authorities, including the creation of a social network-based platform targeting young people and aiming specifically at countering right-wing extremism and fostering a democratic culture;

8. *Encourages* States to use the opportunities provided by new technologies, including the Internet, to counter the dissemination of ideas based on racial superiority or hatred;

9. *Calls on* States to strengthen measures to prevent racist and xenophobic incidents in major sporting events, including by individuals or groups of individuals linked to extremist movements and groups;

10. *Urges* States, in cooperation with intergovernmental organizations, the International Olympic Committee and international and regional sports federations, to intensify the fight against racism in sport by, among other things, educating the youth of the world through sport practised without discrimination of any kind and in the Olympic spirit, which requires human understanding, tolerance, fair play and solidarity;

11. *Welcomes and acknowledges* the importance and significance of the work of the Working Group of Experts on People of African Descent in examining the current situation and conditions and the extent of racism against Africans and people of African descent and, in that regard, takes note of the report of the Working Group,⁷³ and welcomes the draft Programme of Action for the Decade for People of African Descent contained in an addendum thereto,⁷⁴ including the theme “People of African descent: recognition, justice and development”, pursuant to General Assembly resolution 66/144;

12. *Decides* to transmit the draft Programme of Action for the Decade for People of African Descent to the General Assembly for its consideration, with a view to its adoption, within the context of the International Decade for People of African Descent;

13. *Deplores* the special form of discrimination faced by people of African descent known as “Afrophobia”;

14. *Calls for* renewed efforts to mobilize political will for the full and effective implementation of the Durban Declaration and Programme of Action in the struggle against racism, racial discrimination, xenophobia and related intolerance;

15. *Requests* the Secretary-General and the Office of the United Nations High Commissioner for Human Rights to fully implement paragraphs 53 and 57 of General Assembly resolution 65/240 of 24 December 2010 with respect to the establishment of an outreach programme and for the follow-up to the commemoration of the ten-year anniversary of the adoption of the Durban Declaration and Programme of Action;

16. *Calls on* the international community, the Office of the High Commissioner and the Department of Public Information to intensify efforts to widely distribute copies of the Durban Declaration and Programme of Action, and encourages efforts to ensure its translation and wide dissemination, including through posting all relevant documents on their websites;

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

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

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

*39th meeting
28 September 2012*

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

In favour:

⁷³ A/HRC/21/60.

⁷⁴ A/HRC/21/60/Add.2.

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

Against:

United States of America

Abstaining:

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

II. Decisions

21/101

Outcome of the universal periodic review: Bahrain

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of Bahrain on 21 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Bahrain which is constituted of the report of the Working Group on Bahrain (A/HRC/21/6), together with the views of Bahrain 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/21/6/Add.1/Rev.1 and A/HRC/21/2, chapter VI).

*19th meeting
19 September 2012*

[Adopted without a vote.]

21/102

Outcome of the universal periodic review: Ecuador

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of Ecuador on 21 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Ecuador which is constituted of the report of the Working Group on Ecuador (A/HRC/21/4), together with the views of Ecuador 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/21/2, chapter VI).

*19th meeting
19 September 2012*

[Adopted without a vote.]

21/103**Outcome of the universal periodic review: Tunisia**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of Tunisia on 22 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Tunisia which is constituted of the report of the Working Group on Tunisia (A/HRC/21/5), together with the views of Tunisia 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/21/5/Add.1 and A/HRC/21/2, chapter VI).

*19th meeting
19 September 2012*

[Adopted without a vote.]

21/104**Outcome of the universal periodic review: Morocco**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of Morocco on 22 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Morocco which is constituted of the report of the Working Group on Morocco (A/HRC/21/3), together with the views of Morocco 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/21/2, chapter VI).

*21st meeting
19 September 2012*

[Adopted without a vote.]

21/105**Outcome of the universal periodic review: Indonesia**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21

of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of Indonesia on 23 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Indonesia which is constituted of the report of the Working Group on Indonesia (A/HRC/21/7), together with the views of Indonesia 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/21/7/Add.1 and A/HRC/21/2, chapter VI).

*21st meeting
19 September 2012*

[Adopted without a vote.]

21/106

Outcome of the universal periodic review: Finland

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of Finland on 23 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Finland which is constituted of the report of the Working Group on Finland (A/HRC/21/8), together with the views of Finland 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/21/8/Add.1 and A/HRC/21/2, chapter VI).

*21st meeting
19 September 2012*

[Adopted without a vote.]

21/107

Outcome of the universal periodic review: United Kingdom of Great Britain and Northern Ireland

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of the United Kingdom of Great Britain and Northern Ireland on 24 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on the United Kingdom of Great Britain and Northern Ireland which is constituted of the report of the Working Group on the United Kingdom of Great Britain and Northern Ireland (A/HRC/21/9 and Corr.1), together with the views of the United Kingdom of Great Britain and Northern Ireland 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/21/9/Add.1 and A/HRC/21/2, chapter VI).

22nd meeting
20 September 2012

[Adopted without a vote.]

21/108

Outcome of the universal periodic review: India

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of India on 24 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on India which is constituted of the report of the Working Group on India (A/HRC/21/10), together with the views of India 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/21/10/Add.1 and A/HRC/21/2, chapter VI).

22nd meeting
20 September 2012

[Adopted without a vote.]

21/109

Outcome of the universal periodic review: Brazil

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of Brazil on 25 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Brazil which is constituted of the report of the Working Group on Brazil (A/HRC/21/11), together with the views of Brazil 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/21/11/Add.1 and A/HRC/21/2, chapter VI).

*22nd meeting
20 September 2012*

[Adopted without a vote.]

21/110

Outcome of the universal periodic review: Philippines

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of the Philippines on 29 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on the Philippines which is constituted of the report of the Working Group on the Philippines (A/HRC/21/12 and Corr.1-2), together with the views of the Philippines 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/21/12/Add.1 and A/HRC/21/2, chapter VI).

*24th meeting
20 September 2012*

[Adopted without a vote.]

21/111

Outcome of the universal periodic review: Algeria

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of Algeria on 29 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Algeria which is constituted of the report of the Working Group on Algeria (A/HRC/21/13), together with the views of Algeria 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/21/13/Add.1 and A/HRC/21/2, chapter VI).

*24th meeting
20 September 2012*

[Adopted without a vote.]

21/112**Outcome of the universal periodic review: Poland**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of Poland on 30 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on Poland which is constituted of the report of the Working Group on Poland (A/HRC/21/14), together with the views of Poland 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/21/14/Add.1 and A/HRC/21/2, chapter VI).

*24th meeting
20 September 2012*

[Adopted without a vote.]

21/113**Outcome of the universal periodic review: Netherlands**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of the Netherlands on 31 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on the Netherlands which is constituted of the report of the Working Group on the Netherlands (A/HRC/21/15), together with the views of the Netherlands 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/21/15/Add.1/Rev.1 and A/HRC/21/2, chapter VI).

*25th meeting
21 September 2012*

[Adopted without a vote.]

21/114**Outcome of the universal periodic review: South Africa**

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008;

Having conducted the review of South Africa on 31 May 2012 in conformity with all the relevant provisions contained in Council resolution 5/1;

Adopts the outcome of the universal periodic review on South Africa which is constituted of the report of the Working Group on South Africa (A/HRC/21/16), together with the views of South Africa 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/21/16/Add.1 and A/HRC/21/2, chapter VI).

*25th meeting
21 September 2012*

[Adopted without a vote.]

Part Two

Summary of proceedings

I. Organizational and procedural matters

A. Opening and duration of the session

1. The Human Rights Council held its twenty-first session at the United Nations Office at Geneva from 10 to 28 September 2012 and on 5 November 2012. The President of the Council opened the session.
2. At the 1st meeting, on 10 September 2012, the United Nations Secretary-General addressed the plenary.
3. In accordance with rule 8 (b) of the rules of procedure of the Human Rights Council, as contained in part VII of the annex to Council resolution 5/1, the organizational meeting of the twenty-first session was held on 27 August 2012.
4. The twenty-first session consisted of 40 meetings over 16 days (see paragraph 14 below).

B. Attendance

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

C. Agenda and programme of work

6. At its 1st meeting, on 10 September 2012, the Human Rights Council adopted the agenda and programme of work of the twenty-first session.

D. Organization of work

7. At the 1st meeting, on 10 September 2012, the President announced that no objection had been received to her proposal on the new modalities for the list of speakers concerning the consideration of the universal periodic review reports by the Human Rights Council plenary. The Council adopted the proposal.
8. At the same meeting, on the same day, the President outlined the modalities for general debates, which would be three minutes for member States and two minutes for observer States and other observers.
9. At the 3rd meeting, on 11 September 2012, the President outlined the modalities for the individual interactive dialogue with special procedures mandate holders under agenda item 3, which would be 10 minutes for the initial presentation by the mandate holder of the report, 3 minutes for Member States, 2 minutes for observer States and other observers (total time for non-governmental organizations is 10 minutes) and 5 minutes for the mandate holder's concluding remarks.

10. At the 4th meeting, on 11 September 2012, the President outlined the modalities for the clustered interactive dialogue with special procedures mandate holders under agenda item 3, which would be 10 minutes for the initial presentation by the mandate holder of the report, 5 minutes for Member States, 3 minutes for observer States and other observers (total time for non-governmental organizations is 20 minutes in a cluster of two mandate holders), and 5 minutes for the mandate holder's concluding remarks.

11. At the 9th meeting, on 13 September 2012, the President outlined the modalities for panel discussions which were summarized in the concept notes, which would be five or seven minutes for panellists and two minutes for States Members of the Human Rights Council, observer States and other observers.

12. At the 12th meeting, on 14 September 2012, the President announced that the drawing by lot of the first speaker on each list for the consideration of universal periodic review outcomes took place during the meeting of the Bureau of the Human Rights Council on the same day, as per modalities adopted on 10 September. The speaking time and order of delegations inscribed to participate in the consideration of universal periodic review outcomes were communicated to all Permanent Missions on 14 September.

13. At the 19th meeting, on 19 September 2012, the President outlined the modalities for the consideration of the outcomes of the universal periodic review under agenda item 6, which would be 20 minutes for the State concerned to present its views; where appropriate, 2 minutes for the national human rights institution with "A" status of the State concerned; up to 20 minutes for States Members of the Human Rights Council, observer States and United Nations agencies to express their views on the outcome of the review, with varying speaking times according to the number of speakers in accordance with the modalities set out in the Appendix to resolution 16/21; and up to 20 minutes for stakeholders to make general comments on the outcome of the review.

E. Meetings and documentation

14. The Human Rights Council held 40 fully serviced meetings during its twenty-first session.

15. The resolutions and decisions adopted by the Human Rights Council is contained in part one of the present report.

16. Annex I contains the list of attendance.

17. Annex II contains the agenda of the Council, as included in section V of the annex to Council resolution 5/1.

18. Annex III contains the list of documents issued for the twenty-first session of the Council.

19. Annex IV contains the list of members of the Advisory Committee elected by the Council at its twenty-first session and duration of terms of membership.

20. Annex V contains the names of special procedures mandate holders appointed by the Council at its twenty-first session.

21. Annex VI contains the names of additional members of the independent international commission of inquiry on the Syrian Arab Republic appointed by the Council at its twenty-first session.

F. Visits

22. At the 2nd meeting, on 10 September 2012, the Minister for Justice of the Sudan, Mohamed Bushara Dousa, delivered a statement to the Human Rights Council.

23. At the 4th meeting, on 11 September 2012, the President of Slovakia, Ivan Gašparovič, delivered a statement to the Human Rights Council.

24. At the 7th meeting, on 12 September 2012, the Commissioner for Political Affairs of the African Union Commission, Julia Dolly Joiner, delivered a statement to the Human Rights Council.

25. At the 10th meeting, on 13 September 2012, the Minister for Foreign Affairs of Bangladesh, Dipu Moni, delivered a statement to the Human Rights Council.

26. At the 21st meeting, on 19 September 2012, the Minister for Human Rights of Iraq, Mohammed Shiaa Al-Sudani, delivered a statement to the Human Rights Council.

27. At the 25th meeting, on 21 September 2012, the Minister for Foreign Affairs of Australia, Bob Carr, delivered a statement to the Human Rights Council.

28. At the 25th meeting, on 21 September 2012, the Minister for Human Rights and Civic Participation [*“Ministre des droits humains et de la promotion civique”*] of Burkina Faso, Albert Ouedraogo, delivered a statement to the Human Rights Council.

G. Election of members of the Human Rights Council Advisory Committee

29. At its 39th meeting, on 28 September 2012, the Human Rights Council elected, pursuant to its resolutions 5/1 and 16/21, four experts to the Human Rights Council Advisory Committee. The Council had before it a note by the Secretary-General (A/HRC/21/17 and Add.1) containing the nomination 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	
African Group	Imeru Tamrat Yigezu
Asian States	
Bahrain	Saeed Mohamed Al Faihani
Latin American and Caribbean States	
Argentina	Mario L. Coriolano
Western European and other States	
Austria	Katharina Pabel

30. 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 Human Rights Council resolution 5/1 was dispensed with and Imeru Tamrat Yigezu, Saeed Mohamed Al Faihani, Mario L. Coriolano and Katharina Pabel were elected as members of the Advisory Committee by consensus.

31. At the same meeting, Belgium, on behalf of the Group of Western European and other States, made a statement in relation to the election.

32. Also at the same meeting, the President made a statement with regard to the reports by the Advisory Committee (see chapter V, D below).

H. Selection and appointment of mandate holders

33. At the 29th meeting, on 24 September 2012, and the 33rd meeting, on 26 September 2012, the President made a statement regarding a vacancy that arose for the Group of Latin American and Caribbean States member of the Working Group on the issue of discrimination against women in law and in practice.

34. At its 39th meeting, the Human Rights Council decided to make this appointment at the resumed session of the Council on 5 November 2012 to allow time for nominations of candidates as per procedure established in Council resolution 5/1.

35. At its 39th meeting, on 28 September 2012, and at its 40th meeting, on 5 November 2012, the Human Rights Council appointed special procedures mandate holders in accordance with Council resolutions 5/1 and 16/21 and Council decision 6/102 (see annex V).

36. At the 39th meeting, on 28 September 2012, the representatives of Austria, China, Cuba and the Russian Federation made statements in relation to the appointment of the Special Rapporteur on the situation of human rights in Belarus. China, Cuba and the Russian Federation disassociated themselves from the consensus on the appointment of the Special Rapporteur on the situation of human rights in Belarus.

I. Appointment of additional members of the independent international commission of inquiry on the Syrian Arab Republic

37. At its 39th meeting, on 28 September 2012, the Human Rights Council appointed two additional members of the international commission of inquiry on the Syrian Arab Republic⁷⁵, following the resignation of one of the three commissioners (see annex VI).

38. At the same meeting, the representative of the Russian Federation made a statement in relation to the appointment.

J. Consideration of the progress report of the Task Force on secretariat services, accessibility for persons with disabilities and use of information technology

39. At the 39th meeting, on 28 September 2012, the President provided an update about progress made on the implementation of the recommendations by the Task Force on secretariat services, accessibility for persons with disabilities and use of information technology, contained in Human Rights Council decision 19/119. The Council had before it the progress report of the task force on secretariat services, accessibility for persons with disabilities and use of information technology (A/HRC/21/CRP.1).

⁷⁵ Established pursuant to Human Rights Council resolution S-17/1.

K. Adoption of the report on the session

40. At the 39th meeting, on 28 September 2012, after the action on all draft proposals was completed, the Chief of OHCHR Programme Support and Management Services made a statement in relation to the total amount of budgetary implications of adopted resolutions.

41. At the same meeting, the representatives of Belarus, Brazil, Egypt, Eritrea, Ethiopia, Somalia, South Africa, Sri Lanka and Venezuela (Bolivarian Republic of) made statements as observer States with regard to adopted resolutions.

42. Also at the same meeting, the Rapporteur and Vice-President of the Human Rights Council made a statement in connection with the draft report of the Council (A/HRC/21/2) and the annual report of the Council to the General Assembly (A/67/53 and Add.1).

43. Also at the same meeting, the draft report of the Human Rights Council (A/HRC/21/2) was adopted ad referendum and the Council decided to entrust the Rapporteur with the finalization of the report.

44. Also at the same meeting, the observer for the International Service for Human Rights (also on behalf of the Asian Forum for Human Rights and Development, the Cairo Institute for Human Rights Studies, the Canadian HIV/AIDS Legal Network, CIVICUS – World Alliance for Citizen Participation, the East and Horn of Africa Human Rights Defenders Project, the Human Rights House Foundation, Human Rights Watch, the International Federation for Human Rights Leagues and the International Commission of Jurists) made statements in connection with the session.

45. At the same meeting, the President of the Human Rights Council made a statement prior to suspending the 21st session.

46. At the 40th meeting, on 5 November 2012, the President of the Human Rights Council made a closing statement.

II. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

A. Update by the United Nations High Commissioner for Human Rights

47. At the 1st meeting, on 10 September 2012, the United Nations High Commissioner for Human Rights made a statement providing an update of the activities of her Office.

48. During the ensuing general debate, at the 1st and 2nd meetings, on the same day, and at the 3rd meeting, on 11 September 2012, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Angola, Austria, Bangladesh, Belgium, Chile, China, Costa Rica, Cuba, Cyprus⁷⁶ (on behalf of the European Union, Albania, Croatia, Georgia, Iceland, Liechtenstein, Montenegro, the Republic of Moldova, Serbia and the former Yugoslav Republic of Macedonia), Czech Republic, Ecuador, India, Indonesia, Iran (Islamic Republic of)⁷⁶ (on behalf of the Non-Aligned Movement), Italy, Jordan, Libya, Malaysia, Maldives, Mexico, Nigeria, Norway, Pakistan⁷⁶ (on behalf of the Organization of Islamic Cooperation), Peru, Philippines, Qatar, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal (on behalf of the Group of African States), Spain, Switzerland, Thailand, United States of America, Uruguay;

(b) Representatives of observer States: Algeria, Armenia, Australia, Azerbaijan, Bahrain, Belarus, Brazil, Democratic Republic of the Congo, Egypt, France, Germany, Greece, Honduras, Iran (Islamic Republic of), Iraq, Ireland, Japan, Morocco, Myanmar, Nepal, Paraguay, Republic of Korea, Rwanda, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for the Holy See;

(d) Observer for an intergovernmental organization: Council of Europe;

(e) Observers for non-governmental organizations: Amnesty International, Colombian Commission of Jurists, Helsinki Foundation for Human Rights, Human Rights Watch, Indian Council of South America, International Commission of Jurists, International Federation for Human Rights Leagues, International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Service for Human Rights, Liberation, Nord-Sud XXI, Reporters Sans Frontiers International - Reporters Without Borders International, United Nations Watch, Verein Sudwind Entwicklungspolitik, World Muslim Congress.

49. At the 2nd meeting, on 10 September 2012, statements in exercise of the right of reply were made by the representatives of Armenia, Azerbaijan, South Sudan and the Syrian Arab Republic.

50. At the same meeting, on the same day, statements in exercise of a second right of reply were made by the representatives of Armenia and Azerbaijan.

51. At the 4th meeting, on 11 September 2012, statements in exercise of the right of reply were made by the representatives of China, Mauritania and Nigeria.

⁷⁶ Observer of the Human Rights Council speaking on behalf of Member and observer States.

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

52. At the 11th meeting, on 14 September 2012, the Deputy High Commissioner presented thematic reports prepared by OHCHR and the Secretary-General.

53. At its 11th and 12th meetings, on the same day, the Human Rights Council held a general debate on thematic reports presented by the Deputy High Commissioner (see chapter III, D below).

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

A. Special Representative of the Secretary-General for Children and Armed Conflict

54. At the 3rd meeting, on 11 September 2012, the Special Representative of the Secretary-General for Children and Armed Conflict, Leila Zerrougui, presented the report (A/HRC/21/38).

55. During the ensuing interactive dialogue, at the 3rd and 4th meetings, on 11 September 2012, the following made statements and asked the Special Representative questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Bangladesh, Belgium, Botswana, China, Costa Rica, Cuba, Ecuador, India, Indonesia, Italy, Jordan, Malaysia, Mexico, Norway, Pakistan⁷⁷ (on behalf of the Organization of Islamic Cooperation), Qatar, Russian Federation, Spain, Switzerland, Thailand, United Arab Emirates⁷⁷ (on behalf of the Group of Arab States), United States of America, Uruguay;

(b) Representatives of observer States: Algeria, Australia, Azerbaijan, Colombia, Democratic Republic of the Congo, Egypt, France, Germany, Greece, Morocco, Pakistan, Portugal, Slovenia, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

(c) Observer for United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF);

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

(e) Observers for non-governmental organizations: Canners International Permanent Committee, European Union of Public Relations, Women's International League for Peace and Freedom, Women's World Summit Foundation, World Environment and Resources Council.

56. At the 4th meeting, on 11 September 2012, the Special Representative answered questions and made her concluding remarks.

57. At the same meeting, an OHCHR representative made a statement in relation to questions raised during the interactive dialogue.

58. Also at the same meeting, a statement in exercise of the right of reply was made by the representative of Libya.

⁷⁷ Observer of the Human Rights Council speaking on behalf of Member and observer States.

B. Interactive dialogue with special procedures mandate holders

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

59. At the 4th meeting, on 11 September 2012, the Chairperson of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, Faiza Patel, presented the Working Group's report (A/HRC/21/43).

60. During the ensuing interactive dialogue at the 4th meeting, on the same day, and the 5th meeting, on 12 September 2012, the following made statements and asked the Chairperson of the Working Group questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Chile, China, Costa Rica, Cuba, Pakistan⁷⁸ (on behalf of the Organization of Islamic Cooperation), Peru, Russian Federation, Switzerland, United States of America;

(b) Representatives of observer States: Algeria, Egypt, Honduras, Morocco, South Africa, Venezuela (Bolivarian Republic of);

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

(d) Observers for non-governmental organizations: Centre Europe - Tiers Monde, Commission to Study the Organization of Peace, Federation of Cuban Women, International Institute for Peace.

61. At the 5th meeting, on 12 September 2012, the Chairperson of the Working Group answered questions and made her concluding remarks.

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

62. At the 4th meeting, on 11 September 2012, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, presented his report (A/HRC/21/46).

63. During the ensuing interactive dialogue, at the 4th meeting on the same day and the 5th meeting, on 12 September 2012, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Belgium, Chile, China, Costa Rica, Cuba, Czech Republic, Ecuador (on behalf of the Group of Latin American and Caribbean States), Norway, Pakistan⁷⁸ (on behalf of the Organization of Islamic Cooperation), Peru, Russian Federation, Switzerland, Uruguay, United States of America;

(b) Representatives of observer States: Algeria, Argentina, Armenia, Australia, Colombia, Egypt, Finland, Ireland, Morocco, Nepal, Paraguay, Sri Lanka, Sweden, Venezuela (Bolivarian Republic of);

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

(d) Observers for non-governmental organizations: Asian Legal Resource Centre, Centro de Estudios Legales y Sociales (CELS) Asociación Civil (also on behalf of

⁷⁸ Observer of the Human Rights Council speaking on behalf of Member and observer States.

Centro Regional de Derechos Humanos y Justicia de Género), International Commission of Jurists (also on behalf of Amnesty International), Redress Trust.

64. At the 5th meeting, on 12 September 2012, the Special Rapporteur answered questions and made his concluding remarks.

Special Rapporteur on extreme poverty and human rights

65. At the 5th meeting, on 12 September 2012, the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, presented her report (A/HRC/21/39).

66. During the ensuing interactive dialogue, at the 5th and 6th 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, Chile, China (also on behalf of Algeria, Bangladesh, Cuba, Egypt, Democratic People's Republic of Korea, Indonesia, Iran, Malaysia, Pakistan, the Russian Federation, Sri Lanka, Thailand, Venezuela (Bolivarian Republic of) and Viet Nam), Costa Rica, Cuba, Ecuador, Indonesia, Italy, Kuwait, Malaysia, Norway, Pakistan⁷⁹ (on behalf of the Organization of Islamic Cooperation), Peru, Philippines, Saudi Arabia, Senegal (on behalf of the Group of African States), Thailand, United States of America, Uruguay (on behalf of the Group of Latin American and Caribbean States);

(b) Representatives of observer States: Algeria, Argentina, Bahrain, Brazil, Colombia, Egypt, Estonia, Finland, France, Honduras, Ireland, Morocco, Paraguay, South Africa, Sri Lanka, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Viet Nam;

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

(d) Observers for non-governmental organizations: African Technology Development Link, Centre Europe - Tiers Monde, International Movement ATD Fourth World (also on behalf of the Associazione Comunità Papa Giovanni XXIII, CIVICUS – World Alliance for Citizen Participation, the Congregation of Our Lady of Charity of the Good Shepherd, Dominicans for Justice and Peace – Order of Preachers, the European Disability Forum, Franciscans International, the Global Initiative for Economic, Social and Cultural Rights, the International Catholic Child Bureau, the International Commission of Jurists, International Council of Women and the International Presentation Association of the Sisters of the Presentation of the Blessed Virgin Mary), Marangopoulos Foundation for Human Rights, Worldwide Organization for Women.

67. At the 6th meeting, on 12 September 2012, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on the human right to safe drinking water and sanitation

68. At the 5th meeting, on 12 September 2012, the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque, presented her report (A/HRC/21/42 and Add.1–3).

69. At the same meeting, the representatives of Namibia, Senegal and Uruguay made statements as the countries concerned.

70. During the ensuing interactive dialogue, at the 5th and 6th meetings, on the same day, the following made statements and asked the Special Rapporteur questions:

⁷⁹ Observer of the Human Rights Council speaking on behalf of Member and observer States.

(a) Representatives of States Members of the Human Rights Council: Angola, Bangladesh, Chile, Cuba, Indonesia, Italy, Malaysia, Maldives, Norway, Pakistan⁸⁰ (on behalf of the Organization of Islamic Cooperation), Philippines, Saudi Arabia, Senegal (on behalf of the Group of African States), Spain, Switzerland, Thailand, United States of America, United Arab Emirates⁸⁰ (on behalf of the Group of Arab States);

(b) Representatives of observer States: Bolivia (Plurinational State of), Egypt, Finland, France, Germany, Paraguay, Portugal, Slovenia, South Africa, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Viet Nam;

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

(d) Observers for non-governmental organizations: Amnesty International, BADIL Resource Center for Palestinian Residency and Refugee Rights, Friends World Committee for Consultation, International Movement Against All Forms of Discrimination and Racism.

71. At the 6th meeting, the Special Rapporteur answered questions and made her concluding remarks.

Independent expert on human rights and international solidarity

72. At the 7th meeting, on 12 September 2012, the independent expert on human rights and international solidarity, Virginia Dandan, presented her report (A/HRC/21/44 and Add.1).

73. During the ensuing interactive dialogue, at the 7th meeting, on the same day, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Human Rights Council: China, Cuba, Ecuador, Indonesia, Pakistan⁸⁰ (on behalf of the Organization of Islamic Cooperation), Philippines, Romania, Russian Federation;

(b) Representatives of observer States: Algeria, Brazil, Morocco, Sri Lanka, Venezuela (Bolivarian Republic of);

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

(d) Observers for non-governmental organizations: Associazione Comunità Papa Giovanni XXIII (also on behalf of the Company of the Daughters of Charity of St. Vincent de Paul, Dominicans for Justice and Peace – Order of Preachers, Edmund Rice International, 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 and New Humanity), International Association of Schools of Social Work, International Institute for Non-aligned Studies, Organisation pour la communication en Afrique et de promotion de la coopération économique internationale – OCAPROCE Internationale, United Schools International.

74. At the 7th meeting, the independent expert answered questions and made her concluding remarks.

⁸⁰ Observer of the Human Rights Council speaking on behalf of Member and observer States.

Independent expert on the promotion of a democratic and equitable international order

75. At the 7th meeting, on 12 September 2012, the independent expert on the promotion of a democratic and equitable international order, Alfred Maurice de Zayas, presented his report (A/HRC/21/45 and Corr.1).

76. During the ensuing interactive dialogue, at the 7th meeting, on the same day, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Human Rights Council: China, Cuba, Ecuador, Indonesia, Pakistan⁸¹ (on behalf of the Organization of Islamic Cooperation), Peru, Russian Federation;

(b) Representatives of observer States: Algeria, Belarus, Brazil, Morocco, Sri Lanka, Venezuela (Bolivarian Republic of);

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

(d) Observers for non-governmental organizations: International Association for Democracy in Africa, International Association of Schools of Social Work, Organisation pour la communication en Afrique et de promotion de la coopération économique internationale – OCAPROCE Internationale, United Nations Watch.

77. At the 7th meeting, the independent expert answered questions and made his concluding remarks.

Special Rapporteur on the human rights obligations related to environmentally sound management and disposal of hazardous substances and wastes

78. At the 8th meeting, on 13 September 2012, the Special Rapporteur on the human rights obligations related to environmentally sound management and disposal of hazardous substances and wastes, Calin Georgescu, presented his report (A/HRC/21/48, Corr.1 and Add. 1–2).

79. At the same meeting, the representatives of the Marshall Islands and the United States of America made statements as the countries concerned.

80. During the ensuing interactive dialogue, at the 8th meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Chile, China, Cuba, Guatemala, Indonesia, Malaysia, Maldives, Mauritania, Peru, Romania, Senegal (on behalf of the Group of African States), Uruguay;

(b) Representatives of observer States: Algeria, Australia, Côte d'Ivoire, Morocco, New Zealand (on behalf of the Cook Islands);

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

(d) Observers for non-governmental organizations: Amnesty International, Cultural Survival, Nuclear Age Peace Foundation, Physicians for Social Responsibility.

81. At the 8th meeting, on 13 September 2012, the Special Rapporteur answered questions and made his concluding remarks.

⁸¹ Observer of the Human Rights Council speaking on behalf of Member and observer States.

Special Rapporteur on contemporary forms of slavery, including its causes and consequences

82. At the 8th meeting, on 13 September 2012, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian, presented her report (A/HRC/21/41, Corr.1, and Add.1–2).

83. At the same meeting, the Chairperson of the Board of Trustees of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, Virginia Murillo, made a statement.

84. At the same meeting, the representative of Lebanon made a statement as the country concerned.

85. During the ensuing interactive dialogue, at the 8th meeting, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Belgium, China, Cuba, Ecuador, Indonesia, Kyrgyzstan, Mauritania, Norway, Peru, Thailand, United States of America;

(b) Representatives of observer States: Algeria, Argentina, Armenia, Germany, Greece, Morocco, Nepal, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

(c) Observer for the Holy See;

(d) Observer for United Nations entities, specialized agencies and related organizations: UNICEF;

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

(f) Observers for non-governmental organizations: Action Canada for Population and Development, Defence for Children International, Franciscans International, International Humanist and Ethical Union.

86. At the 8th meeting, on 13 September 2012, the Special Rapporteur answered questions and made her concluding remarks.

Special Rapporteur on the rights of indigenous peoples

87. At the 16th meeting, on 18 September 2012, the Special Rapporteur on the rights of indigenous peoples, James Anaya, presented his report (A/HRC/21/47, and Add.1–3).

88. At the same meeting, the Chairperson-Rapporteur of the Expert Mechanism on the Rights of Indigenous Peoples, Wilton Littlechild, presented the reports of the Expert Mechanism (A/HRC/21/52, 53, 54 and 55) (see chapter V, C below).

89. At the same meeting, the Representative of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations, Dalee Sambo Dorough, made a statement.

90. At the same meeting, the representatives of the United States of America and Argentina made statements as the countries concerned.

91. At the same meeting, the Defensor del Pueblo de la Nación of Argentina made a statement.

92. During the ensuing interactive dialogue at the 16th and 18th meetings, on 18 September 2012, the following made statements and asked questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Chile, Congo, Cuba, Ecuador, Guatemala, Malaysia, Mexico, Norway, Peru, Russian Federation, United States of America;

(b) Representatives of observer States: Australia, Bolivia (Plurinational State of), Brazil, Canada, Colombia, Denmark, El Salvador, Estonia, Finland, Nepal, Paraguay, Sri Lanka, Sweden, Venezuela (Bolivarian Republic of);

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

(d) Observers for non-governmental organizations: Colombian Commission of Jurists, France Libertés: Fondation Danielle Mitterrand, Indian Council of South America, International Indian Treaty Council, Lawyers' Rights Watch Canada, Permanent Assembly for Human Rights, Women's International League for Peace and Freedom.

93. At the 18th meeting, on 18 September 2012, the Special Rapporteur answered questions and made his concluding remarks.

94. At the same meeting, the Chairperson-Rapporteur of the Expert Mechanism of the Rights of Indigenous Peoples answered questions and made his concluding remarks.

C. Panels

Panel discussion on access to justice for indigenous peoples

95. At its 17th meeting, on 18 September 2012, the Human Rights Council held a half-day panel discussion on access to justice for indigenous peoples, in accordance with Council resolution 18/8.

96. The Chief of the Rule of Law, Equality and Non-Discrimination Branch of OHCHR, made an opening statement for the panel, on behalf of the High Commissioner. James Anaya, Special Rapporteur on the rights of indigenous peoples, moderated the discussion.

97. At the same meeting, the panellists Ramy Bulan, Megan Davis, Vladimir Kryazhkov, Casilda de Ovando Gómez Morín and Abraham Korir Sing'Oei made statements.

98. The ensuing panel discussion was divided into two slots, which were held at the same meeting, on the same day. During the first speaking slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Ecuador, Mexico (on behalf of the Group of Latin American and Caribbean States), Peru, United States of America;

(b) Representatives of observer States: Canada, Finland, Sweden;

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

(d) Observer for a national human rights institution: Human Rights Commission of Malaysia (SUHAKAM) (by video message);

(e) Observers for non-governmental organizations: International Commission of Jurists (also on behalf of Centre Europe - Tiers Monde), Minority Rights Group.

99. At the end of the first speaking slot the panellists answered questions and made comments.

100. The following made statements during the second speaking slot:

(a) Representatives of States Members of the Human Rights Council: Chile, Guatemala, Norway, Russian Federation;

(b) Representatives of observer States: Australia, Bolivia (Plurinational State of), Iran (Islamic Republic of), Venezuela (Bolivarian Republic of);

(c) Observer for a national human rights institution: Canadian Human Rights Commission;

(d) Observers for non-governmental organizations: France Libertés: Foundation Danielle Mitterand (also on behalf of the International Committee for the Indians of the Americas (Switzerland)), Indian Council of South America.

101. At the same meeting, the panellists answered questions and made concluding remarks.

102. At the 18th meeting, on the same day, a statement in exercise of the right of reply was made by the representative of Nigeria.

D. General debate on agenda item 3

103. At the 11th meeting, on 14 September 2012, the Chairperson-Rapporteur of the Working Group on the Right to Development, Tamara Kunanayakam, presented the report of the Working Group on its thirteenth session (A/HRC/21/19).

104. At its 11th and 12th meeting, on 14 September 2012, the Human Rights Council held a general debate on thematic reports under agenda items 2 and 3, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Angola, Austria, Belgium, Benin, Burkina Faso, China (also on behalf of Algeria, Bangladesh, Cuba, the Democratic People's Republic of Korea, Egypt, Indonesia, Iran (Islamic Republic of), Malaysia, Myanmar, Pakistan, the Russian Federation, Sri Lanka, Thailand, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe), Costa Rica (on behalf of the Platform for Human Rights Education and Training), Cuba (also on behalf of the Group of Latin American and Caribbean States), Cyprus⁸² (on behalf of the European Union, Albania, Croatia, Georgia, Iceland, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Ukraine), Ecuador, Guatemala India, Indonesia, Iran (Islamic Republic of)⁸² (on behalf of the Non-Aligned Movement), Kuwait, Malaysia, Norway, Romania, Russian Federation, Saudi Arabia, Senegal (on behalf of the Group of African States), Spain, Turkey⁸² (also on behalf of Algeria, Argentina, Australia, Austria, Botswana, Chile, Côte d'Ivoire, El Salvador, France, Greece, Guatemala, Honduras, Italy, Liechtenstein, Luxembourg, Maldives, Mexico, Monaco, Morocco, Nigeria, Norway, Pakistan, Peru, Qatar, Romania, Saudi Arabia, Senegal, Switzerland, Thailand, Tunisia, Ukraine and Uruguay), United Arab Emirates⁸² (on behalf of the Group of Arab States), United States of America;

(b) Representatives of observer States: Algeria, Argentina, Australia, Denmark, Iraq, Morocco, Myanmar, New Zealand, Pakistan, Panama, Paraguay, Republic of Korea, Sri Lanka, Turkey, Uzbekistan, Venezuela (Bolivarian Republic of);

(c) Observers for intergovernmental organizations: Council of Europe, Organisation internationale de la Francophonie, Organisation of Islamic Cooperation;

⁸² Observer of the Human Rights Council speaking on behalf of Member and observer States.

(d) Observer for United Nations entities, specialized agencies and related organization: United Nations Population Fund (UNFPA) (also on behalf of UNICEF);

(e) Observer for a national human rights institution: Human Rights Commission of Malaysia (SUHAKAM) (by video message);

(f) Observers for non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Africa culture internationale, African Technical Association, African Technology Development Link, Agence internationale pour le développement, Agir ensemble pour les droits de l'homme, Amnesty International, Asian Forum for Human Rights and Development, Association of World Citizens, Cairo Institute for Human Rights Studies, Canners International Permanent Committee, Center for Environmental and Management Studies, Center for Inquiry, Centre Europe - Tiers Monde (also on behalf of the International Association of Democratic Lawyers and Mouvement contre le racisme et pour l'amitié entre les peuples), Charitable Institute for Protecting Social Victims, CIVICUS – World Alliance for Citizen Participation, Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples, Commission to Study the Organization of Peace, Cultural Survival, European Union of Public Relations, Federation of Cuban Women, Federation of Western Thrace Turks in Europe, Foodfirst Information and Action Network (also on behalf of Centre Europe - Tiers Monde and Mouvement contre le racisme et pour l'amitié entre les peuples), France Libertés: Fondation Danielle Mitterrand, Franciscans International, Friends World Committee for Consultation, General Arab Women Federation (also on behalf of the Union of Arab Jurists), Helsinki Foundation for Human Rights, Human Rights Watch, International Association for Democracy in Africa, International Association of Peace Messenger Cities, International Buddhist Relief Organisation, International Educational Development Inc., International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Institute for Peace, Liberal International (World Liberal Union), Liberation, Maarij Foundation for Peace and Development, Nonviolent Radical Party, Transnational and Transparty, Nord-Sud XXI, Organization for Defending Victims of Violence, Penal Reform International, Permanent Assembly for Human Rights (also on behalf of the International Association of Peace Messenger Cities), Rencontre africaine pour la défense des droits de l'homme (also on behalf of the Al-Hakim Foundation), Save the Children International, Society for Threatened Peoples, Soka Gakkai International (also on behalf of the Al-Hakim Foundation), the Asia-Pacific Human Rights Information Center, the Asian Forum for Human Rights and Development, Association Points-Coeur, CIVICUS – World Alliance for Citizen Participation, Equitas International Centre for Human Rights Education, the Foundation for GAIA, Human Rights Education Associates, the Institute for Planetary Synthesis, the International Association for Religious Freedom, the International Council of Women, the International Federation of University Women, 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, the Planetary Association for Clean Energy Inc., Servas International, the Pan Pacific and South East Asia Women's Association, the Sovereign Military Order of the Temple of Jerusalem, the Teresian Association and Worldwide Organization for Women), Tchad agir pour l'environnement, United Nations Watch, United Schools International, United Towns Agency for North-South Cooperation, Verein Sudwind Entwicklungspolitik, Women's International League for Peace and Freedom, World Barua Organization, World Circle of the Consensus: Self-sustaining People, Organizations and Communities (SPOC), World Environment and Resources Council, World Federation of Democratic Youth (also on behalf of France Libertés: Fondation Danielle Mitterrand), World Muslim Congress.

105. At the 12th meeting, on 14 September 2012, statements in exercise of the right of reply were made by the representatives of China and Viet Nam.

106. At the 18th meeting, on 18 September 2012, a statement in exercise of the right of reply was made by the representative of Malaysia.

E. Consideration of and action on draft proposals

The human right to safe drinking water and sanitation

107. At the 36th meeting, on 27 September 2012, the representatives of Germany and Spain introduced draft resolution A/HRC/21/L.1, sponsored by Germany and Spain and co-sponsored by Andorra, Angola, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Cambodia, Chile, Colombia, the Congo, Costa Rica, Croatia, Cyprus, Djibouti, Equatorial Guinea, Estonia, Finland, France, Georgia, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Monaco, Montenegro, Morocco, the Netherlands, Nigeria, Norway, Palestine, Panama, Peru, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Tunisia and Uruguay. Subsequently, Albania, Algeria, Armenia, Austria, Bhutan, Burkina Faso, Cape Verde, the Czech Republic, Denmark, the Dominican Republic, Guinea, Kenya, Lebanon, Libya, Malta, Mauritania, Mexico, Namibia, Qatar, Rwanda, San Marino, Senegal, the former Yugoslav Republic of Macedonia, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and Yemen joined the sponsors.

108. At the same meeting, the representatives of Ecuador and the United States of America made statements in explanation of vote before the vote.

109. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/2).

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

110. At the 36th meeting, on 27 September 2012, the representative of the Russian Federation introduced draft resolution A/HRC/21/L.2, sponsored by the Russian Federation and co-sponsored by Angola, Belarus, China, Cuba, the Democratic People's Republic of Korea, Ecuador, Kyrgyzstan, Malaysia, Myanmar, Pakistan (on behalf of the Organization of the Islamic Cooperation), Sri Lanka, the Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Algeria, Benin, Bolivia (Plurinational State of), Burkina Faso, Burundi, the Congo, Egypt, Ethiopia, Ghana, Indonesia, Iraq, Kazakhstan, Mauritania, Morocco, Namibia, Nicaragua, Singapore, Uganda and the United Arab Emirates (on behalf of the Group of Arab States) joined the sponsors.

111. At the same meeting, the representatives of China, Maldives, Norway and the United States of America made general comments in relation to the draft resolution.

112. At the same meeting, the representatives of Austria (on behalf of States members of the European Union that are members of the Council), Chile, Guatemala, Peru and Uruguay made statements in explanation of vote before the vote.

113. At the same meeting, at the request of Norway, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 25 votes in favour, 15 against, with 7 abstentions.

114. For the text as adopted and voting results, see part one, chapter I, resolution 21/3.

Enforced or involuntary disappearances

115. At the 36th meeting, on 27 September 2012, the representative of France introduced draft resolution A/HRC/21/L.5, sponsored by Argentina, France, Japan and Morocco and co-sponsored by Austria, Belgium, Bulgaria, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Finland, Germany, Greece, Honduras, Latvia, Luxembourg, Mexico, Montenegro, Nicaragua, Norway, Portugal, Romania, Serbia, Slovenia, Spain, Switzerland and Uruguay. Subsequently, Andorra, Armenia, Australia, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Canada, Chile, Colombia, Denmark, Guatemala, Hungary, Ireland, Lithuania, Maldives, Monaco, Peru, Poland, the Republic of Moldova, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and Venezuela (Bolivarian Republic of) joined the sponsors.

116. At the same meeting, the representative of France orally revised the draft resolution.

117. At the same meeting, the representative of India made a statement in explanation of vote before the vote.

118. 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 21/4).

Contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights

119. At the 36th meeting, on 27 September 2012, the representative of Norway introduced draft resolution A/HRC/21/L.14/Rev.1, sponsored by Argentina, Ghana, Norway and the Russian Federation and co-sponsored by Andorra, Austria, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Denmark, Finland, Greece, Guatemala, Honduras, Iceland, Ireland, Italy, Mexico, Montenegro, Morocco, Portugal, Spain, Sweden, Switzerland, Turkey and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Australia, Belgium, Colombia, Germany, Guinea, Indonesia, Japan, Namibia, the Netherlands, Nigeria, Panama, Peru, Romania, Senegal, Slovenia, the former Yugoslav Republic of Macedonia, Tunisia, Uganda and the United States of America joined the sponsors.

120. At the same meeting, the representatives of India and the United States of America made general comments in relation to the draft resolution.

121. 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.

122. At the same meeting, the representative of Ecuador made a statement in explanation of vote before the vote.

123. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/5).

Preventable maternal mortality and morbidity and human rights

124. At the 36th meeting, on 27 September 2012, the representatives of Burkina Faso, Colombia and New Zealand introduced draft resolution A/HRC/21/L.10, sponsored by Burkina Faso, Colombia and New Zealand and co-sponsored by Andorra, Angola, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, the Central African Republic, Chad, the Congo, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Djibouti, the Dominican Republic, Ecuador, Equatorial Guinea, Estonia, Finland, France, Germany, Ghana, Greece,

Guatemala, Iceland, Italy, Japan, Lithuania, Luxembourg, Mexico, Monaco, Montenegro, the Netherlands, Nicaragua, Nigeria, Norway, Peru, Poland, Portugal, the Republic of Korea, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Thailand, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Algeria, Bhutan, Bolivia (Plurinational State of), Brazil, Burundi, Cambodia, Cameroon, Costa Rica, Guinea, Haiti, Honduras, Hungary, Ireland, Kazakhstan, Latvia, Maldives, Morocco, Namibia, Panama, the Republic of Moldova, Rwanda, San Marino, Senegal, Singapore, Somalia, South Sudan, the former Yugoslav Republic of Macedonia, Togo, Ukraine and the United States of America joined the sponsors.

125. At the same meeting, the representative of Guatemala made general comments in relation to the draft resolution.

126. Also at the same meeting, the representative of Saudi Arabia (also on behalf of Bahrain, Bangladesh, Brunei Darussalam, Egypt, Iran, Kuwait, Libya, Malaysia, Mauritania, Oman, Pakistan, Qatar, Sudan, the Syrian Arab Republic, Uganda, the United Arab Emirates and Yemen) made a statement in explanation of vote before the vote, disassociating the aforementioned delegations from the consensus on operative paragraphs 4 and 8 of the draft resolution.

127. At the same meeting, the representative of Mauritania also made a statement in explanation of vote before the vote.

128. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/6).

Right to the truth

129. At the 36th meeting, on 27 September 2012, the representative of Argentina introduced draft resolution A/HRC/21/L.16, sponsored by Argentina and co-sponsored by Andorra, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, France, Greece, Guatemala, Ireland, Italy, Latvia, Mexico, Paraguay, Peru, Portugal, Serbia, Spain, Switzerland, Tunisia, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Australia, Brazil, Burkina Faso, Canada, Chile, Ecuador, Egypt, Finland, Germany, Japan, Lebanon, Maldives, Montenegro, Norway, Poland, the Republic of Korea, Slovenia, the former Yugoslav Republic of Macedonia, Ukraine and the United States of America joined the sponsors.

130. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/7).

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

131. At the 36th meeting, on 27 September 2012, the representative of Cuba introduced draft resolution A/HRC/21/L.17, sponsored by Cuba and co-sponsored by Angola, Belarus, Bolivia (Plurinational State of), Botswana, the Congo, the Democratic People's Republic of Korea, Djibouti, the Dominican Republic, Ecuador, Nicaragua, Palestine, the Russian Federation, South Africa, Sudan, the Syrian Arab Republic, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe. Subsequently, Algeria, Ethiopia, Mauritania, Namibia, Nigeria, Pakistan, Senegal and Somalia joined the sponsors.

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

133. At the same meeting, the representative of Austria, on behalf of States members of the European Union that are members of the Council, made a statement in explanation of vote before the vote.

134. At the same meeting, at the request of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 34 votes in favour, 12 against, with 1 abstention.

135. For the text as adopted and voting results, see part one, chapter I, resolution 21/8.

Promotion of a democratic and equitable international order

136. At the 36th meeting, on 27 September 2012, the representative of Cuba introduced draft resolution A/HRC/21/L.18, sponsored by Cuba and co-sponsored by Angola, Belarus, Bolivia (Plurinational State of), Burkina Faso, the Congo, the Democratic People's Republic of Korea, Djibouti, the Dominican Republic, Ecuador, Iran (Islamic Republic of), Lebanon, Nicaragua, Palestine, Sri Lanka, Sudan, the Syrian Arab Republic, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe. Subsequently, Algeria, Bangladesh, Guinea, Haiti, Indonesia, Mauritania, Namibia, Nigeria, Pakistan, Panama, Senegal and Somalia joined the sponsors.

137. At the same meeting, the representative of Austria, on behalf of States members of the European Union that are members of the Council, made a statement in explanation of vote before the vote.

138. At the same meeting, at the request of Austria, on behalf of States members of the European Union that are members of the Council, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 31 votes in favour, 12 against, with 4 abstentions.

139. For the text as adopted and voting results, see part one, chapter I, resolution 21/9).

Human rights and international solidarity

140. At the 36th meeting, on 27 September 2012, the representative of Cuba introduced draft resolution A/HRC/21/L.19, sponsored by Cuba and co-sponsored by Angola, Belarus, Bolivia (Plurinational State of), Botswana, Burkina Faso, China, the Congo, the Democratic People's Republic of Korea, Djibouti, the Dominican Republic, Ecuador, Iran (Islamic Republic of), Lebanon, Malaysia, Morocco, Nicaragua, Palestine, Panama, Sri Lanka, the Sudan, the Syrian Arab Republic, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe. Subsequently, Algeria, Bahrain, Bangladesh, Brazil, Ghana, Guatemala, Guinea, Haiti, Honduras, Indonesia, Mauritania, Namibia, Nigeria, Pakistan, Senegal, Somalia, Thailand, the former Yugoslav Republic of Macedonia and Uruguay joined the sponsors.

141. At the same meeting, the representative of Cuba orally revised the draft resolution.

142. 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.

143. Also at the same meeting, the representative of Austria, on behalf of States members of the European Union that are members of the Council, made a statement in explanation of vote before the vote.

144. At the same meeting, at the request of Austria, on behalf of States members of the European Union that are members of the Council, a recorded vote was taken on the draft resolution. The draft resolution, as orally revised, was adopted by 35 votes in favour, 12 against, with no abstentions.

145. For the text as adopted and voting results, see part one, chapter I, resolution 21/10).

Guiding principles on extreme poverty and human rights

146. At the 36th meeting, on 27 September 2012, the representative of France introduced draft resolution A/HRC/21/L.20, sponsored by Albania, Belgium, Chile, France, Morocco, Peru, Philippines, Romania and Senegal and co-sponsored by Andorra, Argentina, Austria, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Ecuador, Finland, Greece, Guatemala, Honduras, Iceland, Ireland, Luxembourg, Mexico, Montenegro, Nicaragua, Norway, Panama, Paraguay, Portugal, Serbia, Slovakia, Slovenia, Spain, Turkey and Uruguay. Subsequently, Algeria, Angola, Australia, Benin, Bolivia (Plurinational State of), Botswana, Brazil, Cambodia, Chad, the Congo, the Czech Republic, Denmark, Djibouti, the Dominican Republic, Estonia, Ethiopia, Germany, Ghana, Guinea, Haiti, Italy, Japan, Lithuania, Mauritania, Monaco, Namibia, Nigeria, Palestine, the Republic of Korea, the Republic of Moldova, Romania, Rwanda, Sri Lanka, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Ukraine and Venezuela (Bolivarian Republic of) joined the sponsors.

147. At the same meeting, the representative of France orally revised the draft resolution.

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

149. 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 21/11).

Safety of journalists

150. At the 37th meeting, on 27 September 2012, the representative of Austria introduced draft resolution A/HRC/21/L.6, sponsored by Austria, Brazil, Morocco, Switzerland and Tunisia and co-sponsored by Albania, Argentina, Australia, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Kenya, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Mexico, Montenegro, the Netherlands, Nigeria, Norway, Palestine, Peru, Poland, Portugal, Qatar, the Republic of Moldova, Romania, Serbia, Slovenia, Sweden, Turkey and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Algeria, Armenia, Burkina Faso, Cape Verde, Chile, France, Italy, Maldives, Malta, the Republic of Korea, San Marino, Senegal, the former Yugoslav Republic of Macedonia and Ukraine joined the sponsors.

151. At the same meeting, the representative of Austria orally revised the draft resolution.

152. 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.

153. Also at the same meeting, the representatives of Ecuador and the United States of America made statements in explanation of vote before the vote.

154. 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 21/12).

Panel discussion on the negative impact of corruption on the enjoyment of human rights

155. At the 37th meeting, on 27 September 2012, the representative of Morocco introduced draft resolution A/HRC/21/L.13, sponsored by Austria, Brazil, Indonesia,

Morocco and Poland and co-sponsored by Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Croatia, Cuba, Cyprus, Equatorial Guinea, Finland, Georgia, Greece, Guatemala, Iceland, Ireland, Montenegro, Peru, Portugal, Qatar, Serbia, South Africa, Sri Lanka and Venezuela (Bolivarian Republic of). Subsequently, Algeria, Bahrain, Bolivia (Plurinational State of), Botswana, Canada, Cape Verde, Chile, the Czech Republic, Ecuador, Estonia, France, Germany, Ghana, Hungary, Lithuania, Malta, the Netherlands, Palestine, the Republic of Korea, the Republic of Moldova, Romania, Rwanda, Senegal, Singapore, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and the United States of America joined the sponsors.

156. At the same meeting, the representative of Morocco orally revised the draft resolution.

157. 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.

158. At the same meeting, the Chief of OHCHR Programme Support and Management Services made a statement in relation to the budgetary implications of the draft resolution as orally revised.

159. 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 21/13).

World Programme for Human Rights Education

160. At the 37th meeting, on 27 September 2012, the representative of Costa Rica introduced draft resolution A/HRC/21/L.22, sponsored by Costa Rica, Italy, Morocco, Philippines, Senegal, Slovenia and Switzerland and co-sponsored by Andorra, Argentina, Austria, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Chile, Côte d'Ivoire, Croatia, Cyprus, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Lebanon, Malta, Mexico, Monaco, Montenegro, Norway, Panama, Paraguay, Peru, Poland, Portugal, Qatar, the Republic of Moldova, Serbia, Slovakia, Spain, Sri Lanka, Turkey, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Albania, Algeria, Angola, Armenia, Australia, Benin, Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Chad, Colombia, the Congo, the Democratic Republic of the Congo, Djibouti, Ecuador, Ethiopia, Finland, Ghana, Guinea, Indonesia, Japan, Kyrgyzstan, Latvia, Libya, Lithuania, Luxembourg, Madagascar, Maldives, Mauritania, Namibia, Nicaragua, Niger, Nigeria, the Republic of Korea, Romania, Rwanda, Solomon Islands, Somalia, Thailand, the former Yugoslav Republic of Macedonia, Togo, Uganda, Ukraine and Yemen joined the sponsors.

161. At the same meeting, the representative of Costa Rica orally revised the draft resolution.

162. At the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote.

163. 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 21/14).

Human rights and transitional justice

164. At the 37th meeting, on 27 September 2012, the representative of Switzerland introduced draft resolution A/HRC/21/L.24, sponsored by Switzerland, and co-sponsored Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic,

Denmark, Estonia, Finland, France, Georgia, Greece, Guatemala, Honduras, Iceland, Ireland, Italy, Latvia, Libya, Liechtenstein, Montenegro, the Netherlands, Norway, Palestine, Peru, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Tunisia, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Albania, Brazil, Burundi, the Congo, the Democratic Republic of the Congo, Djibouti, Ecuador, Germany, Hungary, Japan, Lithuania, Luxembourg, Maldives, Mexico, Morocco, Panama, the Republic of Korea, Senegal, the former Yugoslav Republic of Macedonia and Uruguay joined the sponsors.

165. At the same meeting, the representative of Switzerland orally revised the draft resolution.

166. At the same meeting, the representative of the Russian Federation made general comments in relation to the draft resolution.

167. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/15).

The rights to freedom of peaceful assembly and of association

168. At the 37th meeting, on 27 September 2012, the representative of the United States of America introduced draft resolution A/HRC/21/L.25, sponsored by the Czech Republic, Indonesia, Lithuania, Maldives, Mexico, Nigeria and the United States of America and co-sponsored Albania, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Montenegro, the Netherlands, Norway, Peru, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Botswana, Brazil, Colombia, Ghana, Guinea, Japan, the Republic of Korea, Rwanda, San Marino, Senegal, the former Yugoslav Republic of Macedonia, Ukraine and Uruguay joined the sponsors.

169. At the same meeting, the representative of the United States of America orally revised the draft resolution.

170. 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.

171. At the same meeting, the representative of Ecuador made a statement in explanation of vote before the vote.

172. 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 21/16).

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

173. At the 37th meeting, on 27 September 2012, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/21/L.26, sponsored by Senegal, on behalf of the Group of African States. Subsequently, Austria, Botswana, Maldives and Uruguay joined the sponsors.

174. At the same meeting, the representative of Senegal orally revised the draft resolution.

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

176. At the same meeting, the Chief of OHCHR Programme Support and Management Services made a statement in relation to the budgetary implications of the draft resolution as orally revised.

177. 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 on the draft resolution.

178. 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 21/17).

The human rights of older persons

179. At the 38th meeting, on 28 September 2012, the representatives of Argentina and Brazil, introduced draft resolution A/HRC/21/L.15, sponsored by Argentina and Brazil and co-sponsored by Angola, Bolivia (Plurinational State of), Burkina Faso, Chile, Cuba, Guatemala, Honduras, Paraguay, Peru, Qatar, Turkey, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Algeria, Armenia, Belarus, Cape Verde, Colombia, Costa Rica, Egypt, Haiti, Indonesia, Italy, Maldives, Mexico, Morocco, Nicaragua, Palestine, Panama, Senegal, South Africa, Sri Lanka and the former Yugoslav Republic of Macedonia joined the sponsors.

180. At the same meeting, the representatives of Argentina and Brazil orally revised the draft resolution.

181. Also at the same meeting, the representatives of Austria, on behalf of States members of the European Union that are members of the Council, and the United States of America made general comments in relation to the draft resolution.

182. 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.

183. 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 21/23).

Human rights and indigenous peoples

184. At the 38th meeting, on 28 September 2012, the representative of Guatemala, introduced draft resolution A/HRC/21/L.21, sponsored by Guatemala and Mexico and co-sponsored by Argentina, Australia, Austria, Bolivia (Plurinational State of), Bosnia and Herzegovina, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Estonia, Finland, Greece, Honduras, Ireland, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Spain and Uruguay. Subsequently, Armenia, Brazil, Canada, the Congo, Djibouti, Egypt, Haiti, Hungary, Iceland, Luxembourg, Malta, Poland, Slovenia, the Syrian Arab Republic, the former Yugoslav Republic of Macedonia, the United States of America, Venezuela (Bolivarian Republic of) and Yemen joined the sponsors.

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

186. 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.

187. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/24).

Open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies

188. At the 39th meeting, on 28 September 2012, the representative of South Africa, on behalf of the Group of African States, introduced draft resolution A/HRC/21/L.27, sponsored by South Africa, on behalf of the Group of African States, and co-sponsored by Bolivia (Plurinational State of), Cuba, Ethiopia, Lebanon and Venezuela (Bolivarian Republic of).

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

190. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/29).

The right to development

191. At the 39th meeting, on 28 September 2012, the representative of Iran (Islamic Republic of), on behalf of the Non-Aligned Movement, introduced draft resolution A/HRC/21/L.3, sponsored by Iran (Islamic Republic of), on behalf of the Non-Aligned Movement, and co-sponsored by China, Cuba, Serbia and Uruguay. Subsequently, Algeria, Brazil, Burkina Faso, Djibouti, Guinea, Mauritania, Pakistan (on behalf of the Organization of Islamic Cooperation), Sri Lanka and the former Yugoslav Republic of Macedonia joined the sponsors.

192. At the same meeting, the representative of Iran (Islamic Republic of) orally revised the draft resolution.

193. At the same meeting, the Chief of OHCHR Programme Support and Management Services made a statement in relation to the budgetary implications of the draft resolution as orally revised.

194. At the same meeting, the representatives of Austria (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.

195. At the same meeting, at the request of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution, as orally revised, was adopted by 46 votes in favour, 1 against, with no abstentions.

196. For the text as adopted and voting results, see part one, chapter I, resolution 21/32).

197. Also at the same meeting, on 28 September 2012, the representative of Chile made a statement in explanation of vote after the vote.

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

A. Interactive dialogue with the commission of inquiry on the Syrian Arab Republic

198. At the 13th meeting, on 17 September 2012, the Chairperson of the independent international commission of inquiry on the Syrian Arab Republic, Paulo Pinheiro, presented the report of the commission of inquiry (A/HRC/21/50), pursuant to Human Rights Council resolution 19/22.

199. At the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

200. During the ensuing interactive dialogue at the 13th and 14th meetings, on the same day, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Austria, Belgium, Botswana, Chile, China, Costa Rica, Cuba, Czech Republic, Denmark⁸³ (also on behalf of Finland, Iceland, Norway and Sweden), Ecuador, Indonesia, Italy, Jordan, Kuwait, Libya, Malaysia, Maldives, Peru, Poland, Qatar, Romania, Russian Federation, Saudi Arabia, Spain, Switzerland, Thailand, Turkey⁸³ (also on behalf of Australia, Bahrain, Belgium, Bulgaria, Canada, Colombia, Côte d'Ivoire, Croatia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Jordan, Kuwait, Libya, Luxembourg, Maldives, Mexico, Monaco, Morocco, New Zealand, Norway, Portugal, Qatar, Romania, Saudi Arabia, Slovenia, Spain, St. Kitts and Nevis, Sweden, Tunisia, United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland and the United States of America), United States of America, Uruguay;

(b) Representatives of observer States: Australia, Brazil, Bulgaria, Canada, Croatia, Democratic People's Republic of Korea, Egypt, France, Germany, Honduras, Ireland, Iran (Islamic Republic of), Japan, Lithuania, Morocco, Paraguay, Portugal, Republic of Korea, Slovakia, Slovenia, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

(c) Observer for the Holy See;

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

(e) Observers for non-governmental organizations: Amnesty International, Cairo Institute for Human Rights Studies, Nord-Sud XXI, Press Emblem Campaign, Union of Arab Jurists, Verein Sudwind Entwicklungspolitik.

201. At the 14th meeting, the Chairperson of the commission of inquiry answered questions and made concluding remarks.

B. Country reports of the Secretary-General and High Commissioner for Human Rights

202. At the 14th meeting, on 17 September 2012, the United Nations High Commissioner for Human Rights presented the report of the Secretary-General on the implementation of

⁸³ Observer of the Human Rights Council speaking on behalf of Member and observer States.

Human Rights Council resolution 19/22 on the situation of human rights in the Syrian Arab Republic (A/HRC/21/32).

203. At the same meeting, the High Commissioner made an oral statement on the situation of human rights in Northern Mali (A/HRC/21/64).

204. At the same meeting, on the same day, the representative of Mali made a statement as the country concerned.

C. General debate on agenda item 4

205. At its 14th and 15th meetings, on 17 September 2012, and at its 16th meeting, on 18 September 2012, the Human Rights Council held a general debate on agenda item 4, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Belgium, China, Cuba, Cyprus⁸⁴ (on behalf of the European Union, Albania, Croatia, Iceland, Liechtenstein, Montenegro and the former Yugoslav Republic of Macedonia), Czech Republic, Ecuador, Norway, Pakistan⁸⁴ (on behalf of the Organization of Islamic Cooperation), Poland, Senegal (on behalf of the Group of African States), Slovenia⁸⁴ (also on behalf of Austria and Croatia), Spain, Switzerland, United States of America;

(b) Representatives of observer States: Argentina, Armenia, Australia, Bahrain, Belarus, Canada, Democratic People's Republic of Korea, Denmark, France, Germany, Iran (Islamic Republic of), Ireland, Japan, Morocco, Myanmar, Netherlands, New Zealand, Slovakia, Sweden, United Kingdom of Great Britain and Northern Ireland;

(c) Observers for non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs; Agence internationale pour le développement; Amnesty International; Asian Legal Resource Centre; Baha'i International Community; Cairo Institute for Human Rights Studies; Center for Environmental and Management Studies; Center for Inquiry, Centre Europe - Tiers Monde; Centrist Democratic International; Centro de Estudios Legales y Sociales (CELS) Asociación Civil (also on behalf of Conectas Direitos Humanos); CIVICUS – World Alliance for Citizen Participation; Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples; Commission to Study the Organization of Peace Democracy Coalition Project; East and Horn of Africa Human Rights Defenders Projects; Espace Afrique International (also on behalf of 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; France Libertés: Fondation Danielle Mitterrand; Helsinki Foundation for Human Rights; Human Rights Watch; Indian Council of South America; Indian Movement Tupaj Amaru (also on behalf of the World Peace Council); Institute for Women's Studies and Research (also on behalf of the Charitable Institute for Protecting Social Victims and the Islamic Women's Institute of Iran); International Association of Schools of Social Work; International Buddhist Relief Organisation; International Commission of Jurists; International Educational Development Inc.; International Federation for Human Rights Leagues; International Fellowship of Reconciliation; International Human Rights Association of American Minorities; International Humanist and Ethical Union; International Movement Against All Forms of Discrimination and Racism; Iranian Elite Research Center; Liberation; Maryam Ghasemi Educational Charity Institute; Minority Rights Group; Mouvement contre le racisme et pour l'amitié entre les peuples; Nonviolent Radical Party, Transnational and Transparty; Nord-

⁸⁴ Observer of the Human Rights Council speaking on behalf of Member and observer States.

Sud XXI; Organisation pour la communication en Afrique et de promotion de la coopération économique internationale – OCAPROCE Internationale; Organization for Defending Victims of Violence (also on behalf of the Khiam Rehabilitation Center for Victims of Torture and the Maryam Ghasemi Educational Charity Institute); Pasumai Thaayagam Foundation; Press Emblem Campaign; Rencontre africaine pour la défense des droits de l'homme; Society for Threatened Peoples; Syriac Universal Alliance; Union of Arab Jurists (also on behalf of the General Arab Women Federation); United Schools International; United Towns Agency for North-South Cooperation; Verein Sudwind Entwicklungspolitik; Women's Human Rights International Association; World Barua Organization; World Environment and Resources Council; World Federation of Democratic Youth (also on behalf of France Libertés; Fondation Danielle Mitterrand, and the International Youth and Student Movement for the United Nations); World Muslim Congress.

206. At the 15th meeting, on 17 September 2012, statements in exercise of the right of reply were made by the representatives of Armenia, Azerbaijan, Belarus, Venezuela (Bolivarian Republic of) and Zimbabwe.

207. At the same meeting, statements in exercise of a second right of reply were made by the representatives of Armenia and Azerbaijan.

208. At the 16th meeting, on 18 September 2012, statements in exercise of the right of reply were made by the representatives of Bahrain, China, Cuba, Ethiopia, Honduras, Paraguay, Sudan and Uzbekistan.

D. Consideration of and action on draft proposals

Situation of human rights in the Republic of Mali

209. At the 38th meeting, on 28 September 2012, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/21/L.9/Rev.1, sponsored by Senegal, on behalf of the Group of African States, and co-sponsored by Bulgaria, France and Monaco. Subsequently, Australia, Austria, Belgium, Canada, Croatia, the Czech Republic, Denmark, Finland, Greece, Guinea, Iceland, Ireland, Italy, Japan, Luxembourg, Montenegro, Norway, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined the sponsors.

210. At the same meeting, the representatives of Austria, on behalf of States members of the European Union that are members of the Council, and Djibouti, on behalf of the International Organization of la Francophonie, made general comments in relation to the draft resolution.

211. At the same meeting, the representative of the Republic of Mali made a statement as the country concerned.

212. At the same meeting, the draft resolution as was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/25).

Situation of human rights in the Syrian Arab Republic

213. At the 38th meeting, on 28 September 2012, the representative of Morocco introduced draft resolution A/HRC/21/L.32, sponsored by Jordan, Kuwait, Libya, Morocco, Qatar, Saudi Arabia and Tunisia and co-sponsored by Australia, Austria, Bahrain, Belgium, Botswana, Bulgaria, Chile, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary,

Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Maldives, Malta, Monaco, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, the Republic of Moldova, Romania, Saint Kitts and Nevis, Slovakia, Slovenia, Spain, Sudan, Sweden, Switzerland, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yemen. Subsequently, Andorra, Burkina Faso, Canada, Costa Rica, Iraq, Liechtenstein, Mexico, the Republic of Korea, San Marino, Senegal and the former Yugoslav Republic of Macedonia joined the sponsors.

214. Also at the same meeting, the representatives of the Austria (on behalf of States members of the European Union that are members of the Council), China, Cuba, Ecuador, India, the Russian Federation and the United States of America made general comments in relation to the draft resolution.

215. At the same meeting, the Syrian Arab Republic made a statement as the country concerned.

216. 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.

217. At the same meeting, at the request of the Russian Federation, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 41 votes in favour, 3 against, with 3 abstentions.

218. For the text as adopted and voting results, see part one, chapter I, resolution 21/26.

V. Human rights bodies and mechanisms

A. Panels

Panel discussion on reprisals against individuals and groups who cooperate with the United Nations and its mechanisms in the field of human rights

219. At its 9th meeting, on 13 September 2012, the Human Rights Council held a panel discussion on the issue of intimidation or reprisal against individuals and groups who cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, in accordance with Human Rights Council decision 18/118. A statement on behalf of the President of the Human Rights Council was read. At the same meeting, a video message from the Secretary-General was shown.

220. The High Commissioner made opening remarks for the panel. Mehr Khan Williams, Chair of the Board of the International Service for Human Rights, moderated the discussion.

221. At the same meeting, the panellists Szabolcs Takács, Michel Forst, Claudio Grossman and Hassan Shire Sheikahmed made statements.

222. The ensuing panel discussion was divided into two slots, which were held at the same meeting, on the same day. During the first speaking slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Chile, China, Cuba, Poland, Russian Federation, Saudi Arabia, Switzerland (also on behalf of Austria, Liechtenstein, Slovenia), United States of America, Uruguay;

(b) Representatives of observer States: Argentina, Bahrain, France, Honduras Republic of Korea;

(c) Observer for a national human rights institution: Defensoría del Pueblo of Ecuador (on behalf of the Network of National Human Rights Institutions of the Americas (by video message));

(d) Observers for non-governmental organizations: Amnesty International, International Federation for Human Rights Leagues (also on behalf of Rencontre africaine pour la défense des droits de l'homme and the Palestinian Centre for Human Rights).

223. At the end of the first speaking slot, the panellists answered questions and made comments.

224. The following made statements during the second speaking slot:

(a) Representatives of States Members of the Human Rights Council: Czech Republic, Ecuador, Norway, Qatar, Spain;

(b) Representatives of observer States: Australia, Belarus, Denmark, Ireland, Morocco, Paraguay, Sri Lanka, Sweden, United Kingdom of Great Britain and Northern Ireland;

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

(d) Observers for non-governmental organizations: Cairo Institute for Human Rights Studies, CIVICUS – World Alliance for Citizen Participation, Lawyers' Rights Watch Canada.

225. At the same meeting, the panellists answered questions and made concluding remarks.

B. Complaint procedure

226. At its 15th meeting, on 17 September 2012, and at its 35th meeting, on 26 September, the Human Rights Council held two closed meetings of the complaint procedure.

227. At its 36th meeting, the President made a statement on the outcome of the meetings, stating that the Human Rights Council, in closed meetings, examined the human rights situation in Eritrea and the situation of trade unions and their members and leaders, as well as human rights defenders in Iraq under its complaint procedure established pursuant to Human Rights Council resolution 5/1 of 18 June 2007.

228. The Human Rights Council decided, in accordance with paragraph 109 (d) of Human Rights Council resolution 5/1, to discontinue reviewing the human rights situation in Eritrea under its confidential complaint procedure in order to take up public consideration of the same in the context of the implementation of Human Rights Council resolution 20/20. The Council adopted a confidential resolution on Eritrea and decided to make it public as Human Rights Council resolution 21/1.

229. The Human Rights Council also decided to discontinue the consideration of the situation of trade unions and their members and leaders, as well as human rights defenders in Iraq.

C. Expert Mechanism on the Rights of Indigenous Peoples

230. At the 16th meeting, on 18 September 2012, the Chairperson-Rapporteur of the Expert Mechanism on the Rights of Indigenous Peoples, Wilton Littlechild, presented the reports of the Expert Mechanism (A/HRC/21/52, 53, 54 and 55).

231. At the same meeting, and at the 18th meeting, on 18 September 2012, the Human Rights Council held an interactive dialogue on the human rights of indigenous peoples (see chapter III, B above).

D. Interactive dialogue with the Advisory Committee

232. At the 18th meeting, on 18 September 2012, the Vice-Chairperson of the Advisory Committee, Jean Ziegler, presented the Committee's reports (A/HRC/21/56, 57, 58 and 66).

233. During the ensuing interactive dialogue, at the 18th meeting, on 18 September 2012, and at the 20th meeting, on 19 September 2012, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Cuba, Russian Federation, Switzerland, United States of America;

(b) Representatives of observer States: Algeria, Bolivia (Plurinational State of), Ireland, Republic of Korea, Venezuela (Bolivarian Republic of);

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

(d) Observers for non-governmental organizations: European Region of the International Lesbian and Gay Federation (also on behalf of Federatie van Nederlandse Verenigingen tot Integratie van Homoseksualiteit - COC Nederland), Federatie van

Nederlandse Verenigingen tot Integratie van Homoseksualiteit - COC Nederland, Indian Movement "Tupaj Amaru".

234. At the 39th meeting, on 28 September 2012, the President made the following oral statement with regard to the reports by the Advisory Committee:

“The Human Rights Council took note of the reports of the Advisory Committee on its seventh, eighth and ninth sessions (A/HRC/AC/7/4, A/HRC/AC/8/8 and A/HRC/AC/9/6), of the recommendations contained therein, as well as of the research proposals contained in text 9/1.”

E. General debate on agenda item 5

235. At its 20th meeting, on 19 September 2012, and at its 25th and 27th meetings, on 21 September 2012, 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: China, Cyprus⁸⁵ (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Ukraine), Hungary, Latvia⁸⁵ (also on behalf of Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Lebanon, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Monaco, Montenegro, the Netherlands, Norway, Panama, Peru, Poland, Portugal, Qatar, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay), Republic of Moldova, Senegal (on behalf of the Group of African States);

(b) Observer for an intergovernmental institution: Council of Europe;

(c) Observers for non-governmental organizations: Amnesty International, Association of World Citizens, Indian Movement "Tupaj Amaru" (also on behalf of the World Peace Council), International Buddhist Relief Organisation, International Service for Human Rights (also on behalf of the Asian Legal Resource Centre, the Cairo Institute for Human Rights Studies, CIVICUS – World Alliance for Citizen Participation, the Commonwealth Human Rights Initiative and the East and Horn of Africa Human Rights Defenders Project), Liberation, Nord-Sud XXI, Organization for Defending Victims of Violence, Permanent Assembly for Human Rights (also on behalf of the American Association of Jurists, the International Association of Peace Messenger Cities and the World Council of Churches), Rencontre africaine pour la défense des droits de l'homme, Tchad agir pour l'environnement, Verein Sudwind Entwicklungspolitik, World Barua Organization, World Environment and Resources Council.

F. Consideration of and action on draft proposals

Situation of human rights in Eritrea

236. At its 35th closed meeting, on 26 September 2012, the Human Rights Council decided to make public the resolution, which it adopted without a vote, relating to its

⁸⁵ Observer of the Human Rights Council speaking on behalf of Member and observer States.

consideration of the human rights situation in Eritrea under the complaint procedure established pursuant to Human Rights Council resolution 5/1 of 18 June 2007. See chapter V, B above and, for the text as adopted, see part one, chapter I, resolution 21/1.

Human rights and issues related to terrorist hostage-taking

237. At the 37th meeting, on 27 September 2012, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/21/L.8, sponsored by Senegal, on behalf of the Group of African States. Subsequently, Bangladesh, Colombia, Cuba, India, Sri Lanka, the Russian Federation and the United Arab Emirates, on behalf of the Group of Arab States, joined the sponsors.

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

239. At the same meeting, the draft resolution as was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/18).

Promotion of the human rights of peasants and other people working in rural areas

240. At the 37th meeting, on 27 September 2012, the representative of Bolivia (Plurinational State of) introduced draft resolution A/HRC/21/L.23, sponsored by Bolivia (Plurinational State of), Cuba, Ecuador and South Africa and co-sponsored by the Congo, Djibouti, Guatemala, Nicaragua, Palestine, Sri Lanka and Venezuela (Bolivarian Republic of). Subsequently, Angola, Argentina, Burkina Faso, the Dominican Republic, Ethiopia, Guinea, Mali and Uganda joined the sponsors.

241. At the same meeting, the representative of Bolivia (Plurinational State of) orally revised the draft resolution.

242. Also at the same meeting, the representatives of Cuba and the United States of America made general comments in relation to the draft resolution.

243. 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.

244. At the same meeting, the representatives of Austria (on behalf of States members of the European Union that are members of the Council), Mexico, Norway and Senegal made statements in explanation of vote before the vote.

245. Also at the same meeting, at the request of the United States of America, a recorded vote was taken on the draft resolution as orally revised. The draft resolution, as orally revised, was adopted by 23 votes in favour, 9 against, with 15 abstentions.

246. For the text as adopted and voting results, see part one, chapter I, resolution 21/19.

247. At the same meeting, the representative of Thailand made a statement in explanation of vote after the vote.

VI. Universal periodic review

248. Pursuant to General Assembly resolution 60/251, Human Rights Council resolutions 5/1 and 16/21, Human Rights Council decision 17/119 and President's statements PRST/8/1 and PRST/9/2 on modalities and practices for the universal periodic review process, the Human Rights Council considered the outcome of the reviews conducted during the thirteenth session of the Working Group on the Universal Periodic Review held from 21 May to 4 June 2012.

A. Consideration of universal periodic review outcomes

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

Bahrain

250. The review of Bahrain was held on 21 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Bahrain in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/BHR/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/BHR/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/BHR/3).

251. At its 19th meeting, on 19 September 2012, the Council considered and adopted the outcome of the review of Bahrain (see section C below).

252. The outcome of the review of Bahrain comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/6), the views of Bahrain concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/6/Add.1).

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

253. The head of delegation, H.E Shaikh Khalid Bin Ahmed Bin Mohamed Al Khalifa, Minister of Foreign Affairs, reaffirmed the Kingdom's commitment to human rights and to the Council. The Government has consistently upheld these commitments: through persistent efforts aimed at cultivating a pluralistic Bahraini society – and through co-operation with the Council. The delegation noted that the Government shares the High Commissioner's vision of ensuring human rights for all and welcomed engagement with all stakeholders.

254. Bahrain, after careful deliberation and consultation, fully accepted 145 of the 176 recommendations received at the second UPR and partially accepted 13 more. These mainly relate to: criminal justice issues; prevention of torture; rights of women; protection

of children and minorities; ratification of international treaties; the fight against human trafficking; and implementing BICI recommendations and findings of the National Dialogue. The delegation stated that Bahrain had also accepted, in an addendum, other recommendations including considering ratification of the Optional Protocol of the Convention against Torture. Bahrain will voluntarily provide an interim report to the Council prior to the next UPR.

255. Bahrain's delegation stated that the rule of law is the essential condition of a society that respects human rights; it presumes respect for national institutions and constitutional processes – and unequivocally rejects the methods of excessive force, violence and sabotage. Bahrain's actions, more than its words, should dispel any doubts regarding the Government's commitment to upholding human rights through the rule of law. But the Government is only one actor. It cannot do it alone – all segments of society need to play a constructive role.

256. The minister was pleased that many Bahrainis were in the gallery. He extended a hand of constructive engagement to each of them and said all must follow the path of dialogue, not propaganda.

257. The minister noted that every person has the right to disagree with, or dissent from, their Government, and to state that disagreement or dissent publicly – within the limits of orderly discourse in a democratic society. But no one has the right to force factionalism upon a society against its will. Bahrain welcomes peaceful expressions of disagreement, but not incitements to hatred and violence which damage the social fabric of a nation.

258. Bahrain does not shirk from bold initiatives; indeed the Government has undertaken unprecedented reforms. A number of these were outlined to the Council in May. The minister provided an update of these recent initiatives, in line with the BICI recommendations: establishing a Special Investigations Unit, reporting to the Attorney General, to investigate police misconduct in order to achieve accountability. In the three months of its existence, this Unit has investigated scores of police personnel at all levels; 23 prosecutions of security officials have been initiated; so far this has resulted in 3 convictions and sentences. The Unit will work in conjunction with the recently appointed independent police ombudsman. Similar ombudsman functions have also been set up within the National Security Agency. The Government has paid US\$2.6 million to the families of 17 deceased mentioned in the BICI Report and allotted a further US\$3 million for the next phase of compensation for victims. The Government has prepared a new draft labor law improving the protection of workers, based on the principles of non-discrimination and collective bargaining. On 12 September, a Royal Order was enacted bringing the NHRI into compliance with the Paris Principles. As a fundamental priority, on 17 September, 500 new police officers from all segments of society have been inducted into the police force as part of a continuing policy of inclusiveness. Bahrain amended the definition of torture in the penal code and expanded the protections for freedom of expression to bring them into accord with international law.

259. The minister also stated that the opposition is not limited to voices speaking from abroad. Far from it – the most extreme criticism is voiced continuously within Bahrain, beyond what is tolerated, it seems, in other countries.

260. Bahrain is also actively pursuing its proposal to establish an Arab Court of Human Rights within the framework of the Arab League.

261. The Government is committed to playing its role in activating dialogue. His Majesty the King of Bahrain has repeatedly called for dialogue and the Minister of Justice is leading the way in canvassing opinion from all political societies for this purpose.

262. The minister emphasized that there is no limit to their effort to bring about positive, lasting change in the human rights situation in Bahrain.

263. The minister acknowledged that Bahrain faces significant challenges. Reforming government structures and restoring the culture of tolerance and understanding in all aspects of civic life takes time. The leadership is committed, and already significant effects of the reforms are being felt.

264. The head of delegation noted that some unfortunately believe that continued unrest on the street affords them a political advantage. To keep up the momentum and media coverage, they fuel the flames of extremism and violence. They reject dialogue. They should not be encouraged.

265. The delegation provided a review of certain incidents in the three months following May of this year, including 7,356 instances of tyre-burning, injuries to 90 policemen (52 of whom were rendered invalid), the death of an eighteen-year-old student as a result of a homemade bomb explosion, and the attack by 150 masked vandals on Sitra Police Station with a barrage of Molotov cocktails.

266. Bahrain's has put in place a number of participatory schemes to jumpstart a national dialogue. The minister highlighted that reconciliation requires everyone to come to the table: surely it is right to demand that everyone serious about the issue should unconditionally condemn all violence and all parts of society should join in. He called on all groups with political aspirations to move away from the politics of the street to the politics of the table.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

267. During the adoption of the outcome of the review of Bahrain, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁸⁶ are posted on the extranet of the Human Rights Council, if available.

268. Qatar highlighted the sincere will in interacting positively and constructively with the Human Rights Council, United Nations mechanisms and the international community. Qatar appreciated highly the acceptance of both recommendations Qatar made. It welcomed the progress in the implementation of the BICI and the UPR recommendations. It commended the amendments introduced to a raft of laws and regulations related to the functions and structure of the NHRI, which will bring it in compliance with Paris Principles.

269. Saudi Arabia noted the positive interaction with the Human Rights Council mechanisms by accepting most of the recommendations including theirs. Bahrain cooperated regularly with all procedures and UN human rights mechanisms and fulfilled its obligations, through its keenness to continue the positive dialogue on human rights matters, the interest in implementing those rights through many initiatives at the institutional and legislative levels. The review was an opportunity to learn more of the measures taken including in implementing the BICI.

270. Sudan appreciated the efforts in implementing the UPR recommendations. It valued the importance of continuing in the same spirit of cooperation and dialogue which Bahrain undertaken in implementing the recommendations together with the working group, international organisations and OHCHR, which positively reflected on human rights and on achieving progress within a short period of time. Bahrain showed interest in providing more

⁸⁶ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

enjoyments of freedoms and improvements at the legislative level and in practice, by accepting the majority of the recommendations including the recommendations Sudan made.

271. Thailand was pleased that Bahrain accepted the majority of recommendations, particularly its recommendation to implement BICI recommendations. It commended Bahrain for the establishment of a specialized unit headed by the Minister of Justice to follow up the implementation of BICI report as an inclusive process. Thailand stood ready to explore technical cooperation and capacity building with Bahrain and urged the HRC to adopt Bahrain's UPR Outcome.

272. The United Arab Emirates acknowledged the efforts made to implement the recommendations and was certain that Bahrain has the capacity, knowledge and expertise to continue in fulfilling its obligations towards the voluntarily accepted recommendations in the second cycle of the UPR. UAE commended Bahrain for taking measure during the review in reforming its legislations and institutions to meet its national needs and specificities that would guarantee dignity and achieve equality, social justice and equal opportunities among its citizens.

273. Austria noted that Bahrain accepted a great number of their recommendations and looked forward to their prompt implementation. Austria noted that despite promises, there has not been improvement in the human rights record on the ground and called for the release of all those detained for exercising their rights to freedom of expression and of peaceful assembly. Austria called on all actors to refrain from violence and from reprisals against human rights defenders and to engage in a meaningful dialogue. It urged the government to continue implementing all recommendations of the BICI.

274. The United States of America was encouraged to see diverse representation of Bahraini civil society. It reminded that several States called for the investigation and prosecution of official abuse in early 2011. It urged ensuring accountability and progress in other areas than bringing charges against police officers, including integration of the police to reflect the diversity of society; ensuring a role for free trade unions; and dismissal of charges against individuals engaged in peaceful political expression. It remained concerned that the Government was losing momentum and urged to implement those recommendations and those of the UPR process.

275. Yemen studied Bahrain's report as it embraces all the important issues, which was prepared with professionalism and exceptional methodology, with the cooperation amongst different bodies at the national level, including the participation of civil society. Yemen noted that Bahrain implemented important initiatives in order to reflect in everyday life the concepts of human rights. The report described the efforts made in bringing all those responsible for violating human rights before the civil courts, dropping all charges related to freedom of expression, during those events, those efforts ensures that Bahrain is moving forward in the enforcement of human rights.

276. Algeria noted that Bahrain accepted fully 145 and partially 13 recommendations out of 176 received during the UPR. Algeria appreciated the acceptance of two of its recommendations regarding the enactment of legislation and the protection of migrant workers. Algeria welcomed the draft law amending nationality law, and hoped that the constitutional procedures will be speeded up to issue the law. Algeria noted the adoption of the labour law in the public sector and the inclusion of the rights of domestic workers. It appreciated the issuance of the royal order amending the provisions establishing the NHRI in accordance with international standards.

277. The United Kingdom of Great Britain and Northern Ireland welcomed Bahrain's acceptance of 145 recommendations, its decision to establish the BICI in 2011 and its commitment to implement its recommendations. While acknowledging important strides, it

urged Bahrain to implement BICI and UPR recommendations; hold accountable those committing crimes, including security forces; and respect human rights in practice and in principle. It shared concerns on sentencing and emphasized the right to freedom of expression and peaceful protest. It urged that any appeals should be conducted speedily and transparently; and all parties engage in meaningful dialogue.

278. Belarus welcomed Bahrain's acceptance of the majority of recommendations, particularly those made by Belarus; and is working to carry them out. Belarus highlighted Bahrain's steps since last review, including on its national legislation, establishment of a human rights body and the creation of the Ombudsman, which testifies its commitment to international obligations and national capacity building to promote and protect human rights. Belarus wished Bahrain success in implementing measures to eradicate trafficking in persons.

279. Brunei Darussalam congratulated Bahrain for its engagement with the United Nations human rights mechanisms and its cooperation with stakeholders, the UN and other relevant agencies to promote and protect human rights. It welcomed Bahrain's measures to empower women economically, socially and politically and its efforts to implement BICI recommendations.

280. China appreciated Bahrain's constructive attitude towards UPR. It welcomed Bahrain to join ICRPD and appreciated its measures to protect the rights of women, children and persons with disabilities. It noted that Bahrain strengthens the capacity building and runs projects to train its official and it is faced with challenges to protect and promote human rights. China believed that with the joint efforts of the Government and the people, Bahrain will make progress in socio economic and human rights aspects.

3. General comments made by other relevant stakeholders

281. During the adoption of the outcome of the review of Bahrain, 10 other stakeholders made statements. The statements of the stakeholders that were unable to deliver them owing to time constraints⁸⁷ are posted on the extranet of the Human Rights Council, if available.

282. The International Federation for Human Rights Leagues informed that Bahrain deny fundamental rights and attack the population, creating an atmosphere of mistrust and fear. It has documented excessive use of force by police forces; repression against witnesses and victim's families; criminalization of human rights defenders just for participating in peaceful protests; and torture, inhuman treatment and confessions used under torture un-investigated. It called upon Bahrain to cooperate with NGOs and lift restrictions on access and movement in the country.

283. Human Rights Watch urged the implementation of the accepted recommendations fully, including holding security forces accountable for rights abuses such as torture and death of detainees in custody, while including in the investigations high-ranking officers; to quash the verdicts and release immediately individuals convicted for solely participating in peaceful demonstrations and to allow their citizens to exercise the right without fear of suppression or prosecution; end intimidation and harassment of human rights defenders; end unnecessary restrictions on foreign journalists and international human rights organisations and setting a timeframe to implement the recommendations of the BICI. HRW was concerned over the Penal Code and law regulating associations.

⁸⁷ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

284. Verein Sudwind Entwicklungspolitik observed many human rights violations since the last review, including human rights defenders' prosecution, ban of civil society organizations and impunity. It regretted Bahrain's rejection of recommendation 115.16 to align its national legislation with the Rome Statute of ICC. It noted the critical situation of foreign workers. Südwind recommended implementing ICCPR, CAT and CEDAW; abolishing death penalty; providing access to independent monitoring and CSO to all detention places; and changing the Labour Code to legally protect foreign and domestic workers and the rights of trafficked persons.

285. The Cairo Institute for Human Rights Studies stated that between the last UPR session and this current session, the human rights situation continued to deteriorate. The government continued to commit wide spread violations. The excessive use of force to repress the daily protests. Arbitrary arrests, home raids and the beating and insulting of the detainees are also on going. Many detainees are held in inhumane conditions the prisons and subjected to torture, while there are 1400 political prisoner, and many children. The targeting of human rights defenders and the use of reprisals has dramatically escalated and systematically been arrested, mistreated.

286. Reporters Without Borders informed that 20 human rights defenders were sentenced to life; others sentenced to 15 years of imprisonment. It noted that Bahrain has prohibited the access of foreign journalists and INGOs and regretted that Bahrain did not implement the most important BICI recommendations, namely the release of those imprisoned for exercising their right to freedom of expression and peaceful assembly, and bring to justice officials involved in human rights violations. Out of 176 recommendations practically nothing has been done to implement them. It urged the HRC to call upon Bahrain to account for its acts.

287. Amnesty International welcomed the acceptance of recommendations related to fair trial guarantees, while remained concerned over the recent clamp-downs despite repeated assurances to respect the rights to freedom of expression and association particularly the upheld of harsh sentences imposed on prisoners of conscience and human rights defenders. Amnesty stated that the authorities have not taken sufficient steps towards justice and accountability and the outcome of investigations into allegations of torture have not been made public. Amnesty regretted the rejection to align national law with the Rome Statute and other national laws criminalising the exercise of freedom of expression, association and assembly.

288. In a joint statement the Union of Arab Jurists and North-South XXI welcomed Bahrain's media laws reform but expressed concern about its delay. They urged Bahrain to act without delay and to ensure freedom of opinion and expression. It was concerned at Bahrain's censorship of websites. It noted serious violations against children used in protests and demonstrations or used to, inter alia, block roads and hurl Molotov cocktails, calling on Bahrain to implement stronger laws to protect children and investigate such crimes. It regretted the slow changes in the judicial system.

289. Joint statement of Indian Council of South America, the Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale, the Islamic Women's Institute of Iran, and Tchad agir pour l'environnement congratulated Bahrain's acceptance of the majority of the recommendations, including to reform media laws and the Penal Code and Code of Criminal Procedure, which will grant the right of freedom of expression. They called upon Bahrain to drop charges and harsh sentences and commended the country for having agreed to drop all charges to individuals in that regard. They called for the implementation of BICI and to reform laws regarding the death penalty.

290. Worldwide Organization for Women reminded that the cases of Doctors and Medics who were detained, tortured and tried in military courts are still pending, some are still in

prison. They stated that people who are injured and mutilated are afraid to seek medical help at the hospitals which are still under military occupation, victims are certain that they will be kidnapped if their wounds were considered suspicious. They informed that about 150 children were arbitrarily arrested and many are still detained. They asked that harassment against human rights defenders and their families stopped.

291. CIVICUS – World Alliance for Citizen Participation stated that there are no men left in many villages and neighbourhoods as most of them behind bars, women left with no income, suffer from humiliation, blackmail, harassment and arrest. She recommended on behalf of the victims and their families that all prisoners of conscience, political prisoners and human rights activists released immediately; a permanent UN Human Rights Officer to be based in Bahrain for the purpose of monitoring and reporting the human rights situation.; a Special Rapporteur to be assigned to Bahrain and a special hearing on Bahrain in the Human Rights Council.

4. Concluding remarks of the State under review

292. Bahrain thanked fellow member States and the Office of the High Commissioner for assisting Bahrain in its efforts to follow the highest standards of respect for human rights, and looked forward to benefiting from their assistance.

Ecuador

293. The review of Ecuador was held on 21 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Ecuador in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/ECU/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/ECU/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/ECU/3).

294. At its 19th meeting, on 19 September 2012, the Council considered and adopted the outcome of the review of Ecuador (see section C below).

295. The outcome of the review of Ecuador comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/4), the views of Ecuador concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

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

296. The Head of the delegation, His Excellency Luis Gallegos Chiriboga, Permanent Representative of Ecuador to the United Nations at Geneva, noted that Ecuador participated actively in its universal periodic review highlighting progress made in the area of human rights during the last five years.

297. During the last year, Ecuador received the visit of two United Nations special procedures mandate-holders, namely the Special Rapporteur on slavery, who conducted a follow-up mission, and the Special Rapporteur on education most recently.

298. Ecuador has also exchanged correspondence with the Office of the High Commissioner for Human Rights, with a view for the High Commissioner to visit the

country. Regrettably, and due to the programme of work of the High Commissioner, this will not materialize this year. Ecuador reiterated its invitation during the interactive dialogue, hoping that she will in the near future respond positively.

299. Ecuador participated in its universal periodic review, with a high level delegation headed by the Vice-President of Ecuador and the participation of other senior government officials. Ecuador expressed its appreciation for the valuable comments, questions, and recommendations made by 73 States.

300. Ecuador received 67 sets of recommendations, of which accepted 64 and noted 3, which were not compatible with its Constitution and international human rights instruments that Ecuador has ratified. As reflected in the working group report, the delegation that participated in its review, provided a detailed response on why these 3 recommendations were noted.

301. It should be recognized that Ecuador provided information on their position on all recommendations received, accepting most of them, during the adoption of the working group report. Ecuador accepted 96% of the recommendations, demonstrating an absolute, sincere and transparent commitment to human rights. Ecuador also reiterated and specified, its five voluntary pledges, namely to:

- (a) Continue its efforts to implement a human rights information system with the support from the Office of the High Commissioner for Human Rights;
- (b) Share with the public sector and with the civil society the recommendations and voluntary commitments from the second universal periodic review;
- (c) Share the Ecuadorian experience and provide interested countries with assistance relating to its programmes in the field of inclusion of persons with disabilities;
- (d) Develop monitoring mechanisms for following up the implementation of recommendations from the universal periodic review;
- (e) Ratify the Protocol that establishes a communication procedure relating to the Convention of the Rights of the Child

302. With regard to the freedom of expression, Ecuador noted that it had accepted most recommendations in this regard. Recommendations regarding: the requests of the Special Rapporteurs on freedom of expression and opinion to visit the country (Belgium and Latvia); the elimination of existing criminal defamation provisions, also known as 'desacato' laws (Canada, Norway, Belgium, France); facilities for different civil society actors to express their views and opinions with responsibility and objectivity (Holy See); guarantee to everyone, enjoyment of freedom of expression (Luxembourg), etc.

303. The delegation referred to a number of issues highlighted by delegations during its review, when recognizing progress made in the area of human rights, such as in the areas of: the paradigm of 'good living'; economic, social and cultural rights; civil and political rights and; human rights of persons in situation of vulnerability.

304. On the issue of previous, free and informed consultations, Ecuador reiterated its commitment with this obligation reflected in the Constitution. Administrative and legal reforms are on-going in good faith, with a view to comply with the Inter-American Human Rights Court decision on the case of the Indigenous Sarayaku People.

305. With regard to progress made in the institutionalization of mechanisms for the follow-up of the implementation of recommendations and voluntary pledges, Ecuador noted that the following actions were being undertaken:

- (a) An Inter-Ministerial Committee for the Follow-up to the Universal Periodic Review is being established. The Committee aims at: following up on the implementation

of UPR recommendations and voluntary pledges; elaboration/approval and implementation of an annual work plan for the written/oral presentation of national UPR reports; promoting the implementation of recommendations by relevant State institutions. The Committee which is to be established through an Inter-ministerial Decree, will also promote the dialogue with different public sectors and civil society. This proposal has been also shared with the Human Rights Advisor for Ecuador of the Office of the High Commissioner for Human Rights.

(b) In the presentation of the 2012 Report of the Nation which was headed by the President of Ecuador, delivered at the National Assembly and transmitted at national level, the Minister of Foreign Affairs emphasized the importance of the universal periodic review. This reflects the great importance that Ecuador has paid to the universal periodic review, and its political support for the implementation of the recommendations.

(c) Ecuador is also in the process of developing a Human Rights Information System and defining indicators for all rights contained in the Constitution, with the technical assistance and cooperation of the Office of the High Commissioner for Human Rights. The methodology being used seeks to identify and systematize international and regional human rights obligations and standards, and general observations and recommendations from the United Nations treaty monitoring bodies and special procedures. It is expected that this methodology will:

- (i) inform and guide public policy, and the legislative agenda;
- (ii) serve to assess the status of compliance with international human rights obligations;
- (iii) serve as a source credible and reliable information for the population at large, in particular for public officials and justice operators. The system is expected to be available by the end of this year/beginning of next year in the Internet, with free access by the population.

306. Ecuador announced that once the outcome of the UPR is adopted, it will initiate a comprehensive process for the dissemination and socialization of the UPR recommendations and voluntary pledges with public officials and civil society.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

307. During the adoption of the outcome of the review of Ecuador, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁸⁸ are posted on the extranet of the Human Rights Council, if available.

308. The Democratic People's Republic of Korea noted its appreciation of the priority and commitment of Ecuador demonstrated in the process of preparation and participation in the Working Group session. It commended Ecuador for upholding the fundamental principle of international human rights law. It appreciated Ecuador's commitments and positive efforts in furthering its activities in the area of protection and promotion of human rights.

309. Cuba recognized progress made by Ecuador in the implementation of the recommendations from the universal periodic review. It commended Ecuador for accepting the vast majority of recommendations, which reflects the firm commitment of Ecuador to continue promoting human rights. It highlighted in particular, progress made in the

⁸⁸ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

implementation of policies aimed at combating poverty, guaranteeing the right to health and education, as well as programmes and measures to revert structural problems of inequality, social exclusion and discrimination. Cuba reiterated their solidarity and cooperation to Ecuador.

310. The Islamic Republic of Iran thanked Ecuador for providing an update on the situation of human rights in the country. It noted that Ecuador had accepted a number of recommendations submitted by different delegations, including Iran's recommendations. Iran appreciated the continued commitment of Ecuador to the promotion and protection of human rights.

311. The United States of America was pleased to learn that Ecuador has agreed to a visit by the United Nations Special Rapporteur on freedom of opinion and expression. It remained concerned about attacks on freedom of expression, and called upon Ecuador to take the necessary steps in this regard. Concerning recommendation 135.31, it encouraged Ecuador to continue efforts to promote an independent judiciary. Concerning recommendation 135.38, it urged Ecuador to repeal criminal defamation laws and adopt international standards on freedom of expression.

312. Lebanon commended Ecuador for its commitment to promote human rights. It noted the cooperation of Ecuador with human rights mechanisms, including the Human Rights Council and the universal periodic review. It further noted that Ecuador has accepted most of the recommendations made during its review and encouraged Ecuador to continue its endeavours, mostly in the field of combating poverty, achieving the Millennium Development Goals, and respecting cultural and ethnic diversity.

313. Malaysia appreciated Ecuador's transparent, constructive and forthcoming engagement in the universal periodic review. It was pleased with Ecuador's response concerning the role of specialized judges in cases of violence against women and domestic violence. It noted that Ecuador accepted 64 recommendations, including those made by Malaysia, of which 61 have been implemented or in the process of implementation. It stressed that like all countries, Ecuador needed time and space to achieve improvements in the area of promotion and protection of human rights.

314. Morocco noted Ecuador's renewed commitment to promote and protect human rights, and the achievements of the implementation of Ecuador's strategy intended to ensure civil, political, social, economic and cultural human rights to all. It commended Ecuador for its voluntary pledges and commitments, in particular regarding the development of monitoring mechanisms for the implementation of recommendations from the universal periodic review, and the announcement of the ratification of communication procedures relating to human rights treaties.

315. Myanmar thanked Ecuador for updating the Council on the achievements made. It commended Ecuador for accepting a vast majority of recommendations, including those made by Myanmar. It commended Ecuador for assuming five voluntary pledges and commitments. It considered such action as an evidence of Ecuador's seriousness and commitment to the promotion and protection of human rights.

316. The Philippines commended Ecuador for its commitment to strengthen its policies for human rights policies, especially for women, children and indigenous people. It appreciated that Ecuador accepted the Philippines's recommendation to consider ratifying ILO Convention 189 on Decent Work for Domestic Workers and welcomed Ecuador's efforts to eliminate child labour. It also welcomed Ecuador's commitment to protect the rights of migrant workers, and noted with appreciation the ratification of ICRMW by Ecuador.

317. The Russian Federation thanked the delegation for its participation in the adoption of the report. It was pleased to note that Ecuador has accepted most recommendations. It particularly noted the acceptance of the Russian Federation recommendations on: improvements to the judicial system, reform of the police and law enforcement bodies and reducing the level of crime and corruption, which is a clear testimony of the resolve of Ecuador to strengthen the human rights promotion and protection system.

318. South Africa appreciated that Ecuador clarified its positions on all recommendations received. It reiterated its appreciation of the progress made by Ecuador in poverty eradication and the continued efforts to create a just and equal society. It commended Ecuador's voluntary pledges and commitments, which, for South Africa, demonstrated Ecuador's commitment to the promotion and protection of human rights.

319. Sri Lanka thanked Ecuador for the comprehensive updated provided. It congratulated Ecuador for the acceptance of 96% of the recommendations, including those made by Sri Lanka. It commended five voluntary pledges and commitments made by Ecuador. It took note of the concept of "good living" promoted by Ecuador which strives for the comprehensive development of all the citizens, peoples and nationalities without discrimination. It welcomed the significant progress made by Ecuador in the economic, social and cultural spheres.

320. The Bolivarian Republic of Venezuela commended Ecuador for its open cooperation with the universal periodic review mechanism, which reflects its commitment to the promotion and protection of human rights. It recognized the efforts of Ecuador to combat poverty through sovereign economic policies, and efforts to benefit those more in need.

3. General comments made by other relevant stakeholders

321. During the adoption of the outcome of the review Ecuador, 9 other stakeholders made statements.

322. International Commission of Jurists (ICJ) urged Ecuador to strengthen legislation and mechanisms to guarantee the collective rights of indigenous populations, and to report on this matter to the Council by way of a mid-term progress report. ICJ regretted that Ecuador had not accepted recommendations regarding its follow up to recommendations on freedom of expression from the Inter-American Commission on Human Rights, and to implement the right to free, prior and informed consent of indigenous peoples. ICJ called on Ecuador to ensure that its Constitution and legislation conform with ILO Convention 169.

323. United Nations Watch noted that Ecuador had made world news when it gave asylum to the founder of Wikileaks and asked if this is consistent with Ecuador's own record on freedom of expression and the press. It referred to an alarming record of official censorship and anti-press harassment, including the use of criminal and civil defamation suits to silence critics; and a growing state media operation that broadcasts government opinions and discredits critics.

324. Amnesty International (AI) noted accepted recommendations on indigenous peoples and urged Ecuador to ensure that laws, policies and measures undergo a process of consultation with affected communities. AI expressed concern regarding the consideration of 135.37, 135.39, 135.44 as having been or to be in the process of implementation. AI called on Ecuador to fully implement recommendations 135.37, 135.39, 135.40, 135.42, 135.44, and ensure that no criminal provisions are used to punish legitimate exercise of human rights.

325. Save the Children International, delivering a statement on behalf of Save the Children and the Ecuadorean Observatory of Children's Rights, noted improvements in the

coverage of basic education, nearly eliminating disparities and access to education based on ethnicity and geographic location. It referred to the problem of child labour and violence against children. Save the Children indicated that there is a need to strengthen the system for the protection of children, consolidating capacity to detect and monitor problems at all level, with special focus given to the border regions.

326. IIMA – Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, speaking on behalf of the coalition making the statement – including Association Points-Coeur, International Volunteerism Organization for Women, Education and Development, VIDES, noted that there are still disparities in terms of the levels of education in Ecuador, particularly in the Afro-Ecuadorean indigenous population, even if quotas are in place. IMMA called on Ecuador to: continue guaranteeing free and quality education for all children; carry out research to identify gaps and correct structural deficiencies; redouble efforts to incorporate elements of Afro-Ecuadorean and indigenous cultures into the teaching materials; include human rights education at all.

327. North-South XXI drew attention to the vision of sustainable development, both in Ecuador's laws and policies, and examples of good practices on the recognition of the right to water and on nature, which they hoped will be followed by other countries. It urged Ecuador to play a leading role in encouraging respect for the rights of nature and to create a Special Rapporteur on human rights and climate change. It welcomed Ecuador's expression of willingness to cooperate to achieve the goal of secure press freedoms and emphasized the importance of an inclusive dialogue.

328. Federation of Cuban Women noted that Ecuador's Constitution recognizes the principle of equal participation of men and women in politics, and the principle of equality between men and women from a distinctive perspective, recognizing equal rights and opportunities for all family members. It highlighted and recognized Ecuador's political willingness to work with civil society and the feminist movement of Ecuador.

329. Rencontre Africaine pour la défense des droits de l'homme (RADDHO) noted the engagement of Ecuador with the promotion and protection of human rights and various measures undertaken in this regard. It noted that an inclusive policy of all members of the society in the economic and political life is the only path for the consolidation of national cohesion. It expressed concern about: the exploitation of children in the mines and plantations, violence against women, increase in incidents of intimidation of human rights defenders and journalists. It urged Ecuador to combat corruption in the judicial system and, to promote human rights education and awareness to eradicate the discrimination against indigenous peoples.

330. Plan International welcomed the acceptance by Ecuador of recommendations for the benefit of children and adolescents living in the country. Plan International referred to: the impact of school dropout and educational lags on children, in particular indigenous children and girls; the increase of teenage pregnancy; concerns regarding violence against children in schools and in the family, including corporal punishment as a disciplinary measure. It welcomed the commitment of Ecuador to sign and ratify the new Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

4. Concluding remarks of the State under review

331. During its concluding remarks, Ecuador thanked all delegations for their interest and support for their efforts. The delegation indicated it had taken note of all comments, which will be very useful for the incorporation into plans for the implementation of recommendations.

332. It reiterated its commitment to ensure the full enjoyment of universal human rights by all in the country. Ecuador will continue to fully support the universal periodic review process and mechanism.

Tunisia

333. The review of Tunisia was held on 22 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Tunisia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/TUN/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/TUN/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/TUN/3).

334. At its 21st meeting, on 19 September 2012, the Council considered and adopted the outcome of the review of Tunisia (see section C below).

335. The outcome of the review of Tunisia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/5), the views of Tunisia concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/5/Add.1).

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

336. The Tunisian delegation emphasized that Tunisia was undergoing a transitional period and was laying the foundations for a modern State based on the rule of law, human rights and openness to universal values, while preserving its national identity and cultural heritage. Tunisia had set out to accomplish some major national tasks, such as the drafting of a new Constitution, which was undertaken by the members of the Constituent Assembly, who had been elected by the people in free and fair elections. At the same time, the Government was preparing for the forthcoming elections, which would be decisive for the nature of the political system. The Government was also facing up to complex challenges in the economic and social spheres, which had built up over decades.

337. In this transitional period, Tunisia was placing strong emphasis on the principle of consensus. The Constituent Assembly was thus engaging in consultation with all sectors of civil society, trade unions, professional associations, academic circles and other organizations so as to take account of their ideas and proposals in the process of drafting the Constitution and future legislation. In this spirit, the Committee tasked with the elaboration of general principles for the new Constitution decided to maintain the first section of the Constitution of 1959, which stipulates that Tunisia is a free, independent and sovereign State, whose religion is Islam, whose language is Arabic and whose political system is the republic.

338. The delegation noted that, in addition to broad consultations, commissions had been formed to consider specific issues of importance, such as the issue of transitional justice and the creation of a national mechanism for the prevention of torture. The members of these committees had mostly be drawn from civil society, as in the case of the committee tasked with the elaboration of a law for the creation of a national mechanism for the prevention of torture, which would shortly be submitted for adoption.

339. The technical commission overseeing the national dialogue on transitional justice had consulted with victims of repression, civil society organizations, political parties and others to take account of their expectations with regard to the transitional justice process. At the same time, review and enquiry activities were continuing at the judicial and administrative level to uncover corruption cases and to identify those involved in corruption or other violations committed against the State or individual citizens.

340. The delegation emphasized that the process of democratic transitions required additional national efforts to accomplish reforms in the judiciary, the security sector and the public administration. There had been a discussion of a proposal to set up a temporary body to oversee the judiciary and replace the Supreme Council of the Judiciary in order to comply with international standards and address deficiencies with regard to the independence of the judiciary.

341. Tunisia was also considering ways and means to improve the media sector, which was a major priority in this period, bearing in mind that the media work was closely linked to the democratic transition, which could not succeed with a dysfunctional media sector. Therefore, the Government had undertaken major consultations with professional associations in the media sector in order to find the means to guarantee the freedom, independence and integrity of the media, pursuant to relevant provisions contained in decrees 115 and 116 of 2 November 2011.

342. The Committee on freedoms and rights of the Constituent Assembly had adopted a proposal for constitutional provisions guaranteeing freedoms of opinion, expression and information, while inviting the State to encourage literary and artistic creation which will enrich the national culture, while being open to other cultures.

343. The delegation emphasized that Tunisia was committed to abide by its international obligations in the area of human rights, regardless of the major responsibilities which with it was faced at the national level and the expectations that the people had with regard to accountability and transitional justice, which needed to be completed prior to the initiation of the reconciliation process and the compensation of victims.

344. In relation to Tunisia's second review under the UPR, the delegation noted that Tunisia had accepted more than a 100 recommendations, which clearly testified to its sincere desire to cooperate with the international community and harmonize its national legislation with international human rights treaties, with the aim of ensuring respect for human rights in practice.

345. During the review, Tunisia had asked for the postponement of its consideration of some recommendations, including on equality in inheritance rights and the abolition of the death penalty, in light of the continuing national dialogue on the drafting of the Constitution. More time was needed before a final decision could be taken, so as not to prejudice the dialogue in any way and to avoid outcomes that would not be in line with the expectations of the people. The delegation referred again to the exceptional period which Tunisia underwent, noting that the executive power could not today make commitments that were the prerogative of the legislative power, prior to its establishment through the Constituent Assembly.

346. Despite this exceptional situation, the delegation had made its best efforts to accept the greatest possible number of recommendations, in line with the firm resolve of the Government to promote and protect human rights in all areas, in accordance with international standards, in particular in those areas on which the people had expressed itself during the revolution.

347. The delegation noted that the cooperation and dialogue with the Human Rights Council served as an impetus for the promotion of human rights nationally, and reaffirmed

the determination of the Government, the political parties and civil society to work together with international, regional and non-governmental organizations in the human rights area. Tunisia was also keen to learn from the democratic experience of other countries, with due regard to its own cultural specificities. Since its revolution, Tunisia had taken major strides towards freedom and dignity and consolidated its international cooperation on human rights, including by ratifying many treaties and concluding host country agreements with UN agencies and NGOs for the establishment of field offices in the country. In this spirit, tangible progress had also been made with regard to the third Optional Protocol to CRC, endorsed by the GA in December 2011.

348. Tunisia thanked the Troika and the members of the UPR Working Group for their efforts on the review of Tunisia, and expressed its respect and gratitude to the Council President and the High Commissioner for the support received during this decisive and difficult phase.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

349. During the adoption of the outcome of the review of Tunisia, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁸⁹ are posted on the extranet of the Human Rights Council, if available.

350. Morocco noted that since the political transition at the beginning of 2011, Tunisia had made major strides in building a new system based on the foundations of freedom, democracy, rule of law and equality. The measures it had taken demonstrated its deep commitment to the promotion and protection of human rights. Morocco expressed its appreciation for Tunisia's important achievements in many human rights areas since its second review under the UPR.

351. Oman commended Tunisia's good cooperation with all human rights mechanisms and its constant readiness to engage in international cooperation and dialogue in this area, as evidenced by its attention to human rights issues and the measures it had taken for their promotion and protection in connection with the recent transition process. In this regard, Oman welcomed the responsible and constructive manner in which Tunisia had approached the implementation of the recommendations which it had accepted.

352. Pakistan appreciated Tunisia's cooperative and constructive engagement with the UPR process, noting that it had accepted a significant number of recommendations and was actively working towards the promotion and protection of human rights. Pakistan wished the country well in the implementation of recommendations.

353. Palestine expressed appreciation for Tunisia's commitment to promote and protect human rights, as demonstrative by its constructive engagement with the Human Rights Council and other United Nations mechanism. It noted that Tunisia had accepted 110 out of 125 recommendations, including recommendation to consider ratification of the third Optional Protocol to CRC, strengthen the role of women in society, fight impunity, bring perpetrators of human rights violations to account and compensate victims, and consider abolition of the death penalty.

354. The Philippines appreciated Tunisia acceptance of migrants in distress, including Filipino migrant workers, despite its limited resources. It acknowledged and supported Tunisia's democratic transition, which had brought the recognition of individual and collective rights, political pluralism, constructive dialogue and free elections. It noted

⁸⁹ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

efforts towards the empowerment of women, starting with the prevention of violence against women.

355. Qatar noted that Tunisia had made considerable progress in building a democratic State and was making efforts to create the conditions, mechanisms, policies and laws to promote human rights, the rule of law and social justice. Qatar appreciated the efforts made in implementing UPR recommendations and encouraged it to take further efforts to consolidate the transition to democratic governance and respect for human rights, and to preserve the achievements reached at the institutional and legislative levels with regard to gender equality, freedom of expression and transitional justice.

356. Romania was aware that Tunisia had embarked on a broad process of social transformation. The content of UPR recommendations, most of which were accepted, bore witness to the scale of the challenges faced by Tunisia in this complex period. Romania hoped that the authorities would remain firm in their commitment to respect and promote human rights.

357. Saudi Arabia noted that the new Tunisia had demonstrated its cooperation with all human rights mechanisms and its readiness to engage in constructive dialogue on human rights and social and political reform, to which the Tunisian people aspired. Tunisia's accession to several instruments in the area of civil and political rights as well as measures taken to form national human rights institutions were a sign of its genuine will to establish a system that will ensure a dignified life and prosperous future to its people.

358. South Africa welcomed the large number of recommendations accepted by Tunisia and its initiatives to ensure gender equality, freedom of expression, eradication of poverty and compliance with its human rights obligations. It encouraged Tunisia to ensure the enjoyment of all human rights by its people and wished Tunisia well for the implementation of all recommendations and its on-going democratic reforms.

359. Togo applauded Tunisia efforts since the Jasmine revolution to recognise individual and collective rights, political pluralism and peaceful democratic dialogue. Togo welcomed the transitional justice process and called upon Tunisia to abolish the death penalty. It congratulated Tunisia for its efforts to improve prison conditions and called upon the international community to support the country in addressing overcrowding through the construction of new prisons.

360. UNICEF welcomed Tunisia's commitment to harmonize its law and national practices with CRC. It noted that the transition was creating a favourable environment for child rights. It welcomed the intention of the Constituent Assembly to draft a specific child rights provisions and underscored the importance of explicitly recognizing fundamental child right principles. It invited Tunisia to set up an independent child rights institution as recommended by CRC. UNICEF offered its technical assistance for implementing recommendations on child rights.

361. The UAE noted that the review of Tunisia had demonstrated its commitment to human rights. It expressed appreciation for the acceptance by Tunisia of the majority of recommendations and its efforts to establish a human rights culture, safeguard the dignity of citizens, and realize equality, social justice and the rule of law. UAE welcomed efforts to promote and protect human rights through cooperation with the international community and noted the progress achieved in this regard.

362. Benin acknowledged Tunisia's commitment and progress achieved in promoting and protecting human rights. It recognised Tunisia's progress in implementing UPR recommendations regarding the legal and institutional framework, and the enjoyment of human rights. Benin encouraged Tunisia to continue its reforms and expressed appreciation for the openness and cooperation shown by Tunisia.

3. General comments made by other relevant stakeholders

363. During the adoption of the outcome of the review of Tunisia, 9 other stakeholders made statements.

364. Human Rights Watch (HRW) regretted Tunisia's rejection of critical recommendations and its failure to undertake judiciary reform. It urged adoption of the law on the High Council of the Judiciary. According to HRW, Tunisia had yet to implement Decree 116 concerning the creation of an independent body to supervise the State broadcast media. HRW urged to reconsider a proposed article of the draft Constitution that would criminalize all attacks on the "sacred". It noted that the draft Constitution did not explicitly mention gender equality, despite supporting a UPR recommendation in that regard.

365. Federation Internationale des ligues des Droits de l'Homme (FIDH) congratulated Tunisia on accepting most recommendations, but expressed concern regarding respect for freedom of opinion, belief and conscience as well as gender equality. FIDH welcomed Government efforts to enshrine rights recognized by international instruments in the Constitution, which was even more important in light of provisions proposed by the Constitutional Assembly that contradict principles of equality and freedom of expression, conscience and belief. FIDH regretted the rejection of recommendations relating to gender equality and the abolition of the death penalty, and noted that instances of torture continued to be reported by human rights organizations. FIDH highlighted the importance of judicial reform.

366. Verein Südwind Entwicklungspolitik (Südwind), while welcoming Tunisia's acceptance of most recommendations, urged it to eliminate discrimination based on sexuality and sexual orientation. Südwind was worried at restrictions, in the name of culture and religion, of women's rights and freedom of expression. Südwind called on Tunisia to eliminate discrimination of women and to facilitate their equal access to health and education. It encouraged Tunisia to abolish the death penalty.

367. Cairo Institute for Human Rights Studies noted that in spite of Tunisia's liberation, there were numerous attempts to control the media and attacks against journalists, with impunity. Justice was not yet independent, and media workers were threatened. Civilians were put on trial in Special Courts for expressing their opinions, and media workers were threatened by groups of fundamentalists and criminals.

368. Reporters sans Frontiers similarly noted that journalists were subjected to intimidation; that the leading party attempted to control mass media by appointing persons close to the party, and that exactions against journalists remained unpunished. In 2012 over 25 journalists had been attacked by law enforcement officers during demonstrations; and others by Salafist groups. Decrees issued in 2011 to strengthen freedom of the press had not yet entered into force.

369. Amnesty International welcomed the acceptance of recommendations to uphold freedom of expression, strengthen transitional justice mechanisms and combat impunity, and urged immediate implementation. However, it regretted the rejection of a recommendation to decriminalize defamation and was concerned about the continued use of repressive legislation in this area. It was also concerned at a draft bill to criminalize defamation of religion and was disappointed at the rejection of recommendations to decriminalize same sex relations and abolish discrimination against women, and at ambiguous wording on the role of women in the draft Constitution. Furthermore, it regretted the rejection of recommendation to abolish the death penalty.

370. Rencontre Africaine pour la Défense des Droits de l'Homme (Raddho) welcomed Tunisia's democratic transition; and its recognition of individual and collective rights; political pluralism; and free elections. Raddho was satisfied with the creation of a Ministry

of Human Rights and Transitional Justice and the ongoing judicial reform, which it hoped would improve prison conditions and the fight against impunity. It encouraged further investigation and prosecution of incidents of torture; and support for the victims. It commended the inclusion of women rights in development programmes. Raddho was concerned about violence between police officers and demonstrators; and the ill-treatment of detainees. Raddho invited Tunisia to increase citizens' participation in public life; strengthen child rights protection; and include youth in development plans.

371. Association for the Prevention of Torture (APT) noted that the new authorities needed to establish specific measures to eradicate torture. It congratulated the authorities for having accepted many recommendations to criminalize and prevent torture, for acceding to OPCAT, and for the decision to establish a national prevention mechanism. It appreciated the collaboration between the Government and civil society, which had resulted in a draft law on a national commission for the prevention of torture. It emphasized the importance of the independence of such institution, which needed to have access to all places of detention, without exception.

372. International PEN was alarmed about threats against freedom of expression by the Government and Salafist groups; the increasing use of violence and threats against journalists, writers and artists; and the Government's failure to address these. PEN was concerned that some members of the leading party were increasingly calling for attacks on media and journalists; and that the Government was refusing to implement Decree 115 and 116. There were also delays in the judicial reform process; and the Government refused to consult with legal bodies such as the Judges Association, which fights for the independence of the legal system.

4. Concluding remarks of the State under review

373. The head of the delegation thanked the speakers who had taken the floor for their observations and suggestions. The delegation also responded to a number of negative comments from non-governmental organization.

374. While acknowledging that the transitional process was not flawless, the delegation explained that the fact that a revolution had taken place did not imply that reforms could be implemented in all areas at once.

375. In relation to women's rights, the delegation stated that Tunisia placed great importance on equality between men and women and that the Government has no intention to revise the Tunisian women's established rights, but is, on the contrary, keen to build on these rights.

376. Regarding freedom of expression, the delegation acknowledged that there were instances of a lack of understanding between the Government and the media. However, the Government was in favour of independence of the media and in this regard placed importance on implementation of decrees 115 and 116. In light of the experience of the past, the Government did not have any intention of taking control of the media or appointing people close to the Government in the media sector.

377. On the question of the death penalty, the Government placed importance on a broad national dialogue, which would lead to a clear choice by the people.

378. On the question of torture, the change of Government had also brought a change of political will. The delegation stated that the new Government rejected torture and had entrusted judicial and independent bodies to investigate past cases of torture and any new allegation of torture. A number of perpetrators had already been brought to justice. The Government would continue to speak out on the subject.

379. With regard to human rights and fundamental freedoms generally, the delegation emphasized that the Government was working with the Constituent Assembly to ensure that the new Constitution would signify a break from the past and become a basis for the achievement of further progress.

Morocco

380. The review of Morocco was held on 22 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Morocco in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/MAR/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/MAR/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/MAR/3).

381. At its 22th meeting, on 19 September 2012, the Council considered and adopted the outcome of the review of Morocco (see section C below).

382. The outcome of the review of Morocco comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/3), the views of Morocco concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

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

383. The Head of the Delegation of the Kingdom of Morocco welcomed the results of the constructive and fruitful dialogue as well as the recommendations which were made during the Universal Periodic Review to support the efforts of Morocco in the field of human rights.

384. The Delegation underscored that Morocco had embarked on a large structural reform process in the fields of democracy building, the human rights promotion and human development. The Government of Morocco, which was committed to its strategic choices and the instruments that Morocco had ratified, will continue with determination with its reform to put in place and strengthen the human rights and good governance machinery as well as to enshrine human rights and fundamental freedoms. The recommendations accepted by Morocco had been part and parcel of the structural reform process and some of the recommendations had been already implemented.

385. Furthermore, the Delegation highlighted that Morocco was volunteered to submit a progress report on the follow-up of the recommendations within two years and would commit to it.

386. The Delegation announced that Morocco had laid down all the necessary conditions to follow up the recommendations in an inclusive manner. Immediately after the consideration of its national report, the Government in coordination with the Inter Ministerial Delegation for Human Rights started drawing up a plan of action to implement the recommendations by involving all relevant actors including the Government and the national institutions. The first of these measures was to classify the recommendations under broad titles and broad axes as well to determine their current status. Measures and procedures had been also determined to ensure implementation and to identify actors as

well as timeframes. In its coordination's efforts, Morocco had also taken up the observations and recommendations of other treaty bodies. The Delegation underscored that this plan of action would involve all the actors of the civil society as well as the Parliament. Furthermore, it would constitute an important tool for the Government and its national mechanisms to implement the recommendations.

387. In accordance with its commitments, Morocco had launched the procedure to ratify the Convention on the Protection of All Persons from Enforced Disappearance and three Protocols: the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment.

388. Morocco is currently receiving the visit of the Special Rapporteur on torture for whom the Government has provided all the necessary conditions to ensure the success of his visit within the framework of a positive dialogue. Morocco had also embarked on a reform process of the judicial system by setting up a high council to prepare and adopt a national charter for justice through a national dialogue with all parties concerned.

389. Regarding economic and social rights, the Delegation noted that Morocco had taken into account gender issues in its budget in order to draw up the gender sensitive policies and it had been preparing the 8th version of the gender sensitive budget which would be annexed to the financial act of 2013. Moreover, Morocco had taken up a plan to ensure gender equality for the period 2011-2014. This plan aimed at improving the situation of women in rural areas and at ensuring gender equality. The Government had also taken measures to provide medical care for the categories of people who were not covered by the social security system.

390. Within the framework of the implementation of the provisions of the new Constitution, Morocco had drawn up a legislative plan which intended to amend human rights relevant laws in order to ensure that these laws were on line with the Constitution and with international human rights standards. It had been developing bills of legislation to set up in particular, a fund to help people with disabilities and to create the council for national languages and cultures. Morocco had been also in the process of ratifying legislation on the labour code to govern working conditions for domestic workers to define relations between employees and employers.

391. In conclusion, the Head of the Delegation reiterated Morocco's support to the Universal Periodic Review, an essential piece of mechanism that needed to be strengthened and consolidated and stated that this was something that Morocco had tried to do since it had joined the Human Rights Council in 2009.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

392. During the adoption of the outcome of the review of Morocco, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁹⁰ are posted on the extranet of the Human Rights Council, if available.

393. Lebanon congratulated Morocco for having accepted the majority of recommendations and looked forward to their implementation. It applauded the role played by Morocco within the whole human rights machinery, in particular in the Human Rights

⁹⁰ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

Council and encouraged the Kingdom of Morocco to continue playing this positive role, which was very much appreciated.

394. Libya expressed appreciation for Morocco's efforts in protecting human rights and strengthening the rule of law, noting that it had embarked on judicial reform to strengthen the independence of the judiciary. Libya commended the national initiative for human development and the fight against poverty, in particular as it addressed the root causes of poverty, in addition to development programmes benefitting persons with a low income

395. Malaysia took positive note of the frank and positive commitment of Morocco in the UPR process. It also appreciated that Morocco had accepted 128 recommendations, including all of those submitted by Malaysia. It noted Morocco's efforts to promote and protect the rights of women and children. It also encouraged Morocco to continue with its efforts to improve the socio-economic situation of its people, including by increasing investment in health, education, job creation and poverty eradication. Malaysia recommended adopting the UPR report.

396. Mauritania thanked the Moroccan Delegation for its thorough presentation highlighting the positive treatment of human rights mechanisms and the efforts made to promote and to protect human rights. It stated that this positive approach in dealings with all international and regional bodies reflected a clear policy on the part of the Government to continue strengthening freedoms and combatting all forms of discrimination. Mauritania also welcomed Morocco's initiative to strengthen the role of civil society.

397. Palestine acknowledged Morocco's efforts to protect and promote human rights through cooperation with all UN human rights mechanisms. It valued the cooperative spirit displayed by Morocco in accepting most recommendations made during its review in May, including a recommendation to ratify the first Optional Protocol to ICCPR and the optional protocols to CEDAW and CAT.

398. The Philippines supported the adoption of Morocco's UPR Working Group report. It acknowledged Morocco's ratification of the International Convention on the Rights of Persons with Disabilities; the Palermo Protocol of the UN Convention against Transnational Organized Crime and the first and second Protocols of the 1949 Geneva Convention. It was also encouraged by Morocco's commitment to consider ratifying the OP-CAT, ICCPR-OP1, OP-CEDAW, OP-CRC-AC and OP-CRC-SC.

399. Qatar stated that the discussion on Morocco UPR last May and the exhaustive explanation provided by the Moroccan delegation attested to the importance attached by Morocco to consolidate institutional and legislative framework for the promotion of human rights. It appreciated the measures and initiatives adopted by Morocco to implement the recommendations that it had accepted. Mauritania also commended the plan launched by Morocco which showed firm resolve by the authorities to promote human rights and protect fundamental.

400. Romania noted that during the 22 May review, Morocco had proved its commitment to promote and protect human rights. It welcomed Morocco's acceptance of most recommendations which showed its serious approach to the exercise. Morocco had undertaken commitments which would require legislation and institution building in the coming years and Romania was convinced that these commitments would be maintained and that in the third UPR cycle, there would be progress detected in all fields.

401. Saudi Arabia noted Morocco's readiness to constructively cooperate with all UN human rights mechanisms and engage in a constructive dialogue on human rights, in line with its eagerness to protect human rights in practice. It also noted Morocco's efforts to further develop its legislative and institutional framework in the human rights area, in

accordance with relevant provisions in its new Constitution, in addition to its ratification of a number of international instruments.

402. South Africa noted Morocco's commitment to the UPR by accepting 128 recommendations and welcomed its voluntary commitment to present a progress report on their implementation after two years. It appreciated Morocco's cooperation with the Human Rights Council and commended its support for the anti-racism agenda within the United Nations. It encouraged Morocco to promote and protect human rights and ensure the enjoyment of human rights by its citizens.

403. Sudan appreciated the importance attached by Morocco to cooperation and dialogue in the UPR process and with the UN human rights system generally, which corresponded with Morocco's efforts to protect and promote human rights nationally. Sudan welcomed the acceptance by Morocco of recommendations made, including a recommendation by Sudan to continue efforts to strengthen freedom of expression and adopt the Media Law. Thus, Morocco had demonstrated its eagerness to expand the scope of fundamental freedoms and further improve its legislation and mechanisms of implementation.

404. Thailand congratulated Morocco for its UPR process and appreciated its acceptance of most of the recommendations, including those made by Thailand. It commended Morocco's commitment to promote and protect economic, social and cultural rights, especially women rights. It recognized Morocco's voluntary pledge to present the implementation progress in two years. Thailand urged to adopt Morocco's UPR Outcome.

405. Togo commended the remarkable political will with which the Moroccan authorities had implemented the recommendations submitted, among others, a strategy related to human rights training and the adoption of concrete measures to fight school dropouts and illiteracy, in particular for women. Togo encouraged Morocco to intensify its efforts and invited the Government to reconsider its position related to the death penalty and equality between men and women in the field of inheritance.

3. General comments made by other relevant stakeholders

406. During the adoption of the outcome of the review of Morocco, 10 other stakeholders made statements.

407. The Conseil National des Droits de l'Homme submitted to the Government for adoption measures such as the institutionalisation of consultations with the CNDH on human rights laws, consultation of all actors involved in the UPR process to plan implementation of the recommendations and reconsideration of recommendations not supported by the Government. The CNDH also noted that it had issued a report on the situation of psychiatric hospitals and was finalising a report on prisons. The CNDH committed to provide expertise to follow-up the recommendations of all UN mechanisms, reinforce human rights training and supervise the effectiveness of the human rights laws.

408. The Mouvement Contre le Racisme et pour l'Amitié entre les Peuples regretted the omissions made in the Working Group report regarding Western Sahara. It noted Morocco's policy to deny the juridical status of Western Sahara, the reference in the Constitution as "Southern Province" and the constant human rights violations of Sahrawi people. It called upon Morocco to be accountable for revising the Constitution in order to respect the international juridical status of Western Sahara and to include a human rights monitoring chapter in the UN Mission for the Referendum in Western Sahara (MINURSO) mandate.

409. The Cairo Institute for Human Rights Studies expressed concern about grave violations against the people of Western Sahara, including, among others, arbitrary arrests, torture, ill-treatment and sexual abuse in detention; targeting of Sahrawi rights defenders

and interference in rights to freedom of expression, association and assembly. It was also concerned that the Working Group report did not contain the many references to that region made by the States. The Cairo Institute called upon Morocco to implement the recommendations on Western Sahara and accept the recommendation to bring the registration procedure of civil society organizations into conformity with international standards.

410. The France Libertés: Fondation - Danielle Mitterrand noted that the recommendation on ensuring adequate protection of human rights in Western Sahara had not been implemented. It stated that the rejection by Morocco of the establishment of a human rights component in MINURSO showed that Morocco did not wish to improve human rights in Western Sahara. It also stated that Morocco seemed unwilling either to recognise past and present violations committed against Saharawi people or to sanction officials accountable for crimes and abuses, maintaining thus a state of impunity.

411. The World Federation of Democratic Youth reported several cases of human rights abuses in Western Sahara, such as injuries against demonstrators, imprisonment of human rights defenders and civil society actors, arrest, torture and ill-treatment of Saharawi students and Saharawi political activists. It stated that Saharawi associations are not allowed to work unless they accept Moroccan occupation of Western Sahara. It requested an independent human rights mechanism for Western Sahara to investigate human rights violations committed by Morocco.

412. The Rencontre Africaine pour la Défense des Droits de l'Homme commended the adoption of the new Constitution providing for safeguards in the protection of human rights and the invitation of the Special Rapporteur on torture. It hoped that the invitation would be extended to all Special Rapporteurs mandate holders. However, efforts should be undertaken in the field of education in rural areas and of freedom of expression, assembly and association. It stated that Moroccan authorities should take adequate measures to investigate all allegations of police brutality and torture and to prosecute members of the security forces accused of ill-treatment.

413. The Association for the Prevention of Torture commended Morocco on its commitment to strengthen legal framework mechanisms and actions to prevent torture. It noted with satisfaction that Morocco had accepted recommendations on the prohibition and prevention of torture and commended in particular, that it had started its process of acceding to the Optional Protocol to CAT. APT stated that the process of designating a national mechanism for torture prevention had already begun and it encouraged the Government to continue establishing this mechanism in the context of an open, transparent and non-inclusive process involving a wide range of stakeholders, including civil society.

414. The International Committee for the Respect and Application of the African Charter on Human and People's Rights, Al-Zubeir Foundation and Action Internationale pour la Paix et le développement dans la région des Grands Lacs stated that the new Moroccan Constitution had sealed an enhanced regionalisation in Southern provinces as a part of a plan of autonomy which had been described as credible by the international community. They also noted the judicial reform, the promotion of freedom of expression, the fight against torture and gender based discrimination as well as Morocco's continued cooperation with all human rights treaty bodies worldwide.

415. The International Youth and Student Movement for the United Nations noted the importance for UPR's credibility of examining Morocco's occupation of Western Sahara. It stated that Morocco's refusal of a referendum on independence was inconsistent with the UN General Assembly resolutions. It also stated that the Western Sahara crisis and the violations of all basic human rights were the result of the denial of the right to self-determination. It urged Morocco to declare its acceptance of the UN principles to achieve

self-determination, including through a referendum on independence as well as the establishment of a human rights component in MINURSO.

416. The Organisation pour la Communication en Afrique et de la Promotion et de la Coopération Economique Internationale and the Agence Internationale pour le Développement welcomed the establishment of the National Human Rights Council and commended Morocco for its adherence to the promotion of gender equality as well as for the strengthening of linguistic and cultural diversity. They condemned the manipulation by some NGOs of the situation in the Sahara region and denounced the manipulation of the right to self-determination, which aimed at promoting the disintegration of sovereign countries, and the allegations made by separatist movements about imaginary human rights violations in the southern provinces.

4. Concluding remarks of the State under review

417. The Delegation indicated that for the last one year and a half, Morocco had hosted three Special Procedures visits: the Independent Expert for cultural rights and the Group to combat discrimination against women in the law and in reality. Both Procedures had already submitted their reports to the Human Right Council. Morocco is currently receiving the Special Rapporteur on torture who will be able to visit all prisons without any constraints or conditions within the prerogatives of his mandate.

418. The Delegation highlighted that Morocco had been working side by side with national, regional and international non-governmental organisations and it commended the skills and professional attitude shown by human rights stakeholders worldwide and emphasised the neutrality and transparency which were the characteristics of these organisations.

419. The Delegation stated that Morocco had a particular experience in the field of transitional justice because it had been able to turn the page of the past abuses and violations of human rights. It had compensated all victims on an equal footing in all parts of the country including the southern provinces of Western Sahara. Morocco had paid its due and had provided assistance to those who had suffered economic loss.

Indonesia

420. The review of Indonesia was held on 23 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

(a) The national report submitted by Indonesia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/IDN/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/IDN/2 and A/HRC/WG.6/13/IDN/2/Corr.1);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/IDN/3).

421. At its 20th meeting, on 19 September 2012, the Council considered and adopted the outcome of the review of Indonesia (see section C below).

422. The outcome of the review of Indonesia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/7), the views of Indonesia concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/7/Add.1).

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

423. Indonesia reiterated its support for the important UPR mechanism.

424. Indonesia gave serious consideration to every comment and recommendation put forward by member states during the UPR Working Group. It recalled that Indonesia received a total of 180 recommendations. Immediately accepting 144 recommendations and bringing home the remaining 36 recommendations for further consultations with relevant stakeholders. No recommendation was directly rejected by the Indonesian delegation during the review.

425. The UPR mechanism drew the attention of the Indonesian public particularly prior to, during, and after the review last May. Dissemination of information activities had three-pronged objectives: to share with the general public the significance of the UPR mechanism and process for Indonesia; to develop a common understanding about the UPR process; and to build a common ownership among the relevant stakeholders, concerning the implementation of Government supported UPR recommendations.

426. Indonesia immediately translated the Report of the Working Group of the UPR on Indonesia into Bahasa Indonesia and held meetings and consultations on UPR at the sub-national level including in the province of Aceh. The presence of members of the Indonesian parliament as part of the present delegation reflected the existence of a sense of ownership from this important stakeholder.

427. In determining its positions on the 36 pending recommendations, the Government convened broad-based consultations with relevant stakeholders including civil society. From the consultations, Indonesia accepted 6 more recommendations, in addition to the 144 recommendations already accepted during the review, including the ratification of OP-CEDAW and ILO Convention No. 189 on Decent Work for Domestic Workers; increasing human rights transparency; the access and mandate of the ICRC in Indonesia; and raising awareness on the harmful effects of female circumcision with a view to eliminate the practices of female genital mutilation.

428. The majority of accepted recommendations were both in line with and supported Indonesia's human rights agenda and some were part of the current national human rights action plan.

429. 30 recommendations did not enjoy Indonesia's support, including: recommendations that do not reflect the actual situation in Indonesia, such as the issue of corporal punishment; recommendations subject to further national debates for their possible inclusion in the next human rights action plan, such as the ratification of the Optional Protocol to the Convention on the Rights of the Child on a Communication procedure, which was just recently adopted by the UN General Assembly in late 2011, as well as recommendations that were already fully implemented before the review, such as the ratification of the CRPD in 2011.

430. Indonesia provided information on recent developments. Recommendations already implemented included the ratification of two Optional Protocols to the Convention on Rights of the Child through the adoption of Laws No. 9 and 10 of 2012 on 23 July 2012.

431. Indonesia enacted Law No. 7 of 2012 on the Handling of Social Conflict aimed at strengthening the government's legal framework in facilitating the resolution of conflicts in the society.

432. On 30 July 2012, Indonesia enacted Law No. 11 of 2012 on the Juvenile Criminal Justice System. It covers a number of principles, among others, on restorative justice and best interest of the child in line with the Convention on the Right of the Child. Most

importantly, it rises the minimum age of a child's criminal responsibility from 8 to 14 years old.

433. At least three other legal frameworks were also in the pipeline. First, the finalization of a ministerial decree on the introduction of programmes promoting human-rights friendly districts/municipalities. Second, a joint ministerial decree on establishing human rights parameters in the formulation of by-laws. Third, finalization of a Bill of Truth and Reconciliation Commission, designed to strengthen the legal framework in dealing with past human rights abuses.

434. Regarding Indonesia's commitment to implement recommendation that enjoy its support, the Government decided to streamline them into the implementation of the current national human rights action plan. They will be implemented by relevant Government ministries and agencies, both national and sub-national levels, through their respective programmes and budget. This framework ensured coordinated efforts amongst those government institutions. As part of the action plan, the implementation of recommendations will also be subjected to periodical monitoring, reporting and evaluation, with the Government working in partnership with civil society and its national human rights institutions.

435. Indonesia referred to some supported recommendations which related to the ongoing efforts to address current specific challenges in ensuring human rights protection. Some challenges related to addressing incidents which connoted religious intolerance. Indonesia admitted that such incidents regrettably continued to take place in some communities. Nonetheless, there had been some progresses in addressing those incidents. The latest incidents had drawn the attention of the highest authority, the President, and strengthened the determination of Government and general public to resolve the issue in a comprehensive manner. Various public debates over the latest incident had enhanced further the public's awareness and understanding on the importance of ensuring respect of religious freedom.

436. Indonesia reiterated its commitment to promote and protect the human rights of its people, including through the coherency of policies and actions of all the government ministries and institutions, the mainstreaming of human rights in policies, and addressing resolutely any challenges and gaps in advancing the cause of human rights.

437. Indonesia stated that its democracy continues to consolidate and to mature and through cooperation with the Council, Indonesia seeks to make substantial progress in the promotion and protection of human rights both to its people and people around the world.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

438. During the adoption of the outcome of the review of Indonesia, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁹¹ are posted on the extranet of the Human Rights Council, if available.

439. Lao People's Democratic Republic was pleased that the Government had accepted a large number of recommendations and had started implementing them. It acknowledged Indonesia's achievements in implementing the Human Rights National Action Plan (NAP), including in improving the living standards of citizens. It appreciated Indonesia's commitment to ratifying international human rights instruments and in actively cooperating and sharing best practices for human rights at the multilateral and regional levels.

⁹¹ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

440. Malaysia appreciated Indonesia's constructive engagement in the UPR process. It was encouraged to note that Indonesia accepted a large number of recommendations, including those made by Malaysia. Malaysia was aware of the need for Indonesia, and indeed all countries, to be afforded the necessary time to enable it to continuously make improvements in promoting and protecting the human rights of its people.

441. Thailand congratulated Indonesia in having accepted most recommendations immediately. It thanked Indonesia for accepting both recommendations made by Thailand. It commended Indonesia's integration of those recommendations in its NAP.

442. Morocco welcomed the efforts undertaken by Indonesia, particularly to support the vulnerable sections of society as well as to combat poverty and improve living standards. Morocco particularly thanked Indonesia for the commitments entered into through the NAP and the measures introduced to promote multiculturalism and religious tolerance. Morocco commended Indonesia's acceptance of so many recommendations, including the two made by Morocco on ratifying CPED and ICRMW.

443. Myanmar stated that Indonesia deserved credit for its active and constructive engagement in the UPR process. Myanmar was pleased to note Indonesia's commitment to cooperating with United Nations human rights mechanisms in reviewing domestic laws in line with international norms and standards. It also noted that the conduct of human rights education and training courses for law enforcement offices was an example of good practices.

444. Sri Lanka commended Indonesia for the acceptance of 150 recommendations, including those made by Sri Lanka. It was encouraged by Indonesia's assurance that human rights education and training would continue to enjoy the highest level of attention of the Government and that many accepted recommendations were already an integral part of the current NAP. Sri Lanka particularly noted Indonesia's acknowledgement of the diversity of its social fabric and commended the implementation of several laws.

445. The Philippines acknowledged Indonesia's ready acceptance of recommendations to consider ratifying the CRPD, OP-CAT, OP-CEDAW, the Rome Statute, ICRMW and ILO Convention No. 189 on Decent Work for Domestic Workers, as well as those related to human rights education and protection of women's rights, especially victims of trafficking in persons. The Philippines welcomed Indonesia's commitment to pursue measures for ensuring the protection and advancement of religious freedom. It encouraged Indonesia to continue its constructive role and contribution to human rights in the Southeast Asian region.

446. Russian Federation noted with satisfaction that Indonesia accepted most of the recommendations made. It also noted the intention of Indonesia to continue improving its judicial system, providing police and judges with training on human rights and combatting corruption, as recommended by the Russian Federation.

447. Saudi Arabia referred to Indonesia's positive cooperation with special procedures and the United Nations system and to maintaining international dialogue, which were reflective of Indonesia's commitment to human rights. Saudi Arabia welcomed the updated information provided and Indonesia's efforts to provide free education for those in impoverished circumstances.

448. Singapore commended Indonesia's constructive approach throughout the UPR process. It noted the high number of recommendations accepted by Indonesia, particularly welcoming the acceptance of those made by Singapore. Singapore looked forward to continued cooperation with Indonesia in strengthening the promotion of human rights regionally, including through the ASEAN Intergovernmental Commission on Human Rights.

449. South Africa commended Indonesia, as a multicultural and multi-religious society, for its continuous efforts to promote tolerance among its citizens and maintain social harmony. It further recognized Indonesia's continued support for economic, social and cultural rights, recognized as critical to much of humanity. South Africa applauded the importance the Government attached to the right to education. South Africa also recognized the Indonesian delegation's commitment to the work of the Council especially its support for the anti-racism agenda.

450. Pakistan appreciated the cooperative and constructive manner in which Indonesia engaged with the UPR process. Pakistan was pleased to note that Indonesia accepted 150 out of 180 recommendations, which clearly indicated the Government's commitment to and active work towards the protection and promotion of human rights promotion in the country.

451. Viet Nam commended Indonesia for a successful review, its tireless efforts and the concrete steps taken to implement all accepted recommendations, particularly appreciating Indonesia's acceptance of the three recommendations submitted by Viet Nam. Viet Nam encouraged Indonesia to continue its commitments to promoting and protecting human rights and fundamental freedoms in close cooperation with the United Nations' members and human rights mechanisms as well as relevant stakeholders. It acknowledged the responsible manner in which Indonesia had acted during the review process.

3. General comments made by other relevant stakeholders

452. During the adoption of the outcome of the review of Indonesia, 10 other stakeholders made statements. The statements of the stakeholders that were unable to deliver them owing to time constraints⁹² are posted on the extranet of the Human Rights Council, if available.

453. The Indonesian National Commission on Human Rights (Komnas Ham) appreciated Indonesia's acceptance of 150 recommendations but regretted Indonesia's reluctance to accept 30 recommendations on some critical issues. Komnas-Ham encouraged Indonesia to give more attention to: impunity; solving issues related to freedom of religion; ending violence in Papua; a fair trial; protection of minorities, vulnerable groups and human rights defenders; abolition of the death penalty; harmonization of laws with international standards, including through ratification of OP-CAT, the Rome Statute and ILO Convention No. 169; engaging more proactively with human rights mechanisms, including by inviting special procedures on the right to food, indigenous peoples, enforced disappearances and freedom of religion and belief. Komnas-Ham extended its support to Indonesia for the implementation of accepted UPR recommendations, setting indicators of success and timelines and optimizing consultation with stakeholders in reporting for the next UPR in 2016.

454. Human Rights Watch (HRW) welcomed Indonesia's support of a number of important recommendations, including the ratification of treaties and the invitation to three special rapporteurs. HRW regretted Indonesia's non acceptance of the recommendation to release from prison political detainees in Papua and the Moluccas Islands. HRW stated that continuing to detain those non-violent activists, prosecuted under treason articles, was contrary to international law. HRW alleged that violence against religious minorities remained a serious problem, the police had consistently failed to conduct adequate investigations into attacks by Islamist groups against religious minorities and several minority figures were in prison for blasphemy. HRW stated that by keeping Papua closed

⁹² <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

off, the Government was fostering impunity among military forces and resentment among Papuans and urged Indonesia to accept calls to permit access to the provinces to and to invite UN human rights' experts into the areas.

455. In a joint statement, the Canadian HIV/AIDS Legal Network, International Lesbian and Gay Association (ILGA), Arus Pelangi and the Indonesian LGBTIQ Forum, commended Indonesia for the tremendous improvements made in recent years. However, they expressed particular regret at Indonesia's rejection of a recommendation and its denial that legislation criminalizing same-sex relations existed in Aceh province. They drew attention to sustained discrimination against LGBTI in Indonesia and to a local ordinance on adultery passed by the Provincial Legislative Council of Aceh in September 2009, which lacked the Governor of Aceh's signature. They called on Indonesia to guarantee that it would nullify any future enactment of such an ordinance. They asked Indonesia: to stop intolerant groups from using inflammatory homophobic and transphobic rhetoric; and protect freedom of association and assembly for LGBTI persons.

456. Asian Forum for Human Rights and Development (Forum-Asia), while welcoming the 150 recommendations accepted, was concerned that particular recommendations on the protection of human rights defenders were not supported and that the Government did not recognize the application of the indigenous peoples concept as defined in the UN Declaration. Forum-Asia called for the immediate implementation of accepted recommendations in response to violent attacks against the Ahmadiyah. Forum-Asia remained concerned that pending amendments the Criminal Code did not criminalize torture and at the arbitrary use of the Code's articles against peaceful political activists. Forum-Asia remained disturbed over the unresolved cases of enforced disappearances from 1997-8 and that the recommendation to tackle the climate of impunity in Papua was not accepted. It maintained its call to reform military courts and to provide civilian criminal court jurisdiction over military personnel responsible for offences against civilians.

457. Asian Legal Resource Centre (ALRC) referred to Indonesia's rejection of key recommendations: on the use of civilian rather than military courts, as the use of military courts had allegedly resulted in disproportionately light sentences or acquittals of perpetrators in many torture cases; and to revise the Blasphemy law and some discriminatory Ministerial Decrees, which would have sent a message that religious minorities had an equal right for protection. ALRC called for the adoption of specific measures to address the human rights situation in Papua by granting full access to the region, inviting the special rapporteur on indigenous peoples, halting human rights violations and combatting impunity and increasing protection for human rights defenders and respect for freedom of expression.

458. Action Canada for Population and Development welcomed the pledge made by Indonesia for the realization of sexual and reproductive rights. It stated that current sexual education programmes were not relevant to the needs of adolescents and urged the Government to consider integrating the International Technical Guidance on Sexuality Education developed by UNESCO into its national programme. It applauded the Government's acceptance of the recommendation on alternative education for single and married pregnant girls. It appealed to Indonesia to show regional leadership by ratifying OP-CEDAW and adopting all necessary measures to eradicate the persistent practice of female genital mutilation.

459. The joint statement by the International Commission of Jurists and the International Federation of Human Rights welcomed Indonesia's acceptance to ratify CPED and its commitment to combat impunity, which had national and regional significance. They supported the call for the Government to set up an ad-hoc Human Rights Court to look into the case of 13 pro-democracy activists who "disappeared" from 1997 to 1998. They urged

Indonesia to act on its expressed commitment to combat impunity in the country and immediately and effectively resolve all cases of enforced disappearance.

460. Amnesty International (AI), while noting Indonesia's acceptance of many recommendations made in May, regretted that many of the recommendations accepted in 2008 had yet to be fully implemented including for combatting impunity and revising the Criminal Code to include a definition of torture consistent with CAT. AI urged the authorities to take seriously the commitments made during the UPR by taking effective measures to guarantee that all religious and other minority groups are not discriminated against and are protected from attacks and intimidation. AI was concerned that in many cases those responsible for such on-going attacks had yet to be held to account. AI regretted Indonesia's rejection of key recommendations to review specific laws and decrees, such as articles 106, 110 and 156 a of the Penal Code as well as the 2008 Joint Ministerial Decree which restricted the activities of the Ahmadiyya community. AI stated that those laws did not comply with Indonesia's obligations under international human rights law and must be repealed or amended immediately. AI encouraged Indonesia to brief the Council on progress in its follow-up to the UPR recommendations.

461. International NGO Forum on Indonesian Development drew attention to violent religious-based incidents, human rights abuses in Papua and violations against human rights defenders. While noting the Government's commitment to protect religious minority groups, it stated that their situation is worsening and referred specifically to an incident on 26 August 2012 against the Shia community in East Java. It expressed deep concern at the on-going violence in Papua, to peaceful protesters being accused of being separatists and being charged under treasonable provisions of the Criminal Code, and to the continuing climate of impunity. Civil society pressure to revise the military court law was ignored and impunity was apparent in the case of the murder of prominent human rights defender, Munir. The Government was urged to address these issues, to concretely implement the 144 recommendations immediately accepted, to accept the remaining 36 recommendations which required further consultation among relevant stakeholders and to hold peaceful dialogue with representatives of the Papuan people.

462. Nord-Sud XXI was encouraged by Indonesia's willingness to consider ratifying a broad number of human rights instruments and to enhance its engagement with civil society. It urged Indonesia, as a country affected by climate change, to support the creation of a special procedure on human rights and climate change. It urged Indonesia to study seriously the possibility of a moratorium on the death penalty and to study freedom of expression so that it significantly contributes to the development of Indonesia.

Finland

463. The review of Finland was held on 23 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

(a) The national report submitted by Finland in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/FIN/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/FIN/2), A/HRC/WG.6/13/FIN/2/Corr.1 and A/HRC/WG.6/13/FIN/2/Corr.2;

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/FIN/3) and A/HRC/WG.6/13/FIN/3/Corr.1.

464. At its 20th meeting, on 20 September 2012, the Council considered and adopted the outcome of the review of Finland (see section C below).

465. The outcome of the review of Finland comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/8), the views of Finland concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/8/Add.1).

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

466. The delegation of Finland highlighted that the UPR provides an important channel to elaborate on national achievements and challenges in the field of human rights in a constructive and equal manner based on true dialogue between Member States. The UPR is not only an inter-active peer assessment, it is also peer learning.

467. The delegation reported that Finland's national process of the UPR was based on consultation and an active role of civil society. The dialogue with the non-governmental organisations offered an opportunity to assess the domestic human rights situation in a self-critical manner, which facilitated an inventory of the developments and good practices as well as the existing obstacles to the full implementation of human rights.

468. The delegation referred to a number of challenges that have been also reflected in the recommendations put forward during the review, such as racist, discriminatory and xenophobic attitudes; violence against women; problems with full realisation of the rights of persons belonging to minorities; LGBTI people; asylum seekers; refugees and migrants; and persons deprived of their liberty. In this respect, the delegation expressed its belief that challenges to the implementation of human rights are, at the same time, future priorities. The areas of priority and commitments in Finnish human rights policy will be defined in detail in a report on Finland's international and national human rights policy, which will be submitted to the Parliament in 2014.

469. The delegation stated that Finland's efforts in the area of human rights continue to be based on the universality and indivisibility of human rights, the principles of non-discrimination and equal opportunities, and transparency. Sharing experiences and best practices continues to be a key principle.

470. Regarding the implementation of the UPR recommendations, the delegation referred to the National Action Plan on Fundamental and Human Rights as a specific tool and a cross-administrative action plan for the period of 2012 and 2013. The delegation also reported that, as pledged during the dialogue, the newly established network of contact persons consisting of representatives of different government ministries will review all UPR recommendations and actively follow up to their implementation. An independent panel of human rights actors, including civil society representatives, will support the network in its work and provide advice. Furthermore, a voluntary interim-report on the progress made will be submitted to the Human Rights Council in 2014. The Human Rights Centre will also be playing a significant role in monitoring the implementation of the UPR recommendations.

471. The delegation stated that as the Government continues emphasising the obligatory nature and the political importance of the economic, social and cultural rights so that they also in practice enjoy equal status with civil and political rights, a bill to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights was submitted to Parliament in August.

472. The delegation reported that during the working group in May, Finland immediately accepted 51 recommendations out of 78 recommendations made by States and rejected one recommendation. Finland decided to further examine the remaining 26 recommendations.

After thorough consideration of the pending recommendations, Finland accepted 20 recommendations, partially accepted four recommendations, and was not able to support only two. In sum, Finland fully accepted 71 recommendations, partially accepted four and rejected three recommendations. The delegation stated that many of accepted recommendations are already in the process of being implemented.

473. Regarding two of the partially accepted recommendations and one rejected recommendation on human rights education and training, the delegation clarified that the rejection is due to the highly autonomous nature of the Finnish higher education institutions. While the Government is firmly committed in human rights-oriented thinking and promoting human rights education and training for all professional groups, the higher education institutions decide by themselves on the content and nature of their education. Therefore, the Government was not in a position to accept any requirement of a mandatory element imposed to all higher education institutions.

474. The delegation stated that the Government's position towards the recommendations was presented to the civil society in early September. Representatives of non-governmental organisations emphasized the need for effective follow-up to the recommendations and also inquired about their future role in this regard. The Government welcomed their participation in and contribution to the implementation process with the view that positive changes could only be achieved by working together.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

475. During the adoption of the outcome of the review of Finland, 7 delegations made statements.

476. Morocco noted positively the efforts made by Finland, in particular in the area of combatting racism and xenophobia. It also welcomed measures adopted to prevent violence against women, revise the review procedures for asylum seekers' applications and to improve the situation of irregular migrants and unaccompanied minors. Morocco noted with satisfaction that Finland accepted almost all recommendations, which demonstrated Finland's commitment to carry out its international human rights obligations and voluntary commitments.

477. Philippines welcomed the acceptance by Finland of the recommendation to continue the process of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and members of their Families and the ILO Convention 189 on Decent Work for Domestic Workers. It stated that Finland's willingness to join the international community in ratifying the universal standards for the protection of migrant workers is of great importance in the global effort to promote and protect migrant workers. Philippines also acknowledged Finland's efforts to continue ensuring a broad participatory process in the implementation of the National Action Plan on Human rights.

478. Romania considered that Finland's preparation for the UPR process represented an example of good practice. Romania noted that Finland accepted most of the recommendations and made a series of commitments for the 2nd UPR cycle. Setting-up the network for fundamental and human rights also represents a good practice, concluded Romania.

479. Thailand noted with satisfaction Finland's position expressed towards the recommendations. It welcomed Finland's efforts to protect and assist victims of violence against women and human trafficking in practice and by its legislation. Thailand also noted with appreciation the emphasis that Finland placed on the provision of training to enhance the capacity of relevant officials in victim assistance. Thailand expressed its readiness to

explore opportunities for cooperation and exchange of good practices between Finland and Thailand.

480. Algeria commended Finland for accepting the vast majority of the recommendations, which demonstrated Finland's commitment to the advancement of human rights. Algeria also noted with appreciation the voluntary commitment made by Finland to renew its engagement with regard to the development assistance objective. Noting Finland's readiness to eradicate racism, xenophobia and to sanction racially-motivated crimes, Algeria encouraged Finland to ensure a balanced approach between freedom of expression and the distribution of racist, xenophobic or islamophobic materials. Algeria expressed regret that Finland did not change its position towards the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and members of their Families.

481. Benin noted with satisfaction the progress made by Finland in the protection and promotion of human rights since the 1st cycle, including the achievements in the implementation of recommendations put forward during the first review. Benin encouraged Finland to continue with reforms to ensure full enjoyment of human rights in line with international human rights standards. Benin expressed its wish to have an exchange of experiences with Finland on the efforts to advance the protection of human rights.

482. The Islamic Republic of Iran referred to concerns expressed during the review and reflected in some recommendations about existing inequalities and discrimination against women, children, migrant workers and religious minorities, particularly Muslims. It conveyed its expectation that the Government takes effective legal and practical measures to address those concerns. Iran also expressed its support to those recommendations that call on Finland to prevent and combat dissemination of racist and islamophobic propaganda, in particularly in the press and the internet.

3. General comments made by other relevant stakeholders

483. During the adoption of the outcome of the review of Finland 4 other stakeholders made statements.

484. European Region of the International Lesbian and Gay Federation (ILGA-Europe) commended Finland for accepting recommendation to increase its efforts in combating discrimination on grounds of sexual orientation and gender identity. ILGA-Europe referred to a number of challenges in this area, including discrimination against transgender and intersex persons, including in the employment; and bullying against gender nonconforming children in schools. It noted that the National Action Plan for Human Rights had very few references to LGBTI people and suggested drafting a comprehensive LGBTI policy action plan with defined responsibilities for its implementation and monitoring. ILGA-Europe expressed appreciation for Finland's constructive dialogue during the UPR process.

485. Amnesty International noted with regret the response of Finland stating that it investigated its participation in the rendition programme. Amnesty International stated that inquiries made by the Ministry of Foreign Affairs in 2011 and 2012 did not qualify as independent, impartial and effective investigation into human rights violations. Furthermore, it stated that all previous inquiries did not also conform with Finland's legal obligation to investigate the human rights violations related to the rendition programme as that obligation could be achieved only by creating conditions for an investigation that is truly independent of the Government.

486. Save the Children International called on Finland to prioritize the issues of the child protection measures and non-discrimination, racism and xenophobia. Save the Children expressed concern that children's placements in family-type care should not be influenced by financial motivations and should always respect the best interest of the child.

Furthermore, it called on Finland to establish a system for legal guardians to ensure that guardians are properly coordinated, trained and can contribute to respect the best interest of the child. Save the Children also called on Finland to strengthen the measures taken to fight all forms of discrimination, including discrimination against children with disabilities, immigrant, refugee and asylum seeking children and children from ethnic minorities and to allocate sufficient resources to supporting these measures.

487. International Fellowship of Reconciliation expressed its regret that no recommendation was made to Finland as a follow-up to the 1st cycle recommendation regarding conscientious objection to military service. It stated that for many conscientious objectors the length of civilian service could be twice the duration of the military service. Furthermore, International Fellowship of Reconciliation stated that Finland discriminates among contentious objectors on the basis of religious denomination. While noting Finland's leading role in obtaining legal recognition of the right to conscientious objection to military service, it encouraged Finland not to let its own practices lag behind the rapid advances in international standards.

4. Concluding remarks of the State under review

488. In conclusion, the delegation extended its appreciation to all those who participated in the review of Finland and emphasised the role of such constructive dialogue in assessing to what extent the recommendations of the 1st cycle had been implemented by Finland.

United Kingdom of Great Britain and Northern Ireland

489. The review of the United Kingdom of Great Britain and Northern Ireland was held on 24 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

(a) The national report submitted by the United Kingdom of Great Britain and Northern Ireland in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/GBR/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/GBR/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/GBR/3).

490. At its 22nd meeting, on 20 September 2012, the Council considered and adopted the outcome of the review of the United Kingdom (see section C below).

491. The outcome of the review of the United Kingdom comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/9), the views of the United Kingdom concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/9/Add.1).

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

492. The United Kingdom set out its commitment to secure a successful future for the UPR mechanism as a whole. The first cycle had demonstrated how much it could contribute to the promotion of human rights worldwide. It believed the UPR had long-term potential and was committed to playing a key role in realizing this in two key ways.

493. First, it would work with others to preserve the core values of the UPR, the most important being its universality. It stressed the fundamental importance of maintaining the universality of the UPR process as a unique characteristic; and urged all States to participate openly, willingly and honestly in their own reviews. It also emphasised the constructive spirit of UPR, which includes acknowledging progress made as well as being clear about where change is needed. Recommendations should be based on an objective assessment of the human rights situation and priorities. Hence, they should be specific, concrete, achievable and measurable. It reiterated its commitment to making clear, realistic and focused recommendations and making a maximum of two.

494. Second, the UK approached its own review in a spirit of openness. Thus, it welcomed the level of scrutiny received from other Member States. It informed the Human Rights Council that in the spirit of cooperation, its Head Delegate to the UPR review, Lord McNally, had personally written to Ambassadors of those Member States that raised questions during the interactive dialogue, where it was not able to address their points in full during the session and they were not covered in the Working Group recommendations. It has ensured full transparency in its response to the recommendations and it intended to continue to do so.

495. It conducted consultations with civil society organizations, including National Human Rights Institutions and NGOs, immediately after its review on 24 May, which was followed by a roundtable meeting in London at the end of July. These meetings provided an opportunity to understand which recommendations civil society organizations regarded as priorities. Similar exercises have taken place in Scotland, Wales and Northern Ireland. These consultations took place based on the belief that consultation and dialogue, including with NGOs and NHRIs is a central element and benefit of the UPR process.

496. The UK explained it had voluntarily committed to providing a Mid-Term report, and had been one of the first to do so in the first cycle. Such reports were an important tool to monitor progress and it encouraged all states to consider doing likewise.

497. Referring to the addendum and its annex, which explains the UK's response to each recommendation in detail, the UK expressed hope that the additional annex document would help to inform discussions with civil society and serve as a useful tool for Member States to understand its response to their recommendations and interpret the progress made at the mid-term review in 2014.

498. The UK has accepted 73 and partially accepted 18 recommendations out of a total of 132 received. It has accepted those recommendations that it agrees with and is able to implement in practice or is already implementing. Hence, its acceptance or partial acceptance is without prejudice to its current compliance on the issues raised in the recommendations.

499. After careful consideration, the UK has decided not to accept 40 recommendations for three reasons: firstly, if it cannot commit to implementation at this stage: it will only accept recommendations it can implement. It believed this was important to the credibility of the UPR mechanism; secondly, a recommendation may be rejected where a policy review has been concluded and it has decided to retain its current policy; and thirdly, it may be because it rejects entirely the assertions made in the recommendation. Nevertheless, it provided assurances that these recommendations are all kept under close review. Lastly, the UK considered one recommendation to be out of the scope of the UPR process.

500. The UK believed that the UPR must be seen as an ongoing and continuous process, and that it was the implementation in between each review that has the potential for far reaching impact. It therefore believed that each subsequent cycle should be seen as building upon past reviews.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

501. During the adoption of the outcome of the review of the United Kingdom of Great Britain and Northern Ireland, 12 delegations made statements.

502. Egypt regretted that the UK considered the cooperation with requesting states to repatriate funds of illicit origin falling outside the scope of the UPR. Egypt recalled the obligations of States Parties to the UN Convention against Corruption to prevent, detect and deter the international transfer of funds of illicit origin, and to strengthen international cooperation in asset recovery. With respect to the UK's declared commitment to review the Equality Act in 2015, Egypt reiterated its concern about the provisions that allow public officials to discriminate on the basis of nationality, ethnic and national origin.

503. Islamic Republic of Iran urged the UK to take effective measures to fully implement the provisions of the Convention against Torture and the ICCPR in overseas territories under its control. It also urged withdrawal of reservations to the CRC concerning detained children, refugees and asylum-seeking children. It raised the question of establishment of immediate means of redress and protection for ethnic and religious minorities and migrants, particularly Muslims. It expected the UK to respond to concerns relating to secret detention and torture in detention facilities in Iraq and Afghanistan.

504. Morocco praised the efforts taken: to strengthen the rights of the child, including the ratification of the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography and to withdraw reservations to the CRC; and to combat violence against women and girls, particularly the 2011 plan of action encouraging the UK to continue its efforts to protect and reintegrate victims of such violence. Morocco also encouraged continuing efforts to combat discrimination against ethnic and religious minorities, and to improve detention conditions in the context of counter-terrorism.

505. Philippines welcomed the UK's readiness to consider pursuing the ratification of international conventions protecting the human rights of migrant workers such as the International Convention on the Protection of the Rights of Migrant Workers and Their Families and the ILO Convention 189 on Decent Work for Domestic Workers.

506. Russian Federation noted with satisfaction the UK acceptance of the recommendation to improve detention conditions and to limit custody without charge of terrorism suspects. While noting the UK's partial acceptance on the recommendation to ensure realization of the right of detainees to the legal assistance, Russian Federation stated that all measures should be taken to ensure the rights of detainees without exception. It was disappointed with the UK's rejection of the recommendation to withdraw the interpretative statement on the OP to CRC on the involvement of children in armed conflict.

507. Thailand congratulated Her Britannic Majesty's Golden Jubilee and the successful organization of the Olympic and Para-Olympic Games noting that the Para-Olympics was testimony to the UK's commitment to promoting the rights of persons with disabilities. Thailand praised the UK's joint initiative calling on States to be responsible recommenders, and highlighting the importance of technical cooperation. Thailand welcomed the UK's inclusive national UPR process expressing hope that the UK conducts prompt and independent investigations into all allegations concerning detention facilities in Iraq and Afghanistan.

508. Algeria regretted the UK's rejection of the recommendation to withdraw the interpretative declaration on Article 4 of the CERD and measures for the elimination of racial discrimination and incitement to racial hatred. Algeria encouraged the UK to take further measures aimed at combating racial discrimination, racism and xenophobia.

509. Belarus regretted the UK's rejection of the recommendation to consider the possibility of raising the minimum criminal age and refrain from the practice of keeping children in custody expressing hope that the UK implements this recommendation. Belarus would await the results of investigations into all cases of human rights violations, including secret detention and alleged torture. Belarus noted that in practice, wearing Christian symbols by workers is prohibited in the UK, despite its stated commitment to protect the right to freedoms of religion and conscience.

510. Botswana was encouraged that the UK undertook to keep all the recommendations under continuous review, and to keep updating the Human Rights Council on the recommendations not accepted. Botswana noted that this undertaking along with the UK's on-going efforts in institutional and legislative reforms in the area of human rights demonstrated a clear commitment to the promotion and protection of human rights.

511. Cuba was concerned that a significant number of the recommendations had been rejected and some others were only partially accepted. Cuba noted enormous challenges faced by the UK, particularly those relating to the protection and promotion of economic, social and cultural rights. Cuba stated that vulnerable groups such as children, people with disabilities, women, migrants and minorities must be given more and better measures and programmes to reverse their marginalized and disadvantaged situations. Cuba encouraged the UK to fully implement the recommendations, and to equally promote all human rights, including the right to development.

512. Ecuador was concerned that a large number of recommendations were not accepted, including those relating to the ratification of international human rights conventions. Ecuador viewed insufficient the UK's explanation that domestic legislation provides protection when there exist migrants detention centres such as Yarl's Wood, where there are a good number of detained immigrant women as well as reports of abuse of some pregnant women. Ecuador appreciated the opening of an investigation into the possible participation of some officials in rendition flights and delivery of prisoners to secret prisons where there have been reports of torture and inhuman and degrading punishment. Ecuador hoped that the investigation would be independently conducted as soon as possible in order to establish responsibilities, penalties and compensation for victims. Moreover, Ecuador was concerned about the potential impact of the economic crisis and the austerity measures on the most vulnerable population.

3. General comments made by other relevant stakeholders

513. During the adoption of the outcome of the review of the United Kingdom of Great Britain and Northern Ireland, 11 other stakeholders made statements. The statements of the stakeholders that were unable to deliver them owing to time constraints⁹³ are posted on the extranet of the Human Rights Council, if available.

514. In a joint statement submitted by the Equality and Human Rights Commission, the Northern Ireland Human Rights Commission and the Scottish Human Rights Commission, A-Status NHRIs of the UK called on the UK to work with NHRIs, civil society and others to develop an outcome-focused UPR implementation plan, which should set out clearly expected actions and indicators to measure progress against UPR recommendations. They recommended retaining the 1998 Human Rights Act, and called for the development of a Bill of Rights for Northern Ireland, as well as giving effect to UN treaty obligations through incorporation and other measures. They also expressed concern about the effect of the economic crisis and austerity measures on the enjoyment of human rights in the UK,

⁹³ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

particularly the potential effects on women, children, ethnic minorities and disabled people. Further, the Northern Ireland Human Rights Commission expressed grave concern on the UK's failure to respond to recommendations raised in the UPR concerning Northern Ireland.

515. European Region of the International Lesbian and Gay Federation was pleased with the UK recognition of sexual orientation and gender identity persecution as grounds for seeking asylum. It encouraged the UK to implement transgender awareness training for UK Border Agency staff. It noted that presently, the UK did not affirm intersex healthcare protocols urging the UK to create new healthcare protocols for intersex people. It also expressed concern on continuing imposition of various requirements on transgender people wishing to receive legal gender recognition recommending the option of "X" as an unspecified gender marker on all identity documents.

516. Human Rights Watch acknowledged recent counter-terrorism reforms. However, it noted that the government tabled draft legislation would allow for enhanced control measures in exceptional circumstance and secret evidence may still be relied on to impose control orders; the legislation enacted this year reduced pre-charge detention in terrorism cases to 14 days- a positive step- but still far longer than the 96-hour period allowed for other serious crimes; and a draft law before the Parliament would expand the use of secret evidence in civil court proceedings on national security grounds. It regretted the UK's rejection of the recommendation to abandon its policy of deportation of foreign terrorism suspects with diplomatic assurances. It welcomed the UK's plan to investigate arbitrary detention and torture in the fight against terrorism encouraging swift action to establish a credible, judge-led inquiry into the policy framework and failures that may have led to the UK's involvement in torture and rendition. It also welcomed the UK's signature of the Council of Europe Convention on preventing and combating violence against women and domestic violence. It regretted the UK's rejection of the recommendations: to sign the ILO Convention on Decent Work for Domestic Workers; and to avoid detention under the fast-track asylum procedure.

517. Action Canada for Population and Development expressed concern on the UK's rejection of the recommendation to ensure by legislative and other measures that women in Northern Ireland are entitled to safe and legal abortion on an equal basis with women living in other parts of the country. It stated that women from Northern Ireland were being discriminated against as they were not entitled to free, safe and legal abortions on the National Health Service in Northern Ireland or any other region in the UK, despite them being UK citizens.

518. Amnesty International welcomed the UK's acceptance of the recommendation to investigate allegations of its complicity in the US rendition and secret detention programmes as well as allegations of mistreatment by armed forces expressing hope that such investigation must be independent, impartial, thorough and effective in conformity with the UK's international legal obligations. It noted the insufficient progress on ensuring that counter-terrorism measures do not undermine human rights protection. It was deeply disappointed with the UK's rejection of the recommendation to end the use of diplomatic assurances. It was also disappointed that the UK had not fully committed to the ratification of the Convention for the Protection of All Persons from Enforced Disappearance.

519. Save the Children International welcomed the UK's acceptance of the recommendations relating to child poverty. It emphasized that ending child poverty by 2020 remained an achievable goal urging the UK and devolved governments to do everything to ensure children's rights to an adequate standard of living are realized. It was disappointed with the UK's rejection of the recommendation to incorporate fully the CRC urging the UK to move decisively to incorporate the CRC into UK law through comprehensive overarching children's rights legislation. It also urged the Scottish Government to make full

use of the opportunity presented by the forthcoming Children and Young People's Bill to incorporate the CRC into Scots law.

520. Nord-Sud XXI praised the broad engagement of civil society in the preparation of the UPR report, but expressed concern about the levels of poverty of children noting reports that almost one-third of the children in the country live in poverty. While welcoming the commitment to ending child poverty by 2020, it regretted the absence of any concrete plan or plans containing specific steps to achieve this goal. It was also concerned about the increasing incidents of discrimination based on religion or race urging the Government to ensure for steps to be taken to change public attitudes toward minority groups and to foster an environment of mutual respect.

521. Maryam Ghasemi Education Charity Institute noted incidents of hatred or irrational fear of Islam and Muslims alleging that Islamophobia had led to the practice of discrimination against Muslims by excluding them from the economic, social and public life of the nation. It urged the UK; to intensify its efforts to promote multiculturalism at all levels; and to introduce general anti-discrimination laws. It also expressed alarm on reports of the UK's complicity in secret detention and torture in detention facilities in Iraq and Afghanistan.

522. International Humanist and Ethical Union claimed that the UK Government had consistently stonewalled the triggering of its enabling power in the 2010 Equality Act that would allow caste to be added to the list of protected characteristics. It stated that objections by potential oppressors were a wholly unacceptable justification for further delaying the implementation of legislation against caste discrimination.

523. Edmund Rice International noted that asylum seekers received limited support in the UK urging implementation of the UPR recommendations relating to the human rights of asylum seekers and to grant temporary renewable protection and continuing accommodation, and financial support to all asylum-seekers whose application had been rejected. It urged also provision of free access to primary and secondary health care to all asylum-seekers until removal, voluntary return or the granting of leave to remain.

524. International Federation of Human Rights Leagues noted that the Scottish Human Rights Commission was unable to undertake individual cases work. It also noted welfare reforms were having a huge negative impact on vulnerable groups in particular on persons with disabilities.

4. Concluding remarks of the State under review

525. The UK welcomed all the contributions made, and said that while the annex to the addendum set out in detail its approach to all recommendations received, it would be willing to engage further with any delegation as needed. In response to comments made, it explained that some recommendations were rejected because it did not share the assumptions they contained. It also clarified that it had consulted openly with the Devolved Administrations of Scotland, Wales and Northern Ireland, including by writing to them and inviting them to input into the response to the recommendations. It was committed to continuing such transparent consultation as it moved ahead with implementation.

526. Responding to some issues raised, the UK clarified that it had robust domestic legislation to protect the rights of migrants. It reconfirmed that it had withdrawn its remaining reservation to the CRC in 2008. With respect to a number of questions on detention and torture, the UK Government set out its strong position against torture: torture is not and will not be tolerated. Regarding specific questions on an inquiry in this area the UK explained that this had been subsumed or halted due to ongoing independent police investigations. It also stated that the CAT had already been extended to all British Overseas Territories. Further, responding to questions about conditions in detention facilities, it

confirmed that it works closely with independent human rights groups and international organisations on this matter. On the issue of deportations with assurances, it made clear that the greatest possible care was taken when securing those diplomatic assurances from other countries.

527. The UK closed by re-emphasising its commitment to engaging civil society, and assuring the council that working for a successful UPR would be a crucial part of the UK's contribution should they be re-elected to the Human Rights Council for the term 2014-16.

India

528. The review of India was held on 24 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by India in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/IND/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/IND/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/IND/3; and Corr.1).

At its 22nd meeting, on 20 September 2012, the Council considered and adopted the outcome of the review of India (see section C below).

529. The outcome of the review of India comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/10), the views of India concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/10/Add.1).

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

530. The Permanent Representative stated that it was a privilege to lead the Indian delegation on the occasion of the adoption of the outcome of India's second Universal Periodic Review (UPR). The deliberations during this session marked the culmination of a productive process from which India has benefitted tremendously. India has had an opportunity to understand how its efforts for the realization of human rights for its own people were viewed by Member States. It was a matter of great satisfaction that there was positive recognition of India's efforts and that many of the initiatives launched by India were viewed as examples of best practices.

531. The interactive dialogue for the review of India was held on 24 May 2012. Our delegation was led by the Attorney General of India and other experts from various ministries of the Central Government who have domain expertise in various aspects of human rights. The interactive dialogue was rich and productive. It witnessed the participation of a large number of members and observer states. It may be recalled that India made nearly 25 detailed interventions to respond to queries and comments from the floor.

532. A number of recommendations were made by various delegations during the interactive dialogue, which were recorded in the report of the Working Group. India has carefully examined these recommendations in consultation with its concerned ministries and departments. A response to these recommendations was submitted to the Office of the

High Commissioner for Human Rights (OHCHR) who has circulated it and made it available in the form of an official document.

533. India regarded the UPR as a continuous process, not a one-time exercise. The second phase of the UPR cycle has commenced. During this phase, India will pursue the implementation of the recommendations that it has accepted. However, India's commitments were not limited to these recommendations.

534. India accepted all positive suggestions and constructive criticism made in the right spirit. It saw this process as one of constructive engagement. The promotion of human rights was a continuing endeavor to improve the quality of life of India's people.

535. The fundamental rights enshrined in India's Constitution and the various laws enacted by its Parliament form the bedrock of human rights in India. Over the decades, these human rights have been strengthened through judicial pronouncements and government policies that sought to further empower the people of India.

536. A range of administrative and legislative measures have been taken to seek improvement in all aspects of human life. India's vibrant democratic polity required it to continuously pursue higher norms and standards be it in the area of human rights or social and economic development.

537. It was equally important to have in place an effective institutional framework to protect the human rights guaranteed by law. India's democratic polity with an independent and impartial judiciary, free and independent press, a vibrant civil society and an independent National Human Rights Commission, provided the requisite framework for the promotion and protection of human rights.

538. While the UPR is primarily an inter-governmental process, it has been designed to facilitate effective participation of non-governmental organizations and national institutions. India looked forward to listening to their views expressed during this session.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

539. During the adoption of the outcome of the review of India, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁹⁴ are posted on the extranet of the Human Rights Council, if available.

540. Indonesia welcomed the India's acceptance of 83 recommendations which reflected India's commitment to the UPR mechanism. Indonesia commended India's robust legislative and regulatory measures, including the enactment of the "National Green Tribunal Act" and thanked India for accepting its recommendation to accelerate the ratification of CAT. Indonesia stated its recommendation on the enhancement of effective coordination between central and state government will enable progress in the implementation of the "Right of Children to Free and Compulsory Education Act of 2010".

541. The Islamic Republic of Iran stated that is a manifestation of its commitment to promote and protect human rights. It submitted five recommendations and expressed appreciation to India for accepting a significant number of recommendations, including these recommendations.

542. Thailand welcomed, among others, India's dedication to promoting equal access to justice and thanked India for accepting its recommendation in this regard. It remained

⁹⁴ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

hopeful that India would continue its efforts to eliminate discrimination against and empower marginalised and vulnerable groups.

543. Kyrgyz Republic commended India for its committed and determined approach to its human rights obligations. It expressed appreciation for India's efforts to eliminate discrimination and empower marginalised groups and noted India's enactment of laws aimed at achieving its millennium Development Goals.

544. Lao People's Democratic Republic was pleased to note that India accepted a large number of recommendations and has taken steps to implement them. It also noted that India took important initiatives towards securing human rights such as the enactment of the "National Green Tribunal Act".

545. Malaysia expressed appreciation for India's constructive engagement in the UPR process. It applauded all the efforts made by India in the field of human rights and was encouraged by the significant developments that have taken place, which was cognisant of India's will to further the cause of human rights. Malaysia took note of India's acceptance of its recommendations and expressed confidence that India will take appropriate measures to implement all accepted recommendations.

546. Cuba commended India for its spirit and commitment shown through its participation in its review. Cuba highlighted the progress made by India in providing free and compulsory education for children between the ages of six and fourteen. It also highlighted India's progress in the areas of food, social security and poverty eradication, as well in relation to the rights of children, women and disabled persons. This progress demonstrated India's commitment to promoting and protecting human rights. Cuba welcomed India's acceptance of many recommendations, including those made by Cuba.

547. Morocco congratulated India on the tangible action taken which encompassed different areas of human rights particularly those relating to women and children, and for the progress made in the areas of education, employment and the environment. Morocco noted the legislative provisions introduced to protect human rights defenders; the measures taken to eliminate discrimination of marginalised and vulnerable groups, to combat exploitation of children and to assist women.

548. Myanmar commended India for its constructive engagement in the UPR process and for its acceptance of the vast majority of recommendations, including the recommendations made by Myanmar. It was pleased to know that India has realised the concept of good governance through legislative measures and that it has already embarked on implementing a number of accepted recommendations. Myanmar also welcomed India's efforts to further strengthen institutional mechanisms.

549. Philippines noted that in India religious freedom was practiced without discrimination and that the caring and humane treatment of refugees and minorities has been a standard practice. It welcomed the consistent efforts of India to achieve its Millennium Development Goals and took particular note of education being elevated to the status of a fundamental right. Philippines was pleased with India's affirmative actions to address poverty.

550. Russian Federation stated that information provided by India strongly attested to the significant work done by the Government in implementing recommendations from the first UPR cycle. It welcomed the measures taken to ensure civil and political rights, to address issues of gender equality, in relation to the rights of ethnic and national minorities, and as well as the overall improvements in its human rights situation. Russia noted with satisfaction that India accepted a significant number of recommendations.

551. South Africa commended India for its commitment to the UPR process as well as for its constructive engagement through-out this process. It appreciated the progress achieved

in ensuring that citizens enjoy their economic, social and cultural rights; as well as the candid manner in which India outlined not only its achievements and progress but also its challenges in promoting human rights. South Africa stated that real progress has been achieved in the areas of the protection of women, the right to live in dignity in a healthy environment and the right to education, which it commended.

552. Sri Lanka commended India for its acceptance of 67 recommendations, which includes the acceptance of its recommendations. It noted that many of these recommendations have already been implemented or was in the process of being implemented. It also noted India's commitment to the promotion and protection of economic, social and cultural rights which has inter alia resulted in the reduction of poverty. Sri Lanka commended India for the progress made towards achieving the Millennium Development Goals. It also commended India for its efforts in areas such as the empowerment of women.

3. General comments made by other relevant stakeholders

553. During the adoption of the outcome of the review of India, 10 other stakeholders made statements.

554. The National Human Rights Commission (NHRC) stated that the challenges of promoting and protecting human rights in a country of India's size and diversity was unique and therefore not easy for others to grasp or to make relevant recommendations. However, Members of the Council have made the effort. The NHRC will disseminate the outcome of the review and will monitor the implementation of the accepted recommendations. It stated that the Government's record on the implementation of the outcome from the first cycle was not particularly good. The NHRC will attempt to make progress through its own work and through discussions with the Government on those rejected recommendations which the NHRC considered important. Those recommendations specific to women, children and disadvantaged sections of society will be brought to the attention of the respective National Commissions. NHRC stated that laws were routinely flouted and a huge percentage of funds budgeted for social welfare programmes do not reach the beneficiaries.

555. Human Rights Watch (HRW) stated that it was encouraged by the recent positive steps taken by the Government such as, the decision to support the decriminalization of homosexuality and extension of invitations to Special Procedures. HRW stated that India has failed to comprehensively address recommendations calling for an end to impunity and the repealing of laws. Enacting laws will not be effective because of consistent failure to implement them. The Government has not amended laws that provide immunity to military and paramilitary personnel; has failed to accept the recommendation to review the Armed Forces Special Powers Act; has not addressed concerns about limitations on the freedom of expression. HRW hoped that India will act on recommendations to institute a national action plan to eradicate discrimination and enforce training and sensitization to address caste, ethnic, religious or sectarian discriminatory practice of law enforcement officials; and monitor measures to reduce high levels of maternal and child mortality. India should prioritise the enactment of the prevention of torture law, ratify CAT and invite the Special Rapporteur for Torture. HRW expressed disappointment that India failed to accept the recommendation to institute a moratorium on capital punishment.

556. The Asia Forum for Human Rights and Development in association with Working Group on Human Rights in India and the United Nations (FORUM-ASIA) stated that there were no consultations held and of the 169 recommendations made at the review India hastily produced a list of 67 accepted recommendations. Many recommendations were a repeat from those made during the review in the first cycle which indicated the status of implementation to be poor. Referring to recommendation to address communal violence (138. 48), FORUM-ASIA stated that the recent incidents in Assam, which required

immediate attention, exemplified the gap in national standards, as well as the lack of institutional responsibility. It remained disturbed that those recommendations in relation to the repealing of the Armed Forces (Special Powers) Act and the imposition of a moratorium on the death penalty have not been accepted and urged the Council to remain seized of these matters. While many stated commended India on its food security policies, concerns remained because the Public Distribution System operated on the basis of an unrealistic poverty line and that poor households in genuine need have been excluded. Positive developments such as the enactment of the Protection of Children from Sexual Offences Act were welcomed.

557. Franciscan International expressed concern on India's failure to provide effective protection of the enjoyment of human rights of the vulnerable groups, especially children, women, Scheduled Casts and Scheduled Tribes, as they continued to face discrimination. It regretted India's refusal to accept recommendations to ratify the third optional protocol of the Convention on the Rights of the Child, the ILO Conventions 138 and 182, as well as the Optional Protocol to CEDAW. FI demanded immediate realisation of concrete actions in implementing policies relating to the Dalit and tribal communities.

558. Sudwind stated that in its Addendum India only provided a list of accepted recommendations and did not made reference to the recommendations as they had been numbered in the Report of the Working Group. It expressed disappointment that India did not accept the recommendation to ratify the Rome Statute of the International Criminal Court, as well as the recommendation to ratify the Optional Protocol to CEDAW. It recommended that India reconsider those recommendations that did not appear in its list of accepted recommendations and to provide a date for the finalization of CAT.

559. Action Canada for Population Development, on behalf of Sexual Rights Initiative, welcomed India's commitment to increase access to reproductive health services and to implement mechanisms for safe abortion and contraceptives; and to reduce gender discrimination and have a gender perspective in policies and programmes, amongst others. It expressed concern that the Criminal Law (Amendment) Bill 2012 that has been approved by Cabinet retained Section 377 of the Penal Code, which criminalises consensual same sex relationships. It urged India to repeal section 377 of the Indian penal Code and decriminalise the consensual same sex relations; address trafficking holistically and look at multiple forms of trafficking and not conflate sex work with trafficking; amend the Immoral Trafficking Prevention Act, 1946 and decriminalise sex work and all its manifestations.

560. The International Commission of Jurists (ICJ) stated that 15 years after India signed CAT, it was still not ratified and torture, as defined by CAT, was not criminalised under domestic law. It urged India to accept the recommendations to expedite the ratification of CAT. ICJ stated that national legislation prohibiting torture must comply with obligations under CAT, as well as customary international law and the ICCPR. Also, the death penalty should not be introduced in any legislation prohibiting torture.

561. Amnesty International (AI) regretted the apparent lack of support by India for the recommendation s to hold the security forces to account for human rights violations. It expressed concern for the continued application of the Armed Forces Special Powers Act and urged India to repeal this law. AI regretted India's rejection of recommendations to allow the visit by the Special Rapporteur on torture, which has been pending since 1993; and India's apparent lack of support of recommendations to adopt ILO Convention 169.

562. Save the Children, together with World Vision welcomed India's efforts to protect children's rights but additional initiatives must be taken to secure the well-being of children. Eighteen UPR recommendations call for India related to the welfare of women and children. India needs to redouble its efforts and operationalize these recommendations

by appointing equitably distributed, adequately motivated, and better equipped health workers who have capacities in order to achieve MDG 4 and 5. Several recommendations call for an increase in budget for health. The first step in addressing child and maternal mortality is to increase public expenditure and called for this expenditure to 5 percent of the national GDP by 2017.

563. World Evangelical Alliance (WEA) expressed regret that India has not accepted recommendations for the creation of a comprehensive framework to address communal or targeted violence. It recalled that during the review India stated that communal violence was only sporadic and stated that this was disputable, as religious minorities continued to suffer violent attacks in a number of states on a consistent basis. WEA also regretted that those recommendations calling for the reconsideration of the anti-conversion legislation currently enacted in 6 states have not been accepted. It requested that India make available a list of rejected recommendations.

4. Concluding remarks of the State under review

564. The delegation thanked everyone for their presence and participation in the adoption of the outcome of India's UPR. In particular, it thanked the participants for their warm expressions of friendship and goodwill towards India. India reciprocated these sentiments.

565. India was conscious of its human rights challenges and has persevered diligently to address them. It remained open to advice and suggestions. In this regard, India has carefully noted the observations and suggestions made by participants during the course of the discussions at the session and will give them full consideration with an open mind.

566. The fact that India may not have accepted a particular recommendation does not in any way mean that it was not recognized or valued. It has taken note of all recommendations. In fact, India has pledged to work assiduously on all issues which it has highlighted at its UPR. Further, non-acceptance of a recommendation also did not mean that India did not have adequate or necessary regulation or legislation in place to address issues pertaining to that recommendation. In most cases, India had its own regulations in place, though it acknowledged scope for improvement.

567. The delegation pointed out that on certain issues, which were the subject of some recommendations, parliamentary and other consideration was required. While India may not have accepted the recommendation *per se*, it continued to pursue the effective implementation of provisions already on its statutes.

568. In conclusion, the delegation thanked everyone for their participation in and contribution to India's UPR. India has immensely benefited from this constructive engagement with the Council and considered it a positive experience. India was committed to follow-up on the recommendations emanating from this process in an inclusive manner. The delegation also conveyed its appreciation to the *troika* and also thanked the UPR team of the OHCHR for their excellent organization of and support during this process. India looked forward to returning to the Council in the next cycle to report on the progress made in its pursuit of human rights.

Brazil

569. The review of Brazil was held on 25 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

(a) The national report submitted by Brazil in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/BRA/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/BRA/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/BRA/3).

570. At its 22nd meeting, on 20 September 2012, the Council considered and adopted the outcome of the review of Brazil (see section C below).

571. The outcome of the review of Brazil comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/11), the views of Brazil concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/11/Add.1).

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

572. The delegation of Brazil began its remarks by reiterating its support for the International Human Rights System. The adoption of the UPR WG report was the culmination of a long work which included consultations amongst governmental bodies and with civil society; as well as discussions with special procedures, the Office of the High Commissioner and other delegations.

573. Brazil had received the international recognition of the results achieved by public policies for the realization of human rights. Nearly a third of the recommendations used the expression "to continue its efforts", and a number of them referred to "sharing with other countries the good practices and progresses achieved."

574. During the past few months, a careful examination of the UPR recommendations was undertaken from a legal, political and institutional point of view. 15 Ministries were involved, in partnership with the Legislative and the Judiciary branches, and with civil society.

575. As explained in Brazil's Addendum to the report, the Government had accepted 159 out of 170 recommendations received during the UPR review. 10 recommendations, whose content faced institutional constraints, enjoyed Brazil's partial support. And only one recommendation could not enjoy Brazil's support because it was inconsistent with the country's constitutional and legal principles.

576. The delegation proceeded with an explanation of the rationale for partially accepting 10 recommendations and rejecting one.

577. On recommendation 119.127, partially accepted, the Federal Constitution provided for the State protection of the family, which was the basis of society. However, Brazilian institutions recognized other family arrangements as also eligible for protection.

578. On recommendation 119.3, partially accepted, the State had ratified nearly all international human rights treaties. Regarding the Second Optional Protocol to the ICCPR, signed by Brazil, the reservation mentioned in the recommendation was fundamental to the consensus needed for the celebration of the instrument, and was provided for in its Article 2 (1).

579. On recommendation 119.9, partially accepted, the State attached great importance to the promotion and protection of economic, social and cultural rights. Nevertheless, the ratification of the Protocol shall be preceded by discussions among the different bodies and national councils responsible for public policies affecting said rights.

580. On recommendation 119.10, partially accepted, the Ministry of Labour created, in 2012, a Tripartite Commission on Domestic Work responsible for examining ILO Convention No. 189. With regard to ILO Convention No. 87, Brazil recognized the right to freedom of professional or union association, according to Article 8 of the Federal Constitution, observing the principle of union unity.

581. On recommendation 119.79, partially accepted, the Federal Constitution was amended in 2004 to allow the Attorney-General to request the Supreme Federal Court the transfer of cases involving serious human rights violations to the jurisdiction of the Federal Justice.

582. On recommendation 119.12, partially accepted, the Executive drafted a bill, under discussion in Congress, which ensured the independence and autonomy of the members of the National Mechanism for the Prevention and Combat of Torture, in accordance with OPCAT.

583. Recommendation 119.60 could not enjoy the support of Brazil, in light of the constitutional provision on the existence of civilian and military police forces. Civilian Police Forces were responsible for the tasks of judiciary police and for the investigation of criminal offenses. Military police forces were responsible for ostensible policing and for the preservation of public order. Furthermore, Brazil had adopted measures to improve control over the actions of public safety professionals.

584. On recommendation 119.62, partially accepted, the Government had violence-reduction policies aimed at the security of the population. The extension to other federal states of any action depended on the specifics of each location and on the acquiescence of each federal entity. Besides, the model of proximity policing was encouraged by the Government in other states of the federation.

585. On recommendation 119.24, partially accepted, the civil union of persons of the same sex was already legally recognized in Brazil, as a result of a decision of the Supreme Federal Court.

586. On recommendation 119.149, partially accepted, the State provided access to health services in the cases of termination of pregnancy allowed by the legislation and by decision of the Supreme Court.

587. Recommendation 119.156 was partially accepted on the understanding that the Federal Constitution and Federal Law number 9.394/2006 provided for religious education, with optional enrolment, at primary public schools, while ensuring respect for cultural and religious diversity and forbidding all forms of proselytism. Therefore, in compliance with the secular nature of the State, religious education in Brazil did not constitute confessional or inter-confessional teaching of faith.

588. Regarding one accepted recommendation (119.167) the delegation highlighted that the Brazilian State already acted accordingly with the recommendation. The Federal Constitution provided that indigenous communities shall be listened, and that the Congress shall issue an authorization for the use of water resources, research and mining of mineral resources in indigenous lands. Moreover, the Convention 169 of the ILO, internalized in Brazil in 2004, provided for previous consultation of indigenous people.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

589. During the adoption of the outcome of the review of Brazil, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁹⁵ are posted on the extranet of the Human Rights Council, if available.

590. The Russian Federation stated that Brazil's 2nd review demonstrated again that the Government undertook all possible measures to improve national human rights mechanisms, by involving civil society in those processes, and develop various political and economic programs. It noted with satisfaction that Brazil accepted most recommendations put forward by states during the review, yet an indication of the Government's readiness to strengthen the capacity in the area of the protection and promotion of human rights.

591. South Africa valued its bilateral relations with Brazil. It appreciated Brazil's on-going efforts to implement the rights to adequate food, health, education and housing and commended the progress made in this regard through various social programmes. It commended Brazil's commitment to the Council, in particular its engagement with the anti-racism agenda and Afro-descendant issues. It recognized national initiatives such as the Statute of Racial Equality and the establishment of the Special Secretariat for the Promotion of Racial Equality.

592. Sri Lanka recognized Brazil's constructive engagement with the UPR. It commended the Government for accepting 159 recommendations, including Sri Lanka's, and for partially accepting 10. It congratulated Brazil for its progress in the implementation of the MDG's, and took note of the national plan to eradicate extreme poverty, especially among children and adolescents; and for its efforts to achieve food security among vulnerable groups. It praised Brazil's endeavours to combat sexual exploitation and abuse of women and children.

593. Thailand commended Brazil for aiming to eradicate poverty by 2014 and shared with this country the view that human rights and development were mutually reinforcing. Thailand encouraged Brazil to continue to promote equal access to opportunities for all, especially vulnerable groups, and to enhance the condition of women prisoners in accordance with the Bangkok rules.

594. Venezuela (Bolivarian Republic of) was pleased by the information Brazil presented during the UPR, which resulted into a constructive dialogue on human rights achievements and challenges. It highlighted the will of the Government to pursue development without disregarding social inclusion, which allowed millions of people out of poverty. It welcomed the plan "Un Brasil sem Miséria" aimed at eradicating extreme poverty by 2014. Venezuela (Bolivarian Republic of) recognized the efforts of the Government to follow the recommendations accepted during the 1st UPR and commended Brazil for accepting most of the recommendations of the 2nd review.

595. Viet Nam commended Brazil for its successful 2nd review and its efforts to implement all accepted recommendations including those put forward by the Vietnamese delegation. It noted that in Brazil human rights and socio-economic development were mutually complementary as evidenced through a number of policies and programmes, such as the implementation of MDGs, the health care strategy, the education programme, gender equality and advancement of women and children.

⁹⁵ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

596. Algeria acknowledged the presentation made by the delegation which enabled the Council to see the efforts undertaken by the Government in the area of human rights. The Algerian delegation participated in Brazil's review and noticed the resolve of the Government to implement civil, political, economic, social and cultural rights. It praised the socio-economic policies and programs to improve human development and eradicate poverty. It valued Brazil's acceptance of most recommendations, including those put forward by Algeria.

597. Benin noted Brazil's extensive progress in the promotion and protection of human rights. It noted the fulfilment of recommendations received during the first review at the legal and institutional levels as well as in the enjoyment of the human rights of the Brazilian people. In its 2nd national report, Brazil reiterated its commitment with human rights. Benin encouraged the Government to continue the reforms that would enhance the enjoyment of human rights and looked forward to exchange experiences with Brazil in that area.

598. Bhutan appreciated the open manner in which Brazil engaged in the UPR. Bhutan was encouraged to note that Brazil had accepted the majority of the recommendations, while providing detailed responses to others. It welcomed Brazil's realistic approach to implement these recommendations in a progressive manner as well as the comprehensive approach that it had taken for the promotion and protection of human rights.

599. Botswana commended the Government for its positive participation in the UPR. The acceptance of most recommendations demonstrated the country's commitment to the promotion and protection of the human rights. Botswana noted the efforts made at the highest political level to the eradication of extreme poverty by 2014, and the development projects undertaken to create a balance between economic growth and social inclusion for the whole population.

600. Bulgaria acknowledged Brazil's acceptance of nearly all recommendations. It noted that Brazil accepted to align its legislation with the Statute of the International Criminal Court; expedite the implementation of a National Preventive Mechanism in line with OPCAT; create of the National Council for Human Rights; continue the Government's efforts to eliminate extreme poverty and include in its social policies those who were most vulnerable, especially women, children, Afro-descendants, indigenous peoples, the elderly and persons with disabilities.

601. China thanked the delegation for its feedback on the conclusions and recommendation and appreciated the constructive attitude with which Brazil participated in the UPR. It welcomed Brazil's commitment to actively implement accepted recommendations and Brazilian efforts in the promotion and protection of human right. Brazil attached great importance to the right to development and the promotion of sustainable and inclusive development and made remarkable achievements in poverty alleviation. China was confident that Brazil would achieve new progress in socio-economic development and human rights.

602. Cuba was not surprised by Brazil's positive results in the area of human rights. Brazil was a country genuinely committed with human rights and an important international actor. In this world where gains predominated, Brazil promoted the rights of the developing peoples with a human rights perspective. The Rouseff and Lula Governments had done a great deal for eradicating poverty and in the areas of economic, social, cultural, participation and political rights. So it was not a surprise that Brazil accepted the majority of recommendations; it was coherent with its human rights commitment.

3. General comments made by other relevant stakeholders

603. During the adoption of the outcome of the review of Brazil, 9 other stakeholders made statements. The statements of the stakeholders that were unable to deliver them owing to time constraints⁹⁶ are posted on the extranet of the Human Rights Council, if available.

604. Human Rights Watch (HRW) urged Brazil to take concrete steps to address serious concerns raised during the review, including impunity for police officers who broke the law, chronic torture and overcrowding in detention centres. Violence by criminal gangs and unlawful killings by police remained serious despite recommendations on these matters accepted during Brazil's first review. HRW welcomed that Brazil had again accepted recommendations on torture and detention conditions. Brazil should swiftly create a national system to prevent and combat torture.

605. The International Commission of Jurists (ICJ) welcomed Brazil's acceptance of recommendations related to access to justice and human rights defenders. ICJ also noted that Brazil accepted to consider ratifying ICRMW but regretted that it partially accepted the ratification of OP-ICESCR. ICJ also regretted that Brazil seemed to only partially support recommendations related to the right of indigenous peoples to be consulted. It called Brazil to reconsider its position on this regard and bring its legislation in full compliance with article 6(2) of the ILO Convention 169.

606. Amnesty International (AI) welcomed the Government's support to investigate human rights violations committed by law enforcement officials and to hold those responsible to account. AI was concerned by the absence of enhanced protection from racism related violence and by indifference regarding the violent death of youth. From 1981 to 2010, more than 176,000 people under the age of 19 were killed in Brazil, most of them poor black males. AI urged the Government to take action to end these violations. AI noted Brazil's support for the establishment of a NHRI.

607. Foodfirst Information and Action Network (FIAN) reminded that Brazil received a number of recommendations related to the right of indigenous peoples and requested the Government to accept all of them. In Mato Grosso do Sul, the worst rates of land demarcation were identified, even though this area possessed the 2nd largest indigenous population in the country. Several Guarani leaders participated in the National Program for the protection of Human Rights Defenders but stated that protection was inadequate. To enact legislation on this National Program would be an important step.

608. Nord-Sud XXI noted Brazil had been a leading example of poverty alleviation good practices, particularly relating to the right to health. Brazil had the right to health recognized in its constitution and had recently established a Special Secretariat of Indigenous Health which already had an impact on the improvement of the health of some of the most vulnerable people. It acknowledged Brazil's increasing international influence and looked forward to Brazil fostering an environment of solidarity and cooperation with its partners and the international community in general.

609. The International Lesbian and Gay Association welcomed Brazil's response to a recommendation put forward by the Holly See requesting the protection of the natural family. It underlined that Brazilian institutions already recognized the eligibility for protection of other family arrangements, such as women raising children alone and same sex couples, as family units. It also noted Brazil's support to a Finnish recommendation related to addressing homo and trans-phobic crimes. It urged Brazil to fulfil this

⁹⁶ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

commitment taking the necessary measures to overcome prevailing impunity in relation to this type of crime.

610. VIDES, Association Points-Coeur and IIMA welcomed Brazil's constructive participation at the UPR but noted that difficulties persisted in the full implementation of the right to education for all. While education had become widely more accessible, there still was a high illiteracy rate, a high repetition rate, an incapability to respond to special needs of children with disabilities and low quality education in rural areas. Indigenous children were particularly discriminated. In addition, indigenous people were often victims of discrimination because of their socio-cultural and physical features.

611. Rencontre Africaine pour la défense des droits de l'homme acknowledged Brazil's efforts to tackle poverty and ensure that everyone had adequate standards of housing. Despite Brazil's commitment to the Durban program of action, there were still several challenges to overcome disparities between Afro-Brazilians and other Brazilians. It hoped that the Government's programs against poverty would create new opportunities for Afro-Brazilians, indigenous peoples, quilombos and, specially, women and children living in favelas. It was concerned by overcrowding conditions and violence in the penitentiary system. It hoped that tolerance and respect would be upheld during the Olympics and World Football cup.

612. The Association for the prevention of torture (APT) stated that torture and other ill-treatment continued to be widespread in Brazil's places of detention and that such acts remained unpunished, as highlighted by the UN SPT. During the review more than 20 countries made recommendations related to torture and ill-treatment. Among them, APT recalled a recommendation to establish a national system to prevent torture. APT welcomed the decision of Brazil to publish the SPT report, an important but insufficient step and called the Government to implement all SPT recommendations.

4. Concluding remarks of the State under review

613. The Brazilian representative acknowledged the statements delivered by delegations and NGO's. The Government attached great importance to implementation of recommendations, and hoped to cooperate with them and with the Office of the High Commissioner, including its Regional Office, in that regard.

614. Brazil would integrate all accepted recommendations into its National Human Rights Policy, which would help to ensure that the UPR was implemented as a core commitment of the Government.

615. In conclusion, the delegation stated that the Council could count on Brazil's openness to continue discussing openly with all partners.

Philippines

616. The review of the Philippines was held on 29 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

(a) The national report submitted by the Philippines in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/PHL/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/PHL/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/PHL/3).

617. At its 24th meeting, on 20 September 2012, the Council considered and adopted the outcome of the review of the Philippines (see section C below).

618. The outcome of the review of the Philippines comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/12), the views of the Philippines concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/PHI/Add.1 and A/HRC/21/PHI/Add.1/Corr. 1).

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

619. The head of the delegation, Honorable Teofilo S. Pilando Jr., Deputy Executive Secretary, reiterated the Philippines' strong commitment to make good on all 53 recommendations it accepted early on during its review last May – and additional 9 more accepted recommendations after the multi-stakeholder consultations in Manila.

620. These additional accepted recommendations are as follows:

131.3. and 131.4. ILO Convention No. 189 was ratified on 6 August 2012. The Philippines will further study the recommendation to accede to the CED and ILO Convention 169;

131.5. The Philippines has been intensifying its efforts to address the problem on the worst forms of child labour;

131.13 regarding the institutional strengthening of the Philippine Commission on Human Rights;

131.19, as such is also provided in the Implementing Rules and Regulations of the Anti-Torture Act;

131.22, on ensuring fair trial and punishment for those responsible for extrajudicial execution;

131.23, updating the Human Rights Council within the context of the UPR;

131.28, since the Philippines is addressing the situation of children in detention through strong policy measures provided under the Juvenile Justice and Welfare Act of 2006; and

131.32, as it pertains to taking measures to end extrajudicial killings and enforced disappearances, and to investigate all cases and bring those responsible to justice. The Philippines notes the first part of the recommendation and shall issue invitations for country visits of mandate holders on a case-by-case basis.

621. The Philippines created a Tripartite UPR Monitoring Group, which is being facilitated by the Presidential Human Rights Committee, in partnership with the Commission on Human Rights of the Philippines and representatives from NGO and civil society groups and alliances. Under this mechanism, the Philippines shall strive to ensure that the UPR recommendations are translated into concrete actions. The Philippines also brings into the UPR process a rich and fulfilling experience in civil society engagement.

622. The Philippines accepted a total of 62 recommendations, out of the 88 recommendations, and 25 recommendations are being further studied as there are ongoing legislative and judicial processes related to these recommendations.

623. On extra judicial killings, the Philippines has committed to report, under the UPR mechanism, the results of the work of a national monitoring mechanism that will look into the progress of cases involving extrajudicial killings, enforced disappearance, and torture.

624. The Philippines accepted the recommendation that pertains to the promotion of accountability through measures that will end extrajudicial killings and enforced disappearances. It is committed to investigate all cases that have allegedly occurred under the current administration as well as those that happened during the past regime, and for validated cases, to bring those responsible to justice.

625. On enforced disappearance, Senate Bill No. 2817 entitled "Enforced or Involuntary Disappearance Act of 2011" has been approved by both Houses of Congress. The contemplated measure seeks to criminalize enforced disappearance with reference, as necessary, to the International Convention for the Protection of All Persons from Enforced Disappearance.

626. The Government facilitated the turn-over to the Philippine National Police for review of records of cases on enforced disappearance in the possession of CSOs and NGOs. The initial results of the review identified the need for thorough case profiling, additional information for case build-up, and the surfacing and securing of witnesses.

627. On labour protection, the Philippines has ratified the Maritime Labor Convention and ILO Convention No. 189 that ensures the protection of the basic rights of seafarers and domestic workers, respectively. The Domestic Workers Bill, which is the enabling law for ILO Convention 189, is for consideration by the Bilateral Committee of Congress.

628. On Special Procedures, the Philippines has accepted the request for the visit of the Special Rapporteur on Trafficking in Persons this November and of the UN Special Rapporteur on Internally Displaced Persons in the first quarter of next year. It will continue to accept requests for visits of mandate holders on a case to case basis.

629. On ratification of human rights conventions, the Philippines asks for some leeway to embrace reservations on certain treaties and optional protocols. This is to ensure that the level of its commitment becomes whole and unconditional, especially in harmonizing the substance and spirit of these treaties with its domestic laws. As a follow-through to the ratification of the Optional Protocol to the Convention against Torture, work on the establishment of the National Preventive Mechanism started.

630. On private armed groups, President Aquino has taken a strong stand against "private armies" and gave marching orders for the Philippine National Police and the Armed Forces of the Philippines to exhaust all efforts to dismantle armed groups believed to be protected by local leaders and politicians. To date, some 92 members of these groups have been arrested and 132 firearms were confiscated.

631. On maternal and child health, the Department of Health allots at least 11 per cent of its annual budget for women's health under the Maternal, Newborn and Child Health and Nutrition Program. The rural health units are being furnished with up-to-date medical equipment for safe birthing. These developments are in accordance with the Magna Carta of Women.

632. On the protection of children, the Philippines is implementing the Philippine Program Against Child Labour and pursuing the Rescue Child Labourers program to respond to cases of child labour. It has also adopted the 2nd National Plan of Action for Children which aims to protect children from all forms of abuse, including grave child rights violation in armed conflict.

633. On non-discrimination, the Senate passed Bill No. 2814, known as the "Anti-Discrimination Act of 2011" which seeks to penalize all forms of discrimination, such as

those in employment, education, delivery of goods, facilities and services, accommodation, transportation, media, and in search and investigatory activities.

634. On economic and social rights, the Philippines can do no less than to attend to its people's need for adequate food, shelter, education, health services, employment, water, electricity. These rights shall be fulfilled as affirmative obligations under the development plan of action that highlights anti-corruption and good governance.

635. In the Association of Southeast Asian Nations (ASEAN), the Philippines is at the forefront in human rights promotion and protection. The Philippines played host to a region-wide consultation of civil society organizations for the submission of inputs to the ASEAN Human Rights Declaration. The ASEAN Human Rights Declaration is one of the anticipated deliverables by the ASEAN when it holds its summit in November this year, and which the Philippines strongly supports.

636. The delegation stated that the Philippines completes its UPR proud of what it has achieved so far and determined to do more to advance the cause of human rights at the local and international level. It is confident that what it has done, what it is doing, and what it seeks to further do, reflect how high it values human rights.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

637. During the adoption of the outcome of the review of the Philippines, 15 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁹⁷ are posted on the extranet of the Human Rights Council, if available.

638. Malaysia was very encouraged with the measures to implement the accepted recommendations and the voluntary commitments the Philippines had made. Malaysia was aware of the need to be given ample time and space to continuously make improvements on the promotion and protection of human rights and wished the Philippines the very best as it continued to embark on the implementation of the recommendations.

639. Morocco noted the importance the Philippines attached to economic, social and cultural rights. It viewed favourably the Philippines' open-mindedness for constructive dialogue and cooperation with the international human rights mechanisms as indicated by the large number of accepted recommendations, including the one put forward by Morocco on the promotion of the human rights education for the capacity-building of the law enforcement officials.

640. Myanmar indicated that the Philippines had engaged in an open and constructive manner in the UPR process and accepted the vast majority of the recommendations, including those from Myanmar. Myanmar shared and admired the notion that all growth must be inclusive and that the benefits of a growing economy must be felt by each and every citizen.

641. The Russian Federation stated that the national human rights protection system in the Philippines was developing and further improving. It noted with satisfaction that the Philippines had accepted most of the recommendations, including those from Russia, which attested to the readiness of the authorities to strengthen the potential in the area of promotion and protection of human rights, including by means of social and economic reforms.

⁹⁷ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

642. Saudi Arabia stated that the Philippine's interest in human rights was demonstrated by the respect of these rights on the ground, which could be seen through the numerous legislative and institutional initiatives, readiness to pursue international cooperation, and cooperation with the Special Procedures. It appreciated the efforts and called on the Philippines to pursue them, particularly to fight against poverty, improve living conditions, and further develop labour regulations.

643. Singapore welcomed the Philippines' positive response towards the recommendations, including the acceptance of its two recommendations. Singapore will continue cooperation with the Philippines to promote human rights in the region, including through the various ASEAN initiatives.

644. Sri Lanka congratulated the Philippines for accepting a majority of the recommendations, including the one from Sri Lanka. It took particular note of the Philippines' commitment in upholding labour standards and protecting the rights of workers. It commended the efforts in improving health standards, particularly the progress in improving its maternal, infant and child healthcare and nutrition.

645. Thailand appreciated the Philippines' support for its recommendations to further promote gender equality, maternal care and the rights of vulnerable groups. Thailand looked forward to working closely with the Philippines in the process of the adoption of ASEAN Human Rights Declaration.

646. Indonesia welcomed the measures to address cases of past incidents of extrajudicial killings, enforced disappearances and torture, and noted the Philippines's success in bringing perpetrators to justice and providing assistance to victims. It appreciated the Philippines' acceptance to its recommendation to continue the efforts in addressing such cases. It commended the Philippines' efforts to promote and protect migrant workers at national level.

647. Viet Nam welcomed the Philippines' proactive efforts on the implementation of a large number of recommendations, including its two recommendations. It appreciated the Philippines' commitment to strengthen the overall achievements, particularly on poverty reduction, education, health care and social pension programmes.

648. Brunei Darussalam appreciated the Philippines' cooperation during the review process and constructive approach in responding to the recommendations. It welcomed the Philippines' continued efforts in protecting the rights of women, children, and other vulnerable groups. It looked forward to continuing to work closely with the Philippines through the regional frameworks in ASEAN.

649. Cambodia recognized the Philippines' efforts to address the challenges, particularly, on the enhanced legislative processes and measures. It also encouraged the Philippines to continue the efforts to implement all the recommendations adopted, particularly those relating to the advancement of gender equality and other rights belonging to the vulnerable groups. It looked forward to working closely with the Philippines through regional framework such as the ASEAN Intergovernmental Commission on Human Rights.

650. Cuba praised the Philippine's efforts to push through new measures in the normative and legislative sphere, which would have a great impact on the enjoyment of human rights for women and children. Cuba also recognized the progress made by the Philippines in its work to combat poverty and congratulated the Philippines for accepting most of the recommendations, including those from Cuba.

651. Ecuador joined the words of recognition that had been addressed to the Philippines for the efforts made to implement the recommendations contained in the UPR and recommended the adoption of the report.

652. Venezuela (Bolivarian Republic of) appreciated the Philippines' responses, in particular, regarding the progressive orientation towards the development, which indicated that development should be inclusive of all and that all citizens must benefit from the growing economy. It recognized the Philippines' efforts, particularly the actions undertaken to align the normative institutional frameworks within the country so as to achieve this goal.

3. General comments made by other relevant stakeholders

653. During the adoption of the outcome of the review of the Philippines, 10 other stakeholders made statements.

654. The Commission on Human Rights (CHR) of the Philippines stated that many victims and their kin still awaited the passage of the compensation law for human rights violations committed during the dictatorship and urged action on the passage of legislation on extrajudicial killings, enforced disappearance, internal displacement, discrimination; and the speedy enactment of the CHR Charter so that it could effectively perform its roles as the national human rights institution. It also recommended, among others, the adoption of the National Human Rights Action Plan and implementation of the Philippine Development Plan.

655. Human Rights Watch regretted that the Philippines' commitment to eliminate extrajudicial killings and enforced disappearance by members of the state security forces had not resulted in the successful prosecution of perpetrators. No one had been convicted in any case of extrajudicial killing. It called on the administration to prosecute these cases to break the longstanding impunity. A serious concern was the targeting of anti-mining activists, particularly tribal leaders. Furthermore, the Philippines rejected the recommendation to disband the paramilitary forces, which over the years perpetrated many serious abuses.

656. Federatie van Nederlandse Verenigingen tot Integratie van Homoseksualiteit – COC Nederland made a statement also on behalf of the coalition of the organizations in the Philippines advocating for the rights of lesbian, gay, bisexual and transgender (LGBT) people. They were concerned that the Philippines lacked a political will to enact laws to protect the welfare of the lives of the LGBT Filipinos. The anti-discrimination bill has been languishing in the lower house for more than a decade. They urged the Philippines to take immediate steps to address human rights violations; and enact and implement the pending anti-discrimination bill that would include and ensure the equality of all people regardless of their sexual orientation, gender identity, and gender expression.

657. Asian Forum for Human Rights and Development made a statement in association with its member organization, Philippine Alliance of Human Rights Advocates. They appreciated the recommendation to address the cases of past incidents of extrajudicial executions, torture and enforced disappearance and urged that justice be brought to the human rights abuses committed during the martial law years. They noted that the Philippines did not elaborate any further measures to provide adequate protection to journalists and human rights defenders and urged the Philippines to respond to the visit request by the Special Rapporteur on human rights defenders.

658. Asian Legal Resource Centre expressed serious doubts as to whether the Philippines would effectively implement many of the recommendations and called on all States who made recommendations to follow up with the Philippines. Targeted attacks against human rights and political activists were on-going. The lack of investigations was preventing any hope of effective prosecutions, justice and remedies for grave violations. It regretted the Government's failure to accept key recommendations concerning reforms to justice delivery mechanisms and urged to conduct such reforms.

659. Amnesty International stated that impunity for torture, enforced disappearances and extrajudicial executions persisted. Almost no perpetrators had been convicted. It urged the Philippines to repeal Executive Order 546, as recommended in the UPR. It was concerned that members and auxiliaries of both the military and the police continued to practice or be complicit in torture and other ill-treatment. It called for the adoption of a national human rights action plan and urged the passage of legislation to protect women and girls' right to life and reproductive health.

660. Save the Children / Philippine NGO Coalition on the UNCRC called on the Philippines to further strengthen the national policy framework to align with the international human rights standards by ratifying the third optional protocol to the CRC. They also called on the Philippines not to lower the age of criminal responsibility and to adopt the specific recommendations in Chapter VI of the Human Rights Council Resolution on the Rights of the Child in implementing the Juvenile Justice and Welfare Act.

661. The joint statement of the World Council of Churches, Commission of the Churches on International Affairs, General Board of Church and Society of the United Methodist Church, and the Indian Council of South America noted that the Philippine's report failed to mention the very essential issues, such as: the almost zero conviction rate of perpetrators of human rights abuses; the failure to press charges and arrest suspects; and the continuing repressive effects of the Government's counter-insurgency programme on the Filipino people. Under two years of the present dispensation, four church people were among the 99 victims of extrajudicial killings, each of whom was a visible advocate for environmental justice, in particular, their defence of indigenous peoples' rights and solidarity against mining and aggressive development projects.

662. CIVICUS – World Alliance for Citizen Participation stated that extra-judicial executions, disappearances and other human rights violations persisted. Under the two-year administration of the present dispensation, Karapatan had documented 99 victims of extrajudicial executions. It called on the Human Rights Council to continue monitoring the Philippine human rights situation. It also urged the Philippines to consider the plight of the majority of the poor, especially the indigenous peoples.

663. Nord-Sud XXI welcomed the Philippines' leadership on the resolutions on human rights and climate change and encouraged the Philippines to maintain that leadership and broaden the list of co-sponsoring States with a view to presenting a strong resolution to create the mandate of a Special Rapporteur on human rights and climate change.

4. Concluding remarks of the State under review

664. The delegation expressed its appreciation to the Member States of the Human Rights Council as well as all those who had participated in the session. It took keen interest in the statements delivered by them and keep them in mind, as it fine-tunes its policies and programmes on human rights. In closing, the delegation stated that the Philippines will continue its unwavering commitment to defend, protect and fulfil human rights.

Algeria

665. The review of Algeria was held on 29 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Algeria in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/DZA/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/DZA/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/DZA/3).

666. At its 24th meeting, on 20 September 2012, the Council considered and adopted the outcome of the review of Algeria (see section C below).

667. The outcome of the review of Algeria comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/13), the views of Algeria concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/13/Add.1).

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

668. The delegation of Algeria was represented by the Director for Human Rights, Social Development, Cultural and Scientific Affairs at the Ministry for Foreign Affairs. The Director welcomed the fact that this session coincided with the first visit of an OHCHR High Commissioner to Algeria attesting to the good cooperation between Algeria and the UN human rights mechanism. The delegation also mentioned the launching of the new local assemblies and their elections on 29 November 2012 in the context of the reforms of April 2011.

669. Algeria had accepted the majority of the 122 UPR recommendations including some that had already been implemented. Algeria noted that some recommendations that required greater analysis.

670. Algeria noted that the accepted recommendation 129.11 relating to the implementation of the recommendations made by the Special Rapporteur on the right or freedom of opinion and expression had already been implemented in the context of the mandate of the Special Rapporteur.

671. Algeria explained that it would also accept recommendations 129. 13,20, 26, 27,29, 33, 34, 35, 36, 37, 39, 40, 41,44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64,65, 66, 67, 70, 71, 72, 73, 74, 75,76,77, 78,79,80,81, 82, 89,96, 97, 98,99,100, 101, 102, 103, 106, 109, 110 and 111.Recommendations 129.10, 16, 18, 24, 28, 32, 42, 105 and 108 had already been implemented.

672. Algeria noted that recommendation 129.8 was partially implemented as Algeria was already a party to the ILO Convention 189. Recommendation 129. 9 referred to accession to new international instruments that Algeria was considering gradually taking into account the implications of the ratification, the harmonization with its domestic law and the financial implications. Algeria stressed that it was already a party to ICMRW since 2005.

673. With regard to recommendation 129.21, no one was currently incarcerated in Algeria for having expressed an opinion. A new law on information has decriminalized violations of press offence. With regard to recommendation 129.25, there were no laws criminalising the right to freedom of worship.

674. On recommendation 129.31 the delegation reiterated that equality between all the citizens was a fundamental principle enshrined by the Algerian Constitution.

675. On recommendation 129.69 Algeria explained that the new law 12/06 on association strengthened the right to freedom of association to fill the previous legal void, by binding the Administration to precise deadlines for an agreement bearing in mind that silence from the Administration meant consent and any rejection by them could be appealed. The law submitted associations to a number of obligations that were universally accepted such as the

probity of their leaders, transparency in the management of their funds, the respect of their statutes and their sphere of activities. The Director stressed that Algeria law had never prohibited foreign funding to the contrary it encouraged partnership in transparency.

676. Recommendations 129.95 was also accepted partially as the visit of the Working Group on Enforced and Involuntary Disappearances and the collaboration between Working Group and Algeria was being processed.

677. Algeria noted recommendations 129.1, 2, 7, 15, 19, 22, 30, 68, 83, 84, 85, 107 and 112. Algeria referred recommendations 129.3 and 129.4 to the comments made for recommendation 129.9 as Algeria was a party to the majority of international human rights instruments. Algeria had accepted recommendations 129.5 and 129.6. Recommendations 129.12, 14, 17 and 23 related to the State of Emergency that had been lifted in February 2011 throughout the territory. The specific measures of the Wilaya of Algiers concerned demonstrations but they were not intended to curtail the right to freedom of demonstration and expression. Gatherings and sit-ins were regularly held without any authorization. The security services never used force to disperse the crowd and followed strict instructions received by their hierarchy.

678. Algeria accepted recommendation 129.43 with regard to criminalising violence against women (see recommendations 39, 40 and 41).

679. With regard to recommendation 129.86, 87, 88 and 104, Algeria fully cooperated with the UN Special Procedures. It had invited seven mandate holders. Three visits had already taken place and four were pending. Following these visits Algeria will look into invitations for other mandate holders.

680. On recommendations 129.90, 91 and 92, Algeria observed a de facto moratorium on death penalty since September 1993 and has voted since 2007 for the EU resolution on death penalty as a member of the Support Group for the International Commission for the Promotion of the Moratorium and the Universal Abolition of the death penalty. Algeria will vote favourably for this proposal at the 67th General Assembly.

681. Recommendations 129.93 and 94 related to the complex situation of the internal crisis endured by Algeria in the 90s. Since then Algeria had opted for a national internal mechanism by referendum, the Chart for Peace and Reconciliation aimed at restoring social cohesion and healing deep wounds suffered by the population through terrorism. This was a major challenge that required a collective effort to overcome the deep wounds of the past not only for the victims but for the whole society. In his quest for peace and reconciliation Algeria had included two elements "truth and justice" in a broader dimension in order to rule out any attempt to perpetuate the former forms of conflict. Therefore the national reconciliation was not an excuse to forgive and forget leaving the impunity in place. This was a democratic process to put an end to the bloodbath, to install a durable peace and open the Algerian people to solidarity and forgiveness to build the country for the future generation.

682. Recommendation 129.95 had been implemented partially as Algeria had not received any visit request for the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and they were still outstanding invitations that had not been replied to (see comments for 129. 86).

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

683. During the adoption of the outcome of the review of Algeria, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁹⁸ are posted on the extranet of the Human Rights Council, if available.

684. Kenya noted the considerable progress made by Algeria in expanding freedom and increasing the respect for human rights. It highlighted that the comprehensive programme to raise awareness of the importance of human rights has resulted in the increase in the number of women elected to the National Assembly, the promotion of the rights of women and children and the progress in achieving the MDGs. It welcomed Algeria's decision to lift the state of emergency, its efforts to combat terrorism, to criminalize human trafficking, in addition to instituting reforms in law enforcement institutions. It praised its cooperation with OHCHR, the Treaty Bodies and Special Procedures.

685. Kuwait thanked Algeria for pursuing efforts to implement its international human rights commitments. Kuwait commended the acceptance of the majority of the UPR recommendations in order to enforce and protect all human rights and particularly for accepting Kuwait recommendation regarding the strengthening and protecting the rights of women and children. Kuwait noted Algeria's cooperation with the human rights system with tangible progress, in order to respond to its future needs.

686. Lebanon welcomed the positive policy for the promotion of human rights. Lebanon congratulated Algeria for accepting most of the recommendations made by the Working Group, especially as it had acceded to most international treaties and human rights conventions. Lebanon noted the new legislation enacted in 2012, which guaranteed freedom of assembly and association and also referred to Algeria's on-going efforts to ensure the empowerment of women in the political and economic spheres.

687. Libya noted that the acceptance of 80 recommendations by Algeria demonstrated its eagerness to abide by its obligations under the UPR. It commended the constitutional reforms and legislative amendments undertaken, especially regarding the empowerment of women and the fight against domestic violence, in addition to the national action plan for child rights. Libya acknowledged progress achieved towards realization of the MDGs, and with regard to the prevention of torture and detention conditions. It also noted that trafficking had been criminalized through amendment of the Penal Code.

688. Malaysia noted that during its Universal Periodic Review, Algeria answered to all questions posed and recommendations made. It appreciated that many recommendations, including those made by Malaysia, were viewed positively by Algeria. It was confident that Algeria would take appropriate measures to address the accepted recommendations. It noted that significant developments were taking place in Algeria to further the promotion and protection of human rights.

689. Mauritania commended Algerian for its efforts in working to achieve the highest standards of human rights, as it is indeed a model that could be followed. It commended the government initiatives and achievements in promoting and protecting human rights in all facets of life, which in turn reflected itself on the daily life of the citizens in guaranteeing all political, civil, social and cultural rights. It highlighted the effective contribution in the dissemination of the values of equality, justice and freedom at all levels, for example, the last elections held in accordance with the law and the highest international standards.

⁹⁸ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

690. Oman noted that the transparency and positive spirit displayed by Algeria in the UPR process, as well as its acceptance of many recommendations, showing its desire to promote human rights and fundamental freedoms. The UPR had provided a useful opportunity to learn about the efforts made by Algeria to further develop its legislative and institutional framework in the human rights area. Oman appreciated these efforts and the achievements realized by Algeria and encouraged it to continue on this path.

691. Pakistan thanked Algeria for providing an update about the human rights situation since its review of the second cycle in May 2012. It appreciated the cooperative and constructive manner that Algeria has engaged with the universal periodic review process. It noted with satisfaction that Algeria accepted 80 of 112 recommendations and took note of the 32 remaining ones, which demonstrated Algeria's commitment to work toward the protection and promotion of human rights. It was pleased that Algeria accepted all recommendations made by Pakistan.

692. Palestine valued Algeria's efforts in promotion and respecting human rights, which reflects the sincere and the readiness will to cooperate positively and constructively with the Human Rights Council, the UN Mechanism and the international community, by accepting 80 recommendations out of 112, including those addressed by Palestine on enhancing the role and participation of women in the society and in decision making. In addition to continue to implement its programmes, related to providing health services and promoting economic, social and cultural rights.

693. Qatar expressed its appreciation for the measures taken by Algeria to comply with its human rights obligations, despite the challenges it faced. It also appreciated the visit by the High Commissioner of Human Rights to the country and her meeting with the President, which demonstrated the importance accorded to human rights by the Algerian leadership. It appreciated that it had accepted the recommendations made by Qatar. It encouraged the continuation of efforts to realize the MDGs and expressed support for the positive steps taken by Algeria, especially with regard to the rights of women and children, and in the areas of health and education.

694. The Russian Federation noted significant progress in the area of protection and promotion of human rights, the improvement of conditions for Algerian people to enjoy their rights, and Algeria's willingness to build up the human rights potential, including through socio-economic reforms. It commended Algeria for accepting most of the recommendations, including those made by the Russian Federation. It expressed solidarity with Algeria in its fight against terrorism, and appreciated Algeria's efforts to ensure the respect of human rights while combating terrorism.

695. Saudi Arabia noted Algeria's readiness to cooperatively engage with all human rights mechanisms and to continue its international cooperation and dialogue on human rights, which demonstrated Algeria's commitment to human rights and their realization in practice. Algeria had laid out in its national report the efforts it had taken to promote human rights, including by developing its related institutional and legislative framework, ratifying international treaties and lifting the State of Emergency. Saudi Arabia appreciated these efforts and encouraged their continuation.

696. Sri Lanka congratulated Algeria for accepting the majority of the recommendations. It took note of the 2010-2014 National Plan for the advancement and integration of women, and the National Plan 'Algeria Worthy of Its Children' which aimed at providing for the well-being, education and protection of children. It commended Algeria for combating and criminalizing human trafficking and for initiating a process of national unity and reform of legal system to reinforce freedom and security, while combating terrorism.

3. General comments made by other relevant stakeholders

697. During the adoption of the outcome of the review of Algeria, 6 other stakeholders made statements.

698. International Federation for Human Rights League (FIDH) and Collectif des Familles de Disparus en Algérie (CFDA) noted that Algeria accepted 63 of 112 recommendations. They regretted that the key recommendations related to the lifting *de jure* and *de facto* of the state of emergency, the investigation of enforced disappearances cases, freedoms of association, assembly, and information, were not accepted. They referred to the impact of the State of Emergency on the domestic laws including the Criminal Code, the Criminal Procedure Code and the Military Justice Code. FIDH and CFDA also criticized the 2012 laws on freedom of information and NGOs and called for their abrogation. They also regretted that Algeria has refused to assume its responsibility with regard to the atrocities committed in the 1990 and that Algeria has not withdrawn its reservations to CEDAW.

699. Cairo Institute for Human Rights Studies stressed that despite the lifting of the State of Emergency, repression of fundamental freedoms and rights continued. It criticized the army's additional powers and the 2012 laws that would bring human right defenders, civil society and media further under permanent state control. Cairo Institute referred to the current trial of four human rights defenders for having peacefully exercised their right to association. It called upon Algeria to accept and implement all recommendations, particularly those related to: ending torture and impunity; releasing all prisoners held for exercising their basic rights; ensuring freedoms of expression, assembly, and association; and bringing all legislation into conformity with international standards, including to lift the restrictions imposed by the new laws governing the work of civil society and the media.

700. North-South XXI welcomed Algeria's commitment to respect human rights while ensuring national security. It also welcomed Algeria's decision to revoke national security laws. It noted Algeria's commitment to promote the right to self-determination and the right to development, and Algeria's efforts to combat poverty. It also noted Algeria's commitment to promote education and health. It urged Algeria to enhance its efforts to encourage the cooperation with civil society.

701. Rencontre Africaine pour la Défense des Droits de l'Homme welcomed Algeria's lifting of the state of emergency, and the progress made in strengthening its democratic institutions. It commended Algeria for observing the moratorium on the death penalty, reforming the Penal Code, and criminalizing torture and all forms of trafficking in persons. It urged Algeria to further strengthen its laws to: promote and protect freedoms of expression, association and assembly, and freedom of religion and belief. It encouraged Algeria to ratify all the instruments it is not yet a party; continue to address and uphold women rights; and implement policies of equal distribution of wealth from national resource to alleviate the youth unemployment and combat poverty.

702. Association for the Prevention of Torture (APT) noted of the list of measures to prevent and punish acts of torture provided by Algeria in its report. While taking note of Algeria's response to the recommendation to ratify the Optional Protocol to the Convention against Torture (OP-CAT), it regretted that Algeria did not clearly and officially support this recommendation. It referred to the High Commissioner's visit to Algeria and her views on the advantages that OP-CAT could offer to Member States, urging Algeria to consider ratifying OP-CAT.

703. Arab Commission for Human Rights (ACHR) welcomed Algeria's readiness to ratify OP- CAT and the International Convention on Enforced Disappearances. It highlighted the remaining ambiguity in paragraph 129.4 and 129.5 both in the Addendum and the oral statement. ACHR expressed concern with the continuing trend of forced

disappearances and harassment of human rights defenders. It highlighted the necessity to combat impunity in order to avoid recurrence.

4. Concluding remarks of the State under review

704. Algeria thanked the intervening states and stakeholders. It referred to the upcoming 50th Anniversary of Algeria's independence and adhesion to the United Nations. Algeria having a long lasting history of struggle for freedom, dignity and justice was in a privileged position to promote and protect human rights and universal norms.

705. The head of the delegation explained that Algeria did not reject the recommendations on international human rights treaties but would consider accession at the appropriate time. Reservations such as those to CEDAW reflected the cultural context and the public view.

706. On the conditions of detention and the practice of torture, the visits by ICRC and the National Commission of Human Rights and other human rights institutions since 1999 had borne its fruits and improved the conditions especially in preventing torture in according with international human rights standards.

707. Algeria's delegation highlighted the advancement made on women's rights especially their increasing participation in political life and in the professional sphere.

708. In conclusion, the visit of the High Commissioner was mentioned as a positive step towards a closer cooperation with the UN system and the strengthening impact on Algeria's commitment to implement the accepted recommendations.

Poland

709. The review of Poland was held on 4 June 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

(a) The national report submitted by Poland in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/POL/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/POL/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/POL/3).

710. At its 21 meeting, on 20 September 2012, the Council considered and adopted the outcome of the review of Poland (see section C below).

711. The outcome of the review of Poland comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/14), the views of Poland concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/21/14/Add.1).

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

712. The Permanent Representative of the Republic of Poland, H.E. Remigiusz A. Henczel, expressed Poland's high appreciation of the Universal Periodic Review mechanism and he wished to thank all States for very valuable comments, questions, and recommendations received during the consideration of Poland in the review process earlier

this year. In particular, Poland thanked those countries, which actively participated in the discussion on the report.

713. The representative of Poland indicated that while preparing its national report, Poland engaged in a wide-range consultation process with all relevant ministries and national bodies. With equal thoroughness and diligence Poland studied and considered all comments and recommendations received.

714. The representative of Poland further stated that the recommendations covered a very broad spectrum of issues and at the previous session of the Working Group on the UPR Poland shared its preliminary views on them. Of the total of 124 recommendations received, Poland supported 105 recommendations, did not support 6 recommendations and took note of all others, as indicated in the addendum (A/HRC/21/14/Add.1) to the Working Group report. Poland was pleased to inform that it had already taken actions to implement some of the received recommendations and made every effort to come with explanation regarding those few that Poland was not in a position to support.

715. Poland recalled that in recent years the Polish government had taken steps to ensure continued progress towards adopting further international human rights instruments. Within Poland's human rights agenda, the rights of members of the most vulnerable groups, including women, children and persons with disabilities were the ones to which particular attention was paid.

716. The representative of Poland was pleased to inform that since the UPR working Group's discussion a few months ago, the process of ratification of the Convention on the Rights of Persons with Disabilities (CRPD) had been completed and the ratification instrument was going to be deposited to the Secretary-General of the United Nations later this month. Meanwhile, the legislative works were being continued, so that Poland could sign the United Nations International Convention for the Protection of All Persons from Enforced Disappearance, and withdraw the reservations to the Convention on the Rights of the Child.

717. Poland noted that despite obvious progress, it was far from being complacent and in order to address the remaining challenges, including those referred to in the recommendations received from international monitoring bodies, Poland had been putting particular emphasis on the improvement of the conditions in prison and detention centres; the decrease in length of court proceedings and pretrial detentions; human rights training for law enforcement officials; the fight of discrimination against minorities and the promotion of gender equality.

718. The representative of Poland wished to reaffirm Poland's commitment to cooperate with the Human Rights Council and all its mechanisms. Poland further stated that the UPR was an extremely valuable tool and the second cycle clearly showed that Member States had come to appreciate it and tried to fully utilise its potential and the opportunities it offered for the advancement of human rights. Poland equally valued and supported the work of the special procedures and, therefore, in 2001, it issued a standing invitation to all mandate holders to visit its country.

719. The representative of Poland was pleased to note that in the discussions numerous efforts undertaken by Poland had been positively recognized. Poland sincerely hoped that lessons learned by Poland, as well as good practices that Poland tried to share in the process, would also serve as an inspiration for others.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

720. During the adoption of the outcome of the review of Poland, 8 delegations made statements.

721. Morocco commended the progress achieved by Poland in the promotion and protection of human rights and in particular the attention attached to vulnerable groups. Morocco welcomed the qualitative measures taken by Poland to promote equality through the establishment of the Council to combat racial, xenophobia and tolerance discrimination. Morocco pointed out that Poland was resolved to protect the rights of vulnerable groups including migrants. Morocco thanked for clarifications provided by Poland regarding the funding of National Human Rights Institution. Morocco also saluted the importance that Poland attached to cooperate to the Human Rights Council as well as its interaction with the Universal Periodic Review.

722. Philippines was encouraged by Poland's progress towards ratifying international conventions on human rights, notably the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearances. Philippines also acknowledged that vulnerable groups, such as women, children, and persons with disabilities, were given most attention in the human rights agenda. Philippine also appreciated Poland's commitment to examine ratifying the International Convention on Protection of the Rights of Migrant Workers and Their Families and the ILO Convention 189 on Decent Work for Domestic Workers. Morocco wished Poland to continue implementing measures to promote, protect and fulfil human rights.

723. Romania appreciated the participation of Poland in the UPR exercise. Romania believed that Poland was committed to further improving the human rights situation. Romania welcomed the fact that Poland accepted most of the recommendations with respect to the participation of women in public and political life. Romania thanked Poland for the explanations given with respect to those recommendations, which were partially accepted or not accepted. Romania would appreciate if Poland could consider presenting a mid-term report in two years' time.

724. Russian Federation was pleased to know that Poland had accepted most of the recommendations including the Russian ones. Russian Federation studied Poland partially accepted position with respect to the recommendation to improve the detention conditions of children of foreigners who seek to receive the status of refugees and who live in the territory of Poland in close facilities. Russia Federation noted that Poland was preparing to prohibit the detention in close facilities of children under thirteen years old. Nevertheless Russian Federation believed that Poland should adopted measures in respect to other children who were held in close facilities with their parents in accordance with the Convention of the Rights of the Child.

725. Belarus noted the wide spectrum of obligations adopted by Poland in the context of the UPR process. Belarus would like to hope that there are not solely promises and that concrete measures would be taken to implement the recommendations. In light of the standing invitation extended by Poland, Belarus would be following the organisation of a focus visit by the Special Rapporteur on torture and the Working Group on enforcement disappearances. It added that Poland should show a serious attitude towards the appeal by the European Courts of Human Rights concerning an independent investigation into CIA secret prisons in Poland. Belarus was concern that Poland situation in respect of the rights of minorities had worsen and this was testified by many acts of racisms as well as anti-Semitism and islamophobia manifestations. Belarus also expressed concerns for acts which had let to the elimination of regional TV channels in minorities' languages.

726. Bulgaria appreciated Poland's cooperation with the United Nations Human Rights mechanisms and the constructive approach taken in response to the recommendations made by the Working Group. Bulgaria acknowledged Poland's decision to accept significant number of the recommendations. It also appreciated the detailed position and comments provided by Poland in the Addendum to the Working Group report. Bulgaria noted with appreciation that Poland accepted multiple recommendations such as reviewing its legislation with a view to signing the Convention for the Protection of all Persons from Enforced Disappearance, ratifying the second Optional Protocol to the International Covenant on Civil and Political Rights, abolishing the death penalty and continuing to strengthen its efforts to ratify the Convention on the Rights of Persons with Disabilities. Bulgaria welcomed the endorsement by Poland of recommendations to continue to promote women's participation in the public and political life.

727. Cuba welcomed that Poland accepted many of the recommendations received. Cuba insisted on the need for Poland to carry out a comprehensive, independent and effective investigation of its involvement in CIA's program of extra-judicial renditions and secret detentions and to publish the findings of the inquiry and prosecute the culprits. Cuba indicated that significant efforts should also be made to eradicate the excessive use of force by the law enforcement personnel and also to combat racism and xenophobia. It also noted that progress need to be made in improving penitentiary conditions and reducing overcrowding in prisons. Others challenges that remained were reducing gender inequality, child poverty and child labour as well as prostitution. Cuba encouraged Poland to show real commitment in promoting and protecting all human rights including the right to development and to mainstream international cooperation and solidarity.

728. Iran, referring to the concerns over a number of human rights issues, requested Poland to elaborate the measures undertaken to effectively address the recommendations, *inter alia*, developing a comprehensive strategy in areas such as housing, education, employment and health care to effectively improve the situation of Roma and migrants; harmonizing criminal law with the standards set forth in relevant international human rights instruments on children to eradicate sexual exploitation and prosecute and impose appropriate sanctions on any perpetrator of the alleged violations; undertaking a comprehensive set of measures to tackle racism and racial discrimination and to combat all its forms and manifestations, particularly racist, islamophobia and xenophobic political platforms.

3. General comments made by other relevant stakeholders

729. During the adoption of the outcome of the review of Poland, 6 other stakeholders made statements.

730. The European Region of the International Lesbian and Gay Federation (ILGA Europe) recognized efforts made by the State's Secretary for Equal Treatment to mainstream LGBT issues and noted that for the first time LGTB needs were included in a National Equality Programme. Nonetheless, ILGA Europe indicated that homophobic and transphobic hate speech and hate crimes were common and threaten individuals, their families and the whole community. It also pointed out that the Antidiscrimination Act did not ensure equal treatment as LGBT individuals were excluded. It added that transgender persons had been neglected and they suffered violence. ILGA Europe urged, among others, adopting hate crime and hate speech laws pointing specifically to sexual orientation and gender identity as motives of crime; amending the Antidiscrimination Law to protect LGBT persons; regulating the situation of cohabitating of same sex partners.

731. The Federatie van Nederlandse Verenigingen tot Integratie van Homoseksualiteit (COC Nederland), delivering a statement also in behalf of the Polish Society of antidiscrimination law, highlighted issues related to the protection against discrimination. It

noted that whilst some anti-discrimination provisions had been adopted, the lack of equal legal protection from discrimination for all people remained problematic. The 2010 Act on the implementation of certain provisions of the European Union on equal treatment did not ensure sufficient equal treatment and had limited scope in relation to disability, age, sexual orientation, gender identity and religion or belief. COC Nederland urged to amend the 2010 Act to guarantee protection of all groups in all areas. It further stated that the Civil Code still contained provisions on incapacitation of people with mental disabilities which contradicts with the principle of quality of legal capacity laid down by the CRPD ratified by Poland. It called upon Poland to allocate sufficient financial resources for the Ombudsman to fulfil its obligations in particular in terms of monitoring the implementation of CRPD.

732. Action Canada for Population and Development (ACPD) shared the concerns of States that made recommendations on women's reproductive health and rights and disputed the contention by Poland that these recommendations were already been implemented. It urged Poland to implement existing provisions guaranteed in the Act on family planning which comprised three components: i) realizing women's right to decide on abortion when allowed in law; ii) accessing to modern methods of contraception and; iii) teaching of sexuality education. ACPD urged Poland to improve access to legal abortion services; implement measures to guarantee access to modern contraception subsidized by the State budget and; review the teaching of sexual education in public schools in special in regard to the curricula and the qualifications of teachers.

733. Amnesty International welcomed Poland's assurances that it was conducting an investigation into its role in the CIA's rendition and secret detention programmes. However, AI noted that the failure of Poland to ensure transparency and adequate access to information for the victims in the investigation contradicted its claims that the investigation was being conducted in accordance with international standards. AI was aware that in some limited circumstances governments could invoke national security as basis to not disclose information. However it could not be invoked in cases involving human rights violations, such as torture or enforced disappearances. AI noted that victims had the right to an effective remedy and reparation which entailed the right to have the truth. AI called on Poland to ensure that national security was not invoked to shield implicated individuals from accountability for complicity in the CIA rendition and secret detention programmes.

734. Federation for Women and Family Planning (FWFP), delivering a statement also in behalf of the Sexual Rights Initiative, welcomed the recommendation made by Slovenia to provide women that had been unjustifiably denied access to adequate reproductive health services with an effective redress mechanism. FWFP emphasized that women did not have any effective remedy while in danger of being refused legal abortion or prenatal testing of a foetus. FWFP was concerned that Poland had found the Slovenia recommendation as already implemented and urged Poland to acknowledge the limitations of the complaint mechanism and its ineffectiveness. It recommended establishing a new, real, timely and effective remedy to guarantee access to legal reproductive health services.

735. Istituto Internazionale Maria Ausiliatrice (IIMA) welcomed the acceptance by Poland of recommendations concerning illegal migrants. However it remained concerned about the current situation of illegal migrants and, in particular about their children. IIMA noted with satisfaction measures taken by Poland to ensure birth registration, however it noted that children of illegal migrants had not fully benefitted. IIMA further indicated that illegal migrant children out of the educational system lived abandoned, mostly on the streets where they easily became victims of sexual exploitation or trade. IIMA regretted that Poland did not accept the recommendation of ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and recommended its ratification and adopt preventive measures to combat drug and alcohol addictions among the youth.

4. Concluding remarks of the State under review

736. The representative of Poland thanked all the states and civil society representatives for their valuable comments and remarks. Poland duly took note of them and will do its best to implement all accepted recommendations. Poland attached utmost importance to the protection and promotion of human rights, and thus it is looking forward to further cooperation with the OHCHR and all human rights mechanisms to further improve the human rights situation.

Netherlands

737. The review of the Netherlands was held on 31 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

(a) The national report submitted by the Netherlands in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/NLD/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/NLD/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/NLD/3).

738. At its 25th meeting, on 21 September 2012, the Council considered and adopted the outcome of the review of the Netherlands (see section C below).

739. The outcome of the review of the Netherlands comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/15), the views of the Netherlands concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/15/NDL/Add.1/Rev.1).

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

740. The Head of the Delegation, His Excellency Roderick Van Schreven, Permanent Representative of the Kingdom of the Netherlands to the United Nations, stated that international solidarity, tolerance, promotion and respect of human rights, have since long been embedded in the Dutch society. He added that the Netherlands supported the Shelter City initiative, which is an example of its commitment regarding human rights, and also stressed the Netherlands' commitment to combat impunity and ensure accountability for human rights violations.

741. For the Netherlands, it is of great importance that children of different origins grow up in an environment characterized by tolerance and respect regarding ethnic origin, gender identity, religion or belief, or sexual orientation, which are the same values that the Netherlands strive for in its foreign human rights policy.

742. According to the delegation, the Netherlands remain strongly committed to ensure the equality of all citizens, as safeguarded by its constitution. Integration continues to be promoted and everyone is encouraged to participate in and contribute to their society. Similarly, the Netherlands continued to combat domestic violence. The fight against trafficking of human beings is maintained and the rights of refugees and asylum seekers are safeguarded. Furthermore, the full enjoyment of all rights by LGTB is promoted in the Netherlands, and discrimination is combatted on all grounds.

743. The Dutch National Human Rights Institute will be officially inaugurated on 2 October 2012. The establishment of the Institute was recommended during the Netherlands' UPR in 2008. The delegation stated that it will be an independent body, operating in accordance with the Paris Principles. The Netherlands forward to a broad and open cooperation with the Institute and will use its input in its interim report of 2014. In the Netherlands' view, this example clearly illustrates the power of the UPR mechanism.

744. The Netherlands attached great importance to consultations and dialogue with civil society, which is an essential link between society and government. The Netherlands look forward to further cooperation with NGOs.

745. Mr. Van Schreven stated that the Netherlands was the largest donor of voluntary contributions to OHCHR in 2011, which exemplified the Netherlands' commitment to human rights. Despite the current economic reality, the Netherlands' contribution shall remain substantial in the future. Furthermore, the Netherlands highly support the Special Procedures, the Treaty Body System, and the Universal Periodic Review, and strive to contribute to the UPR of all UN member states, since it strongly believe in the value of UPR. Additionally, the Netherlands support NGOs that work towards assisting countries in implementing their UPR obligations.

746. Mr. Van Schreven stated that the current Dutch government, which highly values a full adherence to UPR procedures, has made efforts to adequately react to recommendations received. On 12 September, parliamentary elections were held in the Netherlands, and the formation of a new coalition is in process. The future government will take up the opportunity of the interim report to elaborate further on their human rights policies and challenges.

747. The Netherlands have thoroughly looked into all recommendations received, and will continue to do so. The vast majority of recommendations could be accepted or are in line with standing policy. Consequently, the Netherlands welcomed those recommendations which can be practically implemented.

748. Mr. Van Schreven indicated that a limited number of recommendations could not be supported. However, the Netherlands realized the amount of international attention attributed to themes such as combating racism and xenophobia, migration and asylum policies, and the position of women on the labour market. All these themes are highly placed on the Dutch national human rights agenda.

749. To the Netherlands, the UPR constitutes a continued process of dialogue, both from a national perspective as well as within the Human Rights Council. In the years to come, the Netherlands stand ready to see where further progress can be achieved. The dialogue with all UN member states in the global forum, as well as at national level with civil society, the National Human Rights Institute, and other interest groups, keeps the Netherlands focused and self-critical, and looking at possible improvements. In addition, the Netherlands strongly believe that the peer review element of the UPR creates an environment in which they can genuinely contribute to strengthening national human rights policies, all over the world.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

750. During the adoption of the outcome of the review of the Netherlands, 7 delegations made statements.

751. The Philippines acknowledged the inclusive process by which the Netherlands reviewed its human rights records. It welcomed the establishment of the Dutch National Human Rights Institute in accordance with the Paris Principles. The Philippines appreciated

Netherlands' acceptance of its recommendation to formulate a National Human Rights Action Plan and were encouraged by the Netherlands' commitment to pursue this recommendation with follow up actions.

752. Thailand acknowledged that the Netherlands have given high priority to combating discrimination. It noted with satisfaction that the Netherlands accepted all the recommendations made by Thailand. It hoped that the Netherlands will continue to enhance ways and means to undertake effective measures in preventing and suppressing manifestation of racism, xenophobia and intolerance, as well as discrimination against women, migrants, ethnic and other minority groups.

753. Algeria noted and appreciated that the Netherlands accepted a large number of recommendations that Algeria made during the working group, including recommendations related to women participation in public life and wage gap between men and women. Algeria also recommended that the Netherlands take efficient measures to prevent and eliminate manifestations of racism, xenophobia and intolerance in political speech and ratify the ICRMW. Algeria would have liked that this last recommendations be accepted.

754. Belarus regretted that the Netherlands did not submit written comments on the recommendations on time. It was concerned at the very large number of reservations on issues and laws that should be addressed and harmonized in conformity with international standards. Belarus noted that marginalization of migrants is exacerbated by the Government's discriminatory initiatives. Belarus called upon the Netherlands to revise its legislation and develop comprehensive strategies to eliminate trafficking in and sexual exploitation of children and adolescents, and to invite the Special Rapporteurs on the rights of migrants, trafficking and child pornography, to visit the Netherlands. Belarus also expressed concerns related to limitations to freedom of expression.

755. Benin noted that, since its 1st UPR, the Netherlands has made qualitative and quantitative progress in terms of promoting and protecting human rights. It noted with satisfaction the Netherlands' achievements in terms of implementations of recommendations regarding the normative and institutional framework and encouraged the Netherlands to pursue in the reforms to improve enjoyment of human rights in accordance to international law. Benin particularly welcomed the Netherlands' determination to found civil society organizations that promote human rights. Benin was determined to undertake an exchange of experience in terms of human rights with the Netherlands.

756. Cuba welcomed the Netherlands' acceptance of an important number of recommendations. However, it noted that significant challenges in terms of human rights persist in the Netherlands. Cuba reiterated its concern regarding the proliferation of incidents of racism and xenophobia in the Netherlands, in particular in the Internet and the media. It regretted that the Netherlands did not support its recommendations in this regard, and urged it to reconsider its position. Cuba was also concerned by the increase in violence against women and cases of child abuse. Cuba emphasised the information received regarding detention conditions and ill-treatment in the Netherlands, and hope that its recommendations will be implemented.

757. Egypt reemphasised its concerns about the human rights situation of migrants and national or ethnic, religious and linguistic minorities in the Netherlands, in particular in relation to racist and xenophobic acts. Egypt regretted that the Netherlands did not provide a clear position on the recommendations it made, to establish mechanisms to monitor, investigate, prosecute and punish incitement to and acts of hatred, intolerance, racism and xenophobia. While Egypt was encouraged with the efforts to address incitement and hate speech on the Internet, it reiterated its recommendation that the Dutch legislation ensure the balance between the obligations emanating from article 19 and those of article 20 of

ICCPR. Egypt regretted that its recommendation regarding the ratification of ICRMW was not supported by the Netherlands.

3. General comments made by other relevant stakeholders

758. During the adoption of the outcome of the review of the Netherlands, 4 other stakeholders made statements.

759. In a joint statement, COC Netherlands, Transgender Network Netherlands and ILGA-Europe noted that human rights of LGBT people have been improved in the Netherlands and commended it for measures taken in this regard. However, legal gaps and challenges towards achieving full equality of LGBT people persist, such as some provisions of the Equal Treatment law, and the human rights situation of LGBT asylum seekers and refugees. They recommended to include gender identity and gendering expression as an explicit ground for no discrimination in the existing General Law on Equal Treatment; and to repeal provisions allowing expulsion of dismissal of students and staff for reasons related to their sexual orientation. They also encouraged the Netherlands to undertake more research regarding health needs of transgender people.

760. Action Canada for Population and Development welcomed the responsiveness of the Netherlands to the received recommendations, in particular its commitments to ratify the ICPRD and to sign the OP-CRPD. They noted that the sexuality of people with disabilities is still neglected, and that, according to a Dutch study, 61% of women and 23% of men with intellectual disability have experienced sexual violence. They recommended that the Netherlands put in place effective policies on sexuality and sexual abuse within all organisations working with persons with disabilities and ensure that staff working with people with disabilities is trained to recognize symptoms of sexual abuse. The Netherlands should make a long term strategic investment plan to address the issues of sexual and reproductive health and rights of people with disabilities.

761. Amnesty International urged the Netherlands to implement the recommendations to develop a National Human Rights Plan, which would enhance the protection and promotion of human rights in the Netherlands. AI also called on the government to implement recommendations to reduce immigration detention, to improve conditions in migrant detentions centres and ensure that detention is used only as a measure of last resort. AI noted that a number of recommendations were made on the issue of discrimination, including against women, ethnic and religious minorities, and migrants. AI was concerned that the Netherlands has not always met the obligation to respect, protect and fulfil the right to non-discrimination. AI urged the Netherlands to be more proactive in addressing the root causes of discrimination and to promote greater tolerance and understanding.

762. The International Commission of Jurists (ICJ) and the Dutch section of the ICJ (Nederlands Juristen Comité voor de Mensenrechten, NJCM) commended the Netherlands for engaging with the 2nd cycle of UPR in a constructive way. Nevertheless, they expressed disappointment that the government did not consult with civil society on the substance of the UPR and has not been transparent about its intention regarding positions to be taken on the recommendations. NCJM hoped that the Netherlands will honour its commitment to engage with civil society in the follow-up to and implementation of accepted UPR recommendations. NCJM regretted that the Netherlands has not accepted the recommendations to include human rights education in the civil education programme, as recommended by the Education Council in the Netherlands. They hoped that the Netherlands will reconsider its position on this matter.

4. Concluding remarks of the State under review

763. During its concluding remarks, the delegation indicated that the Netherlands cannot accept the recommendations to ratify the Migrants Convention, since reservations to this instrument persist regarding some economic rights. The Netherlands support the rights enshrined in the Migrants Convention, which are applied in the ground. However, migrants in irregular situation who do not contribute to the welfare system are not entitled to social and economic rights with the exception of education, social security and legal aid.

764. The Netherlands have extended a standing invitation to the HRC Special Procedures. Mr. Van Schreven added that the Netherlands do not pursue specific policies targeting specific types of discrimination. However, since 2009, discrimination is defined as an aggravating factor with respect to judicial sentences. He stated that Racism, xenophobia, incitement to hatred are at the top of the Dutch agenda, as well as the rights of persons with disabilities.

765. Regarding the National Human Rights Action Plan, Mr. Van Schreven indicated that it is in the pipeline and that the government will continue to work on this. Finally, the delegation expressed gratitude and high appreciation at the UPR discussion, since it influences its national political agenda.

South Africa

766. The review of South Africa was held on 31 May 2012 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

(a) The national report submitted by South Africa in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/13/ZAF/1);

(b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/ZAF/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/ZAF/3).

767. At its 25th meeting, on 21 September 2012, the Council considered and adopted the outcome of the review of South Africa (see section C below).

768. The outcome of the review of South Africa comprises the report of the Working Group on the Universal Periodic Review (A/HRC/21/16), the views of South Africa concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (see also A/HRC/21/16/Add.1).

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

769. Andries Nel, Deputy Minister of Justice and Constitutional Development, stated that this was a time of national sadness regarding the tragic events that occurred at the Lonmin Mine in Marikana in North-West Province. He recalled the words of President Jacob Zuma when he addressed the nation in August 2012:

770. "The events are not what we want to see or want to become accustomed to, in a democracy that is bound by the rules of law, and where we are creating a better life for our people. We assure South African People in particular, that we remain fully committed to ensuring that this country remains a peaceful, stable, productive and thriving nation that is focussed on improving the quality of life of all, especially the poor and the working class. It

is against this background that we uncover the truth about what happened here. In this regard, I have decided to institute a Commission of Inquiry. The Inquiry will enable us to get to the real cause of the incident and to derive the necessary lessons.”

771. The Bisho Massacre of 1992 was also recalled and the words of President Nelson Mandela:

“Each one of the people [...] was unique human being. The daughter or the son of some mother, the father or mother to some child, a person linked to a home, to a community of relatives, and friends who had loved, cherished and nurtured her or him for many years in the hope of a continuing future.

772. South Africa informed the Council that since its review at the UPR Working Group on 31 May 2012, it had, at the beginning of September, adopted a National Development Plan 2030. This Plan followed extensive research, consultation and dialogue and aims to eliminate poverty and reduce inequality by 2030. It was noted that remarkable progress has been made in the transition from apartheid and information was provided regarding achievements in the fields of education, provision of services, poverty reduction and reduction of inequality.

773. South Africa stated that had given careful and systematic consideration to the recommendations made by Member States during the discussions that followed the presentation of its country report to the UPR Working Group. The Addendum to the Council together with its Annexes represents the official response of the Government of South Africa to the 151 recommendations received. South Africa explained that the methodology and format in the Addendum follow a thematic clustering of the recommendations having due regard to both their inter-sectionality as well as the established domestic implementation mechanisms. It was indicated that these recommendations and the proposed responses to them had been discussed extensively at various levels of Government, culminating their adoption by Cabinet before being transmitted to the Human Rights Council.

774. It was added that during this process the Government of South Africa continued to work with the State Institutions Supporting Constitutional Democracy established in terms of the Constitution such as the South African Human Rights Commission, the Public Protector and the Commission of Gender Equality, amongst others.

775. South Africa indicated that it was important to note that the Government will, in future, be issuing periodic reports on the status of implementation of the recommendations as required.

776. Having regard to the above, South Africa stated that it accepts the many recommendations made in relation to the promotion, protection and fulfilment of economic, social and cultural rights and the attainment of the millennium development goals (MDGs), the attainment of social cohesion and social transformation, empowerment and protection of vulnerable groups; marginalization, social exclusion and economic disparities, elimination of racism, racial discrimination, xenophobia and related intolerance, combating incitement to hatred and punishing hate crimes, violence against women and children, manifestations of domestic and social violence and human trafficking, criminalization of torture and other cruel, inhumane or degrading treatment and punishment and ratification of international human rights law instruments and compliance with treaty obligations.

777. South Africa informed the Council that the Prohibition of Torture Bill has been introduced into Parliament and is presently before the Portfolio Committee on Justice and Constitutional Development. It additionally informed the Council that the Government is at an advanced stage of acceding to the International Covenant on Economic, Social and

Cultural Rights (ICESCR) and that processes are underway to ratify the Optional Protocol to the Convention against Torture (OP-CAT).

778. South Africa stated that, regarding recommendations detailed in the Annex (124.95, 124.97 to 124.107 and 125.25) which related to legislation before Parliament, the Government is not in a position to accept or reject these as they are the subject of extensive and ongoing consultation and national debate which characterize legislative processes of our Parliament. Nonetheless, South Africa reiterated that all legislation must conform to the provisions of the Constitution.

779. With regards to the recommendation contained in 124.96, South Africa stated that, given its inappropriateness, it is not able to accept it and will pursue the matter bilaterally with the concerned Member State.

780. In conclusion, South Africa stated that it was ready and willing to listen to the delegations.

2. Views expressed by Member States and observers of the Human Rights Council on the review outcome

781. During the adoption of the outcome of the review of South Africa, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints⁹⁹ are posted on the extranet of the Human Rights Council, if available.

782. Viet Nam was pleased that South Africa had accepted the majority of the recommendations received, including two from Viet Nam. It noted that South Africa had spared no effort to ensure the fulfilment of human rights despite the many challenges inherent in its historical baggage and as a multi-ethnic society. It encouraged it to continue efforts as well as its contributions to promoting social cohesion and tolerance. Viet Nam supported the adoption of the Working Group report.

783. Algeria stated that South Africa had clearly demonstrated its commitment to the UPR by accepting the almost totality of the recommendations received. It noted with satisfaction the quality of the responses given, notably regarding Algeria's recommendation on the reduction of maternal mortality. It welcomed South Africa's accomplishments in its path to democracy and socio-economic development as well as its contribution to sustainable development in the African continent. Algeria also noted that the historic struggle against apartheid was at the basis of a struggle for human rights.

784. Benin noted the qualitative and quantitative progress achieved by South Africa since its first UPR review noting with satisfaction its achievements in the implementation of recommendations of the first cycle. It stated that through the presentation of its second report South Africa had renewed its commitments to the protection of human rights. Benin stated that it would make efforts to exchange experiences with South Africa on promoting and protecting human rights.

785. Botswana noted South Africa's long history of struggle against racial discrimination and hatred and commended progress made thus far, particularly in addressing issues such as social-economic development, social cohesion and national reconciliation. It noted with appreciation South Africa's commitment to issue periodic reports on the status of implementation of accepted recommendations. Botswana indicated that the fact that South Africa has pledged to ratify all outstanding international instruments by the end of 2012 demonstrates the country's commitment to human rights.

⁹⁹ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

786. Burkina Faso congratulated South Africa for submitting in May of this year its report on the status of implementation of recommendations issued during its first UPR review. It noted with satisfaction commitments undertaken to render human rights more effective, in particular through the implementation of recommendations made and encouraged that it to continue its efforts in this regard.

787. Chad congratulated South Africa for having accepted the majority of the recommendations received during its review on 31 May 2012 and welcomed the commitments made. It recommended the adoption of the report by the Human Rights Council and that the international community support South Africa in confronting the different challenges faced concerning human rights.

788. China thanked South Africa for the information provided on the recommendations in the Working Group report. It welcomed the government's constructive participation in the UPR process and appreciated South Africa's commitment to actively implement recommendations accepted. China welcomed progress made and noted that South Africa strives to protect the rights of women, children and the disabled and to advance the development of education and protect the health of its people and eradicate xenophobia.

789. Côte d'Ivoire noted the commitment of South Africa to cooperate with the United Nations system as well as its openness to dialogue and constructive exchanges with the human rights mechanisms of the Council and Treaty Bodies. It indicated that this approach supports government efforts to eliminate inequalities and injustices faced by the country. It welcomed progress made and invited the international community to support South Africa's efforts to protect human rights.

790. Cuba highlighted the work by South Africa both at the domestic level and at the international stage. Cuba noted the acceptance of the almost totality of the recommendations received and indicated that this demonstrates their firm commitment to make progress on the achievement of human rights for all citizens. It indicated that the challenges faced by South Africa are not easy. Cuba added that it is well aware of this well as it has shared the struggle with South Africa. It urged South Africa to continue its commendable work in this respect.

791. Ecuador highlighted South Africa's unshakable position of putting the promotion and protection of human rights at the heart of its international agenda with a non-discriminatory focus. Ecuador also congratulated South Africa for its decision to devote sufficient resources to achieve the Millennium Development Goals (MDGs) by 2015, in particular those related with the elimination of poverty. Ecuador was pleased that South Africa had accepted its recommendations with regards to migrants and to continue efforts to combat discrimination.

792. Indonesia noted with appreciation that all recommendations pertaining to the promotion, protection and fulfilment of Economic, Social and Cultural rights and the attainment of MDGs, including its recommendation to accelerate the achievement of MDG targets, had been accepted by South Africa. It also appreciated the establishment of a national programme involving all multi-stakeholder in preparation for South Africa's final MDG report. It also applauded the acceptance of recommendations concerning the elimination of racism, racial discrimination, xenophobia and related intolerance.

793. Iran (Islamic Republic of) thanked South Africa for updating the Council on its recent developments since its review in May 2012. It acknowledged challenges faced as a legacy of colonization and apartheid and commended the remarkable achievements in most socio-economic areas. It encouraged the government to implement accepted recommendations including those made by the Iranian delegation. It appreciated South Africa's commitment to combat racism and racial discrimination and encouraged the

government to continue its efforts to strengthen UN mechanism aimed at eliminating this phenomenon.

794. Kenya noted that South Africa has continued progress in the realization of human rights of its people since the current democratic dispensation was entrenched in 1994. It noted, in the area of health, the ongoing expansion of new health facilities and provision of quality services throughout the country. In education, Kenya noted that enrolment of children continues to climb and similarly, regarding housing, that the national housing programme has delivered some 13 million housing units.

3. General comments made by other relevant stakeholders

795. During the adoption of the outcome of the review of South Africa, 10 other stakeholders made statements. The statements of the stakeholders that were unable to deliver them owing to time constraints¹⁰⁰ are posted on the extranet of the Human Rights Council, if available.

796. The South African Human Rights Commission (SAHRC) (by video message) stated that, in line with recommendations made, SAHRC would continue to work on the preventing and combating racism and xenophobia, and advocate for a national action plan and hate crime legislation. It welcomed recommendations on the domestication of CAT, the need to criminalize torture, and ratification of outstanding international instruments. Finally, it welcomed recommendations seeking to address the rights of vulnerable peoples, HIV/AIDS, violence against women and children and the establishment of an independent mechanism under CRPD.

797. Human Rights Watch (HRW) commended efforts to provide greater access to services in areas such as education, housing, health and social security. However, it was concerned that greater access had not necessarily been matched by progressive improvement in quality. While commending amendments to the Protection of State Information Bill, it regretted that South Africa had not accepted recommendations in this regard. It welcomed efforts for the protection of LGBT persons but, was concerned about the Traditional Courts Bill and regretted that South Africa could not accept the recommendation in this regard.

798. Action Canada for Population and Development highlighted that South Africa has a host of laws and policies to address violence, gender inequality and sexuality. It called on South Africa to ensure the implementation of these through: dialogue and holding to account religious, traditional, political leaders when these legitimize violence against women, and poor and marginalized persons; ensuring the criminal justice system delivers justice to those who violate the rights of women and people based on their sexual orientation; address shortcomings in the implementation of refugee related legislation; and address concerns regarding the threat to human rights posed by the Traditional Courts Bill.

799. International Commission of Jurists (ICJ) noted with satisfaction South Africa's commitment to ratifying before the end of 2012 all outstanding international instruments in the area of human rights and humanitarian law. ICJ expressed serious concern that South Africa had not responded to several recommendations, including certain recommendations regarding sexual and xenophobic violence and strengthening police accountability and oversight mechanisms. It noted that the recent tragedy in the Lonmin Mines underscored the need for effective training and accountability for police. ICJ strongly urged South Africa to respond positively to all recommendations from the UPR Working Group.

¹⁰⁰ <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/21stSession/Pages/Calendar.aspx>.

800. Amnesty International (AI) commended South Africa for conducting public hearings on the Prevention of Torture Bill noting that AI had urged that its scope be expanded to fully reflect CAT. It also urged progress in ratifying OP-CAT as recommended during the review. Additionally, AI urged that South Africa increase its commitment to prevent excessive use of force and targeted killings by police and referred to the deaths of 34 miners in Marikana and multiple killings allegedly committed by members of the Durban based police. It expressed concerns regarding protection of asylum seekers and refugees.

801. Save the Children and Lawyers for Human Rights called on South Africa to take measures and develop comprehensive strategies to end violence against women and children. They encouraged the government to continue training relevant personnel including persons in the justice system and law enforcement regarding these issues. They also called on South Africa to take steps to prohibit all forms of corporal punishment in all settings and to take its commitment to strengthen educational strategies seriously.

802. Instituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco and International Volunteerism Organization for Women (VIDES) welcomed South Africa's constructive participation in the UPR review. They remained concerned regarding deficiencies in the implementation of several economic social and cultural rights. They recommended that South Africa: ratify the ICESCR; adopt adequate measures to combat discrimination; increase the secondary education completion rate; eradicate corporal punishment in the family, school and penal institutions; intensify efforts to combat HIV/AIDS especially among young people.

803. Nord-Sud XXI recognized that South Africa is still emerging from an arduous past. It stated that South Africa has been a beacon in the fight against racial discrimination and urged it to lead a renewed effort to encourage support and implementation of the Durban Declaration and Programme of Action and the Office of the High Commissioner for Human Rights to be a leading force in this effort. It also urged the government to enhance its policies to ensure equal social and economic development for all.

804. Rencontre Africaine pour la défense des droits de l'homme (RADDHO) noted with satisfaction progress made by South Africa in a number of social economic rights including the improvement of the health system. RADDHO appreciated the constitutional prohibition of discrimination on the bases of sexual orientation, the creation of a Ministry for women, children and the disabled. It also expressed concern regarding violent acts of xenophobia and disproportional use of force, particularly the massacre of the miner of Marikana.

805. The Association for the Prevention of Torture (APT) called on South Africa to ratify the OP-CAT. While welcoming South Africa's acceptance of UPR recommendations to ratify OP-CAT, it noted that South Africa had, on more than one occasion, announced that it ratify OP-CAT soon. APT stated that it was time for South Africa to ratify OP-CAT and engage in an open dialogue on the establishment of the National Prevention mechanisms.

4. Concluding remarks of the State under review

806. South Africa thanked all of those who participated in the discussions and stated that their valuable contributions have been noted and will be acted upon as appropriate. It expressed appreciation for the interaction with the UPR process and noted that the majority of the recommendations made are constructive and helpful in consolidating South Africa's future efforts towards the achievement of its national Constitutional vision, namely social cohesion predicated on respect for human dignity and fundamental human rights and freedoms. South Africa stated that the government is resolute in its national agenda to ensure the respect, promotion and fulfilment of all human rights and pledged to work in a collaborative and inclusive way for the realisation of those objectives and to report on those periodically, as already mentioned.

B. General debate on agenda item 6

807. At its 27th meeting, on 21 September 2012, 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, Cyprus¹⁰¹ (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Ukraine), Ecuador, Kuwait, Malaysia, Republic of Moldova, Russian Federation, Uruguay;

(b) Representatives of observer States: Brazil, Morocco, Pakistan, Republic of Korea, Sri Lanka, Sweden;

(c) Observer for United Nations entities, specialized agencies and related organizations: Office of the United Nations High Commissioner for Refugees;

(d) Observers for non-governmental organizations: Canners International Permanent Committee, Center for Environmental and Management Studies, CIVICUS – World Alliance for Citizen Participation, Commission to Study the Organization of Peace, France Libertés: Fondation Danielle Mitterrand, Human Rights Law Centre, International Association for Democracy in Africa, International Human Rights Association of American Minorities, International Service for Human Rights, Khiam Rehabilitation Center for Victims of Torture, the Maryam Ghasemi Educational Charity Institute, Organisation pour la communication en Afrique et de promotion de la coopération économique internationale – OCAPROCE Internationale, Organization for Defending Victims of Violence (also on behalf of Maryam Ghasemi Educational Charity Institute), Rencontre africaine pour la défense des droits de l'homme, UPR Info (also on behalf of the Cairo Institute for Human Rights Studies and Connectas Direitos Humanos), World Environment and Resources Council, World Federation of Democratic Youth (also on behalf of France Libertés: Fondation Danielle Mitterrand and Mouvement contre le racisme et pour l'amitié entre les peuples), World Muslim Congress, Worldwide Organization for Women.

808. At the same meeting, the Secretariat of the Human Rights Council made a statement in relation to questions raised during the general debate on agenda item 6.

C. Consideration of and action on draft proposals

Bahrain

809. At its 19th meeting, on 19 September 2012, the Human Rights Council adopted draft decision 21/101 without a vote (for the text as adopted, see part one, chapter II).

Ecuador

810. At its 19th meeting, on 19 September 2012 the Human Rights Council adopted draft decision 21/102 without a vote (for the text as adopted, see part one, chapter II).

Tunisia

811. At its 19th meeting, on 19 September 2012, the Human Rights Council adopted draft decision 21/103 without a vote (for the text as adopted, see part one, chapter II).

Morocco

¹⁰¹ Observer of the Human Rights Council speaking on behalf of Member and observer States.

812. At its 21st meeting, on 19 September 2012, the Human Rights Council adopted draft decision 21/104 without a vote (for the text as adopted, see part one, chapter II).

Indonesia

813. At its 21st meeting, on 19 September 2012, the Human Rights Council adopted draft decision 21/105 without a vote (for the text as adopted, see part one, chapter II).

Finland

814. At its 21st meeting, on 19 September 2012, the Human Rights Council adopted draft decision 21/106 without a vote (for the text as adopted, see part one, chapter II).

United Kingdom of Great Britain and Northern Ireland

815. At its 22nd meeting, on 20 September 2012, the Human Rights Council adopted draft decision 21/107 without a vote (for the text as adopted, see part one, chapter II).

India

816. At its 22nd meeting, on 20 September 2012, the Human Rights Council adopted draft decision 21/108 without a vote (for the text as adopted, see part one, chapter II).

Brazil

817. At its 22nd meeting, on 20 September 2012, the Human Rights Council adopted draft decision 21/109 without a vote (for the text as adopted, see part one, chapter II).

Philippines

818. At its 24th meeting, on 20 September 2012, the Human Rights Council adopted draft decision 21/110 without a vote (for the text as adopted, see part one, chapter II).

Algeria

819. At its 24th meeting, on 20 September 2012, the Human Rights Council adopted draft decision 21/111 without a vote (for the text as adopted, see part one, chapter II).

Poland

820. At its 24th meeting, on 20 September 2012, the Human Rights Council adopted draft decision 21/112 without a vote (for the text as adopted, see part one, chapter II).

Netherlands

821. At its 25th meeting, on 21 September 2012, the Human Rights Council adopted draft decision 21/113 without a vote (for the text as adopted, see part one, chapter II).

South Africa

822. At its 25th meeting, on 21 September 2012, the Human Rights Council adopted draft decision 21/114 without a vote (for the text as adopted, see part one, chapter II).

VII. Human rights situation in Palestine and other occupied Arab territories

823. At the 28th meeting, on 24 September 2012, the Deputy High Commissioner presented the report of the Secretary-General on the progress in implementing the recommendations of the United Nations Fact-Finding Mission on the Gaza conflict (A/HRC/21/33), pursuant to Human Rights Council resolution 19/18.

824. At the same meeting, the President made a statement in reference to a letter received with regard to the International Fact-Finding Mission on Israeli Settlements in the Occupied Palestinian Territory, established pursuant to Human Rights Council resolution 19/17.

825. At its 28th and 29th meetings, on the same day, the Human Rights Council held a general debate on agenda item 7, during which the following made statements:

(a) The observer for Palestine as the party concerned and the representative of the Syrian Arab Republic as the country concerned;

(b) Representatives of States Members of the Human Rights Council: Bangladesh, China, Cuba (also on behalf of the Non-Aligned Movement), Cyprus¹⁰² (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, Serbia and the former Yugoslav Republic of Macedonia), Ecuador, India (on behalf of the India, Brazil and South Africa Forum), Indonesia, Jordan, Kuwait, Libya, Malaysia, Maldives, Norway, Pakistan⁸⁷ (on behalf of the Organization of Islamic Cooperation), Qatar, Russian Federation, Saudi Arabia, Senegal (on behalf of the Group of African States), United Arab Emirates⁸⁷ (on behalf of the Group of Arab States);

(c) Representatives of observer States: Algeria, Bahrain, Egypt, Iceland, Iran (Islamic Republic of), Iraq, Lebanon, Morocco, Oman, South Africa, Sri Lanka, Tunisia, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of);

(d) Observers for non-governmental organizations: Al-Haq, Law in the Service of Man (also on behalf of BADIL Resource Center for Palestinian Residency and Refugee Rights), Arab Commission for Human Rights, BADIL Resource Center for Palestinian Residency and Refugee Rights (also on behalf of the Charitable Institute for Protecting Social Victims, the Institute for Women's Studies and Research, Nord-Sud XXI, Tchad agir pour l'environnement and the Union of Arab Jurists), Cairo Institute for Human Rights Studies, Coordinating Board of Jewish Organizations (also on behalf of B'nai B'rith), Defence for Children International, Indian Movement "Tupaj Amaru", International Humanist and Ethical Union, Liberation, Maarij Foundation for Peace and Development, Maryam Ghasemi Educational Charity Institute, Mouvement contre le racisme et pour l'amitié entre les peuples (also on behalf of BADIL Resource Center for Palestinian Residency and Refugee Rights, and the International Youth and Student Movement for the United Nations), Nord-Sud XXI, Norwegian Refugee Council, Organization for Defending Victims of Violence (also on behalf of the Maryam Ghasemi Educational Charity Institute), Palestinian Centre for Human Rights (also on behalf of the Federation internationale des droits de l'homme), Union of Arab Jurists (also on behalf of BADIL Resource Center for Palestinian Residency and Refugee Rights), United Nations Watch.

¹⁰² Observer of the Human Rights Council speaking on behalf of Member and observer States.

VIII. Follow-up to and implementation of the Vienna Declaration and Programme of Action

A. Panel discussion on the integration of a gender perspective

826. At the 23rd meeting, on 20 September 2012, the Human Rights Council held an annual discussion on the integration of a gender perspective into its work, with a focus on the issue of economic, social and cultural rights of women and the empowerment of women, in accordance with Council resolutions 6/30 and 19/5.

827. The Director of the Human Rights Council and Special Procedures Division made opening remarks for the panel on behalf of the High Commissioner. María Soledad Cisternas Reyes, Vice-Chairperson of the Committee on the Rights of Persons with Disabilities, also made a statement. Radhika Balakrishnan, Executive Director of the Center for Women's Global Leadership at Rutgers University, moderated the discussion.

828. At the same meeting, the panellists Leilani Farha, Magdalena Sepúlveda, Fátima Duarte, Moez Doraid and Pregs Govender made statements.

829. The ensuing panel discussion was divided into two slots, which were held at the same meeting, on the same day. During the first speaking slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Chile (on behalf of the Group of Latin American and Caribbean States), Maldives, Senegal (on behalf of the Group of African States);

(b) Representatives of observer States: Australia, Azerbaijan, Bulgaria, Canada, Estonia, Finland, Paraguay, Slovenia, South Africa, Turkey;

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

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

(e) Observers for non-governmental organizations: Verein Sudwind Entwicklungspolitik, World Blind Union.

830. At the end of the first speaking slot, the moderator and the panellists answered questions and made comments.

831. The following made statements during the second speaking slot:

(a) Representatives of States Members of the Human Rights Council: China, Cuba, Peru, Qatar, Russian Federation, Thailand, United Arab Emirates¹⁰³ (on behalf of the Group of Arab States);

(b) Representatives of observer States: Algeria, Argentina, Denmark, Egypt, Honduras, Portugal, Syrian Arab Republic;

(c) Observer for a national human rights institution: Canadian Human Rights Commission;

¹⁰³ Observer of the Human Rights Council speaking on behalf of Member and observer States.

(d) Observers for non-governmental organizations: Action Canada for Population and Development, Federatie van Nederlandse Verenigingen tot Integratie van Homoseksualiteit - COC Nederland.

832. At the same meeting, the moderator made concluding remarks.

B. General debate on agenda item 8

833. At its 29th meeting, on 24 September 2012, 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: Austria, Chile (on behalf of the Group of Latin American and Caribbean States), China, Cyprus¹⁰⁴ (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 Ukraine), Norway (also on behalf of Albania, Austria, Bangladesh, Colombia, Denmark, Finland, France, Ghana, Iceland, Mexico, Mozambique, Montenegro, the Netherlands, Singapore, Slovenia, Sweden, Thailand, the United Kingdom of Great Britain and Northern Ireland, and Uruguay), Russian Federation, Senegal (on behalf of the Group of African States), Spain (also on behalf of Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Botswana, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Djibouti, Ecuador, Equatorial Guinea, Estonia, Ethiopia, Finland, France, Georgia, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Latvia, Luxembourg, Malta, Mexico, Montenegro, Morocco, the Netherlands, Nicaragua, Norway, Paraguay, Peru, Poland, Portugal, Romania, the Republic of Korea, the Republic of Moldova, Saint Kitts and Nevis, Serbia, Slovakia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of)), United States of America;

(b) Representatives of observer States: Iran (Islamic Republic of), Iraq, Morocco;

(c) Observer for an intergovernmental organization: Council of Europe;

(d) Observer for the Holy See;

(e) Observers for non-governmental organizations: Action Canada for Population and Development, Arab Commission for Human Rights, Association of World Citizens, France Libertés: Fondation Danielle Mitterrand (also on behalf of the International Youth and Student Movement for the United Nations, Mouvement contre le racisme et pour l'amitié entre les peuples and the World Federation of Democratic Youth), International Buddhist Relief Organisation, International Human Rights Association of American Minorities, Liberation, Nord-Sud XXI, Press Emblem Campaign, Tides Center (also on behalf of Federation internationale des droits de l'homme), United Nations Watch, Verein Sudwind Entwicklungspolitik, World Barua Organization, World Muslim Congress.

¹⁰⁴ Observer of the Human Rights Council speaking on behalf of Member and observer States.

C. Consideration of and action on draft proposals

High-level panel discussion to commemorate the twentieth anniversary of the adoption of the Vienna Declaration and Programme of Action

834. At the 37th meeting, on 27 September 2012, the representative of Austria introduced draft resolution A/HRC/21/L.12, sponsored by Austria, Botswana, Brazil, Chile, Indonesia, Morocco, the Russian Federation, Slovenia, Switzerland and Thailand and co-sponsored by Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Canada, Côte d'Ivoire, Croatia, Cuba, Cyprus, the Czech Republic, Djibouti, Ecuador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Italy, Jordan, Latvia, Lebanon, Liechtenstein, Luxembourg, Malaysia, Maldives, Montenegro, the Netherlands, Nepal, Nigeria, Norway, Peru, Poland, Portugal, the Republic of Moldova, Romania, Saudi Arabia, Serbia, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Tunisia, Turkey, Venezuela (Bolivarian Republic of) and Yemen. Subsequently, Albania, Algeria, Angola, Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Cape Verde, Chad, China, Colombia, Costa Rica, Denmark, Egypt, Guinea, Haiti, Iran (Islamic Republic of), Iraq, Lesotho, Libya, Lithuania, Malta, Mexico, Nicaragua, Panama, the Republic of Korea, Rwanda, Senegal, Singapore, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zimbabwe joined the sponsors.

835. 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.

836. At the same meeting, the draft resolution, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/20).

IX. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

A. Nelson Mandela International Day Panel

837. At its 26th meeting, on 21 September 2012, the Human Rights Council held a high-level panel discussion on how the values of reconciliation, peace, freedom and racial equality can contribute to the promotion and protection of human rights, to commemorate Nelson Mandela International Day in accordance with Council resolution 20/18.

838. At the same meeting, a video on Nelson Mandela's life was shown. The High Commissioner then made an opening statement for the panel.

839. Also at the same meeting, the following panellists made statements: Francis Gurry, Jean-Marie Ehozou and Andries Nel.

840. 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: Austria, Bangladesh, Burkina Faso, Chile, China (also on behalf Algeria, Bangladesh, Belarus, Cuba, Democratic People's Republic of Korea, Ecuador, India, Indonesia, Iran (Islamic Republic of), Malaysia, Pakistan, Russian Federation, South Africa, Sri Lanka, Thailand, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe), Congo, Cuba, Italy, Senegal (on behalf of the Group of African States), Thailand, United States of America;

(b) Representatives of observer States: Algeria, Australia, Brazil, Finland, Greece, Ireland, Morocco, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

(c) Observers for intergovernmental organizations: European Union, Organization of Islamic Cooperation;

(d) Observers for non-governmental organizations: Association of World Citizens, CIVICUS – World Alliance for Citizen Participation, Nord-Sud XXI, Rencontre africaine pour la défense des droits de l'homme.

841. At the same meeting, a second video was shown on Nelson Mandela and the United Nations.

842. Also at the same meeting, the panellists answered questions and made their concluding remarks.

B. Interactive dialogue with special procedures mandate holders

Working Group of Experts on People of African Descent

843. At the 30th meeting, on 25 September 2012, the Chairperson-Rapporteur of the Working Group of Experts on People of African Descent, Verene Shepherd, presented report of the Working Group (A/HRC/21/60 and Add.1-2).

844. At the same meeting, the representative of Portugal made a statement as the country concerned.

845. During the ensuing interactive dialogue at the same meeting, the following made statements and asked the Chairperson-Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: China, Cuba, Ecuador, Mexico, Peru, Senegal (on behalf of the Group of African States), United States of America, Uruguay;

(b) Representatives of observer States: Algeria, Brazil, Honduras, Morocco, South Africa, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of);

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

(d) Observers for non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Commission africaine des promoteurs de la santé et des droits de l'homme, International Youth and Student Movement for the United Nations, Nord-Sud XXI, Tiye International.

846. At the same meeting, the Chairperson-Rapporteur of the Working Group answered questions and made her concluding remarks.

C. General debate on agenda item 9

847. At the 30th meeting, on 25 September 2012, the Chairperson-Rapporteur of the Ad-Hoc Committee on the Elaboration of Complementary Standards, Abdul Samad Minty, presented the report of the Ad Hoc Committee on its fourth session (A/HRC/21/59).

848. At its 30th and 31st meetings, on 25 September 2012, the Human Rights Council held a general debate on agenda item 9, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Bangladesh, China, Cuba, Cyprus¹⁰⁵ (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Ukraine), Kuwait, Libya, Malaysia, Norway, Pakistan¹ (on behalf of the Organization of Islamic Cooperation), Russian Federation, Saudi Arabia, Senegal (on behalf of the Group of African);

(b) Representatives of observer States: Algeria, Belarus, Iran (Islamic Republic of), Iraq, Morocco, South Africa, Sri Lanka, Tunisia, Turkey, Venezuela (Bolivarian Republic of);

(c) Observer for an intergovernmental organization: Council of Europe;

(d) Observers for non-governmental organizations: Africa culture internationale, African Canadian Legal Clinic, Arab Commission for Human Rights, Association of World Citizens, Commission africaine des promoteurs de la santé et des droits de l'homme, Fraternité Notre Dame, Helios Life Association, Indian Council of South America, Indian Movement "Tupaj Amaru", International Buddhist Relief Organisation, International Educational Development Inc., International Human Rights Association of American Minorities, International Humanist and Ethical Union, International Youth and Student Movement for the United Nations, Liberation, Maarij Foundation for Peace and Development, Maryam Ghasemi Educational Charity Institute, Mouvement contre le racisme et pour l'amitié entre les peuples, National Association for the Advancement of Colored People, Organization for Defending Victims of Violence, Pasumai Thaayagam

¹⁰⁵ Observer of the Human Rights Council speaking on behalf of Member and observer States.

Foundation, Tiye International, United Nations Watch, Verein Sudwind Entwicklungspolitik, World Barua Organization, World Muslim Congress.

849. At the 31st meeting, on 25 September 2012, statements in exercise of the right of reply were made by the representatives of Latvia and the Russian Federation.

D. Consideration of and action on draft proposals

Elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination

850. At the 39th meeting, on 28 September 2012, the representative of South Africa, on behalf of the Group of African States, introduced draft resolution A/HRC/21/L.28, sponsored by South Africa, on behalf of the Group of African States, and co-sponsored by Bolivia (Plurinational State of), Botswana, Cuba, Ethiopia, Guatemala and Venezuela (Bolivarian Republic of). Subsequently, Brazil, Honduras, Indonesia and Nicaragua joined the sponsors.

851. At the same meeting, the representative of South Africa orally revised the draft resolution.

852. At the same meeting, the representative of Austria, on behalf of States members of the European Union that are members of the Council, made general comments in relation to the draft resolution, disassociating the aforementioned delegations from the consensus on the fourth preambular paragraph of the draft resolution.

853. Also at the same meeting, the representative of the United States of America made general comments in relation to the draft resolution.

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 21/30).

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

855. At the 39th meeting, on 28 September 2012, the representative of South Africa, on behalf of the Group of African States, introduced draft resolution A/HRC/21/L.29, sponsored by South Africa, on behalf of the Group of African States, and co-sponsored by Bolivia (Plurinational State of), Botswana, Cuba, Venezuela (Bolivarian Republic of). Subsequently, Brazil, Colombia, Honduras, Nicaragua, Thailand and Turkey joined the sponsors.

856. At the same meeting, the representative of South Africa orally revised the draft resolution.

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

858. At the same meeting, the representative of Austria, on behalf of States members of the European Union that are members of the Council, made a statement in explanation of vote before the vote.

859. Also at the same meeting, at the request of the United States of America, a recorded vote was taken on the draft resolution as orally revised. The draft resolution, as orally revised, was adopted by 37 votes in favour, 1 against, with 9 abstentions.

860. For the text as adopted and voting results, see part one, chapter I, resolution 21/33.

X. Technical assistance and capacity-building

A. Interactive dialogue with special procedures mandate holders

Special Rapporteur on the situation of human rights in Cambodia

861. At the 32nd meeting, on 25 September 2012, the Special Rapporteur on the situation of human rights in Cambodia, Surya P. Subedi, presented his report (A/HRC/21/63 and Add.1).

862. At the same meeting, the representative of Cambodia made a statement as the country concerned.

863. During the ensuing interactive dialogue, also at the same meeting, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: China, Czech Republic, Indonesia, Malaysia, Philippines, Switzerland, Thailand, United States of America;

(b) Representatives of observer States: Australia, France, Japan, Ireland, Lao People's Democratic Republic, Morocco, Myanmar, Nepal, New Zealand, Slovakia, United Kingdom of Great Britain and Northern Ireland, Viet Nam;

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

(d) Observers for non-governmental organizations: Asian Forum for Human Rights and Development; CIVICUS – World Alliance for Citizen Participation, International Federation for Human Rights Leagues; Lawyers' Rights Watch Canada (also on behalf of the Asian Legal Resource Centre); Nonviolent Radical Party, Transnational and Transparty; Open Society Institute.

864. At the same meeting, the Special Rapporteur answered questions and made his concluding remarks.

Independent expert on the situation of human rights in Somalia

865. At the 33rd meeting, on 26 September 2012, the independent expert on the situation of human rights in Somalia, Shamsul Bari, presented his report (A/HRC/21/61).

866. At the same meeting, the representative of Somalia made a statement as the country concerned.

867. During the ensuing interactive dialogue, also at the same meeting, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Czech Republic, Djibouti, Italy, Norway, Romania, Senegal (on behalf of the Group of African States), Spain, Switzerland, Thailand, United Arab Emirates¹⁰⁶ (on behalf of the Group of Arab States), United States of America;

(b) Representatives of observer States: Australia, Egypt, Greece, Luxembourg, Morocco, Slovakia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland;

¹⁰⁶ Observer of the Human Rights Council speaking on behalf of Member and observer States.

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

(d) Observers for non-governmental organizations: Amnesty International, East and Horn of Africa Human Rights Defenders Project, Human Rights Watch, International Educational Development Inc., International Federation of Journalists.

868. At the same meeting, the independent expert answered questions and made his concluding remarks.

Independent expert on the situation of human rights in Sudan

869. At the 33rd meeting, on 26 September 2012, the independent expert on the situation of human rights in Sudan, Mashood A. Baderin, presented his report (A/HRC/21/62).

870. At the same meeting, the representative of Sudan made a statement as the country concerned.

871. During the ensuing interactive dialogue, at the 33rd and 34th meetings, on the same day, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Human Rights Council: China, Czech Republic, Kuwait, Libya, Nigeria, Norway, Senegal (on behalf of the Group of African States), Spain, Switzerland, Thailand, United Arab Emirates¹⁰⁷ (on behalf of the group of Arab States), United States of America;

(b) Representatives of observer States: Australia, Bahrain, Canada, Croatia, Egypt, France, Greece, Morocco, Slovakia, Slovenia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland;

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

(d) Observers for non-governmental organizations: East and Horn of Africa Human Rights Defenders Project (also on behalf of the Cairo Institute for Human Rights Studies), Eastern Sudan Women Development Organization, Human Rights Watch, International Federation for Human Rights Leagues, Maarij Foundation for Peace and Development.

872. At the 34th meeting, the independent expert answered questions and made his concluding remarks.

B. General debate on agenda item 10

873. At the 34th meeting, on 26 September 2012, the Deputy High Commissioner introduced country reports of the High Commissioner and the Secretary-General submitted under agenda item 10 (A/HRC/21/34, 35, 36 and 37).

874. At the 34th and 35th meetings, on the same day, the representatives of Cambodia, South Sudan and Yemen made statements as countries concerned.

875. At its 35th meeting, on 26 September 2012, the Human Rights Council held a general debate on agenda item 10, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: China, Cyprus¹⁰⁸ (on behalf of the European Union, Albania, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, the Republic of Moldova, Serbia and the former Yugoslav Republic

¹⁰⁷ Observer of the Human Rights Council speaking on behalf of Member and observer States.

¹⁰⁸ Observer of the Human Rights Council speaking on behalf of Member and observer States.

of Macedonia), Denmark¹⁰⁹ (also on behalf of Costa Rica, Finland, France, Germany, Norway, Switzerland and United Kingdom of Great Britain and Northern Ireland), Norway, Qatar, Senegal (on behalf of the Group of African States), Switzerland, Thailand, United States of America;

(b) Representatives of observer States: Algeria, Brazil, Germany, Iraq, Morocco, Republic of Korea, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for United Nations entities, specialized agencies and related organizations: UNICEF;

(d) Observers for non-governmental organizations: Al Zubair Charity Foundation, Amnesty International, Asian Forum for Human Rights and Development, Association of World Citizens, Cairo Institute for Human Rights Studies, East and Horn of Africa Human Rights Defenders Project, Eastern Sudan Women Development Organization, General Arab Women Federation, Hawa Society for Women, Human Rights Watch, International Commission of Jurists, International Federation of Journalists, Liberation, Maarij Foundation for Peace and Development, Rencontre africaine pour la défense des droits de l'homme, Society Studies Centre, Union of Arab Jurists, Verein Sudwind Entwicklungspolitik, World Association for the School as an Instrument of Peace.

876. At the same meeting, on the same day, a statement in exercise of the right of reply was made by the representative of Nepal.

C. Consideration of and action on draft proposals

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

877. At the 37th meeting, on 27 September 2012, the representative of Thailand introduced draft resolution A/HRC/21/L.11, sponsored by Brazil, Honduras, Indonesia, Mauritius, Morocco, Norway, Singapore, Thailand and Turkey and co-sponsored by Angola, Australia, Austria, Botswana, Cambodia, Colombia, Costa Rica, Croatia, Cuba, Djibouti, Equatorial Guinea, Ethiopia, Finland, Georgia, Greece, Guatemala, Hungary, Iran (Islamic Republic of), Ireland, Italy, Japan, Lebanon, Lesotho, Malaysia, Mexico, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Serbia, Somalia, Sweden, Timor-Leste, Tunisia, Uruguay, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Algeria, Benin, Bolivia (Plurinational State of), Burkina Faso, Cape Verde, Chile, Côte d'Ivoire, Denmark, France, Guinea, Iceland, Iran (Islamic Republic of) (on behalf of the Non-Aligned Movement), Maldives, Mauritania, Montenegro, Namibia, Pakistan (on behalf of the Organization of Islamic Cooperation), Qatar, the Republic of Korea, Romania, the Russian Federation, Senegal (on behalf of the Group of African States), Slovenia and Ukraine joined the sponsors.

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

879. 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.

880. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/21).

¹⁰⁹ Observer of the Human Rights Council speaking on behalf of Member and observer States.

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

881. At the 37th meeting, on 27 September 2012, the representatives of the Netherlands and Yemen introduced draft resolution A/HRC/21/L.30/Rev.1, sponsored by the Netherlands and Yemen and co-sponsored by Algeria, Bahrain, Bulgaria, Canada, Croatia, Cyprus, Djibouti, Egypt, Ethiopia, Finland, Greece, Italy, Jordan, Kuwait, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Slovakia, Somalia, Spain, Sweden, Tunisia, Turkey, the United Arab Emirates (on behalf of the Group of Arab States), the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Australia, Austria, Denmark, France, Hungary, Iceland, Indonesia, Iraq, Ireland, Japan, Maldives, Montenegro, Norway, Poland, Slovenia and Thailand joined the sponsors.

882. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 21/22).

Technical assistance for the Sudan in the field of human rights

883. At the 38th meeting, on 28 September 2012, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/21/L.4, sponsored by Senegal, on behalf of the Group of African States. Subsequently, Botswana, Burkina Faso, Indonesia, Pakistan (on behalf of the Organization of Islamic Cooperation), Republic of Korea, Turkey and the United Arab Emirates (on behalf of the Group of Arab States) joined the sponsors.

884. At the same meeting, the representative of Senegal orally revised the draft resolution.

885. Also at the same meeting, the representatives of Austria (on behalf of States members of the European Union that are members of the Council), Switzerland and the United States of America made general comments in relation to the draft resolution.

886. At the same meeting the representative of the Sudan made a statement as the country concerned.

887. 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.

888. 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 21/27).

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

889. At the 38th meeting, on 28 September 2012, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/21/L.7/rev.1, sponsored by Senegal, on behalf of the Group of African States, and co-sponsored by Georgia. Subsequently, Australia, Botswana, Canada, Indonesia, Norway, Switzerland, Thailand, Turkey and the United States of America joined the sponsors.

890. At the same meeting, the representative of Senegal orally revised the draft resolution.

891. Also at the same meeting, the representative of South Sudan made a statement as the country concerned.

892. 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.

893. 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 21/28).

Assistance to Somalia in the field of human rights

894. At the 39th meeting, on 28 September 2012, the representative of Senegal, on behalf of the Group of African States, introduced draft resolution A/HRC/21/L.31, sponsored by Senegal, on behalf of the Group of African States. Subsequently, Botswana, Bulgaria, Croatia, Greece, Honduras, Indonesia, Italy, Japan, Luxembourg, Maldives, Montenegro, Norway, Pakistan (on behalf of the Organization of Islamic Cooperation), Poland, Qatar, Serbia, Slovenia, Thailand, Turkey, Ukraine and the United Arab Emirates (on behalf of the Group of Arab States) joined the sponsors.

895. At the same meeting, the representative of Senegal orally revised the draft resolution.

896. Also at the same meeting, the representative the United States of America made general comments in relation to the draft resolution.

897. At the same meeting the representatives of Kenya and Somalia made statements as the countries concerned.

898. 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 21/31).

Annex I

[English only]

Attendance

Members

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

States Members of the United Nations represented by observers

Algeria	Democratic Republic of	Lithuania
Andorra	the Congo	Luxembourg
Argentina	Denmark	Madagascar
Armenia	Egypt	Mali
Australia	El Salvador	Malta
Azerbaijan	Eritrea	Marshall Islands
Bahrain	Estonia	Monaco
Belarus	Ethiopia	Morocco
Bhutan	Finland	Myanmar
Bolivia (Plurinational State of)	France	Nepal
Bosnia and Herzegovina	Germany	Netherlands
Brazil	Greece	New Zealand
Brunei Darussalam	Honduras	Oman
Bulgaria	Iceland	Pakistan
Cambodia	Iran (Islamic Republic of)	Panama
Canada	Iraq	Paraguay
Chad	Ireland	Portugal
Colombia	Japan	Republic of Korea
Côte d'Ivoire	Kenya	Rwanda
Croatia	Lao People's Democratic Republic	Serbia
Cyprus	Latvia	Singapore
Democratic People's Republic of Korea	Lebanon	Slovenia
	Lesotho	Slovakia
	Liechtenstein	Solomon Islands
		Somalia

South Africa	Tunisia	Venezuela (Bolivarian Republic of)
South Sudan	Turkey	Viet Nam
Sri Lanka	Turkmenistan	Yemen
Sudan	United Arab Emirates	Zimbabwe
Swaziland	United Kingdom of Great Britain and Northern Ireland	
Sweden		
Syrian Arab Republic		
Togo	Uzbekistan	

Non-Member States represented by observers

Holy See

Other observers

Palestine

United Nations

Office of the United Nations High Commissioner for Refugees	United Nations Population Fund
United Nations Children's Fund	United Nations Relief and Works Agency for Palestine Refugees in the Near East

Specialized agencies and related organizations

International Telecommunication Union	World Intellectual Property Organization
---------------------------------------	--

Intergovernmental organizations

African Union	International Humanitarian Fact-Finding Commission
Council of Europe	International Organization of la Francophonie
European Union	Organization of Islamic Cooperation

Other entities

International Committee of the Red Cross	Sovereign Military Order of Malta
--	-----------------------------------

National human rights institutions, international coordinating committees and regional groups of national institutions

Conseil Consultative des Droits de l'Homme du Royaume du Maroc	National Commission on Human Rights - Indonesia (Komnas HAM)
Defensoría del Pueblo de Ecuador (by video message)	National Human Rights Commission of India
Equality and Human Rights Commission of Great Britain	National Human Rights Commission of the Republic of Korea
Human Rights Commission of Malaysia (SUHAKAM) (by video message)	Philippines Commission on Human Rights
	South African Human Rights Commission (by video message)

Non-governmental organizations

Action Canada for Population and Development
 Action internationale pour la paix et le développement dans la région des Grands Lacs
 Africa Culture Internationale
 African Association of Education for Development
 African-American Society for Humanitarian Aid and Development
 African-American Society for Humanitarian Aid and Development
 African Canadian Legal Clinic
 African Commission of Health and Human Right Promoters
 African Technical Association
 African Technology Development Link
 Agence Internationale pour le Développement
 Agir Ensemble pour les Droits de l'Homme
 Al-Hakim Foundation
 Al-Haq, Law in the Service of Man
 Al-Zubair Charity Foundation
 American Anthropological Association
 American Association of Jurists
 Amman Center for Human Rights Studies
 Amnesty International
 Anti-Slavery International
 Arab Commission for Human Rights
 Arab NGO Network for Development
 Arab Organization for Human Rights
 Article 19 – The International Centre against Censorship
 Asia-Pacific Human Rights Information Center
 Asian Forum for Human Rights and Development (Forum-Asia)
 Asian Legal Resource Centre
 Association of World Citizens
 Association for the Prevention of Torture
 Association for Progressive Communications
 Association Points-Cœur
 Associazione Comunità Papa Giovanni XXIII
 Badil Resource Center for Palestinian Residency and Resource Rights
 Baha'i International Community
 B'nai B'rith
 Bridges International
 Cairo Institute for Human Rights Studies
 Canadian HIV/AIDS Legal Network
 Canners International Permanent Committee
 Caritas Internationalis (International Confederation of Catholic Charities)
 Center for Reproductive Rights
 Centre Europe - Tiers Monde
 Centre for Environmental and Management Studies
 Centre for Inquiry
 Centre indépendant de recherches et d'initiatives pour le dialogue
 Centrist Democratic International
 Centro de Estudios Legales y Sociales
 Centro Regional de Derechos Humanos y Justicia de Género
 Charitable Institute for Protecting Social Victims
 Child Development Foundation
 Civicus – World Alliance for Citizen Participation
 Colombian Commission of Jurists
 Commission africaine des promoteurs de la santé et des droits de l'homme
 Commission of the Churches on International Affairs of the World Council of Churches
 Commission to Study the Organization of Peace
 Commonwealth Human Rights Initiative
 Company of the Daughters of Charity of St. Vincent de Paul
 Conectas Direitos Humanos
 Congregation of our Lady of Charity of the Good Shepherd
 Coordinating Board of Jewish Organizations
 Corporate Accountability International
 Cultural Survival
 Defence for Children International
 Democracy Coalition Project
 Development Innovations and Networks
 Dominicans for Justice and Peace - Order of Preachers
 East and Horn of Africa Human Rights Defenders Project
 Eastern Sudan Women Development Organization
 ECPAT International
 Edmund Rice International Limited

Equitas International Centre for Human Rights Education	International Association for Democracy in Africa
Espace Afrique International	International Association of Democratic Lawyers
European Disability Forum	International Association of Peace Messenger Cities
European Law Students' Association	International Association for Religious Freedom
European Region of the International Lesbian and Gay Association	International Association of Schools of Social Work
European Union of Public Relations	International Bridges to Justice, Inc.
Federatie van Nederlandse Verenigingen tot Integratie van Homoseksualiteit COC Nederland	International Buddhist Relief Organisation
Federation for Women and Family Planning	International Catholic Child Bureau
Federation of Cuban Women	International Commission of Jurists
Federation of Western Thrace Turks in Europe	International Committee for the Indians of the Americas (Incomindios Switzerland)
Femmes Solidaires	International Committee for the Respect and Application of the African Charter on Human and People's Rights
Foodfirst Information and Action Network	International Council of Women
France Libertés: Fondation Danielle Mitterrand	International Educational Development, Inc.
Franciscans International	International Federation for Human Rights Leagues
Fraternité Notre Dame	International Federation of Acat (Action by Christians for the Abolition of Torture)
Friends World Committee for Consultation (Quakers)	International Federation of Journalists
General Arab Women Federation	International Federation of University Women
General Research Institute on the Convention on the Rights of the Child	International Fellowship of Reconciliation
Geneva for Human Rights – Global Training	International Human Rights Association of American Minorities
Global Initiative for Economic, Social and Cultural Rights	International Humanist and Ethical Union
Grupo Intercultural Almaciga	International Indian Treaty Council
Hawa Society for Women	International Institute for Non-Aligned Studies
Helios Life Association	International Institute for Peace
Helsinki Foundation for Human Rights	International Investment Center
Himalayan Research and Cultural Foundation	International Lesbian and Gay Association
Human Rights Advocates, Inc.	International Movement against all Forms of Discrimination and Racism
Human Rights House Foundation	International Movement ATD Fourth World
Human Rights Law Centre	International Movement for Fraternal Union among Races and Peoples
Human Rights Watch	International Network for the Prevention of Elder Abuse
Human Security Initiative Organization	International NGO Forum on Indonesian Development (by video message)
Humanist Institute for Co-operation with Developing Countries	International Organization for the Elimination of all Forms of Racial Discrimination
Inclusion International	International Organization for the Right to Education and Freedom of Education
Indian Council of South America	International Pen
Indian Movement Tupaj Amaru	
Indigenous Peoples' Center for Documentation, Research and Information	
Initiatives of Change	
Institute for Planetary Synthesis	
Institute for Women's Studies and Research	

International Presentation Association of the Sisters of the Presentation of the Blessed Virgin Mary	Organization for Defending Victims of Violence
International Service for Human Rights	Palestinian Centre for Human Rights
International Society for Human Rights	Pan Pacific and South East Asia Women's Association
International Volunteerism Organization for Women, Education and Development	Pasumai Thaayagam Foundation
International Women Bond	Pax Christi International
International Women's Anthropology Conference	Pax Romana
International Work Group for Indigenous Affairs	Penal Reform International
International Youth and Student Movement for the United Nations	People for Successful Corean Reunification
Iranian Elite Research Center	Permanent Assembly for Human Rights
Islamic Human Rights Commission	Physicians for Social Responsibility
Islamic Women's Institute of Iran	Plan International, Inc.
Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco	Planetary Association for Clean Energy, Inc.
Jubilee Campaign	Presse Emblème Campagne
Khiam Rehabilitation Centre for Victims of Violence	Redress Trust
Lawyers' Rights Watch Canada	Rencontre africain pour la défense des droits de l'homme
Liberal International (World Liberal Union)	Reporters Sans Frontiers International – Reporters without Borders International
Liberation	Save the Children International
Lutheran World Federation	Servas International
Maarij Foundation for Peace and Development	Social Service Agency of the Protestant Church in Germany
Make Mothers Matter International	Society for Threatened Peoples
Mandat International	Society Studies Centre
Marangopoulos Foundation for Human Rights	Soka Gakkai International
Maryam Ghasemi Educational Charity Institute	Sovereign Military Order of the Temple of Jerusalem
Minbyun – Lawyers for a Democratic Society	Sudan Council of Voluntary Agencies
Minority Rights Group	Syriac Universal Alliance
Mouvement contre le racisme et pour l'amitié entre les peuples	Tchad – Agir pour l'Environnement
Myochikai (Arigatou Foundation)	Teresian Association
National Association for the Advancement of Colored People	Terre des Hommes International Fédération
New Humanity	Tides Center
Nonviolent Radical Party, Transnational and Transparty	Tiye International
Nord-Sud XXI	Unesco Centre Basque Country (Unesco Etxea)
Norwegian Refugee Council	Union of Arab Jurists
Nuclear Age Peace Foundation	United Nations Watch (UN Watch)
Open Society Institute	United Schools International
Organisation pour la communication en Afrique et de promotion de la coopération économique internationale (Ocaproce International)	United Towns Agency for North-South Cooperation
	UPR Info
	Verein Sudwind Entwicklungspolitik
	Vivat International
	Women's Federation for World Peace International
	Women's Human Rights International Association
	Women's International League for Peace and Freedom
	Women's World Summit Foundation

World Association for the School as an
Instrument of Peace
World Barua Organization
World Blind Union
World Circle of the Consensus: Self-
sustaining People, Organizations and
Communities
World Council of Churches

World Environment and Resources Council
World Evangelical Alliance
World Federation of Democratic Youth
World Muslim Congress
World Organization against Torture
World Peace Council
World Vision International
Worldwide Organization for Women

Annex II

Agenda

- Item 1. Organizational and procedural matters.
- Item 2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General.
- Item 3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.
- Item 4. Human rights situations that require the Council's attention.
- Item 5. Human rights bodies and mechanisms.
- Item 6. Universal periodic review.
- Item 7. Human rights situation in Palestine and other occupied Arab territories.
- Item 8. Follow-up to and implementation of the Vienna Declaration and Programme of Action.
- Item 9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action.
- Item 10. Technical assistance and capacity-building.

Annex III

[English/French/Spanish only]

Documents issued for the twenty-first session*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/1	1 Annotations to the agenda for the twenty-first session of the Human Rights Council: note by the Secretary-General
A/HRC/21/2	1 Report of the Human Rights Council on its twenty-first session
A/HRC/21/3	6 Report of the Working Group on the Universal Periodic Review: Morocco
A/HRC/21/4	6 Report of the Working Group on the Universal Periodic Review: Ecuador
A/HRC/21/5	6 Report of the Working Group on the Universal Periodic Review: Tunisia
A/HRC/21/5/Add.1	6 Addendum
A/HRC/21/6	6 Report of the Working Group on the Universal Periodic Review: Bahrain
A/HRC/21/6/Add.1/Rev.1	6 Addendum
A/HRC/21/7	6 Report of the Working Group on the Universal Periodic Review: Indonesia
A/HRC/21/7/Add.1	6 Addendum
A/HRC/21/8	6 Report of the Working Group on the Universal Periodic Review: Finland
A/HRC/21/8/Add.1	6 Addendum
A/HRC/21/9	6 Report of the Working Group on the Universal Periodic Review: United Kingdom of Great Britain and Northern Ireland
A/HRC/21/9/Corr.1	6 Corrigendum
A/HRC/21/9/Add.1	6 Addendum
A/HRC/21/10	6 Report of the Working Group on the Universal Periodic Review: India
A/HRC/21/10/Add.1	6 Addendum
A/HRC/21/11	6 Report of the Working Group on the Universal Periodic Review: Brazil

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/11/Add.1	6	Addendum
A/HRC/21/12	6	Report of the Working Group on the Universal Periodic Review: Philippines
A/HRC/21/12/Corr.1	6	Corrigendum
A/HRC/21/12/Corr.2	6	Corrigendum
A/HRC/21/12/Add.1	6	Addendum
A/HRC/21/13	6	Report of the Working Group on the Universal Periodic Review: Algeria
A/HRC/21/13/Add.1	6	Addendum
A/HRC/21/14	6	Report of the Working Group on the Universal Periodic Review: Poland
A/HRC/21/14/Add.1	6	Addendum
A/HRC/21/15	6	Report of the Working Group on the Universal Periodic Review: Netherlands
A/HRC/21/15/Add.1/ Rev.1	6	Addendum
A/HRC/21/16	6	Report of the Working Group on the Universal Periodic Review: South Africa
A/HRC/21/16/Add.1	6	Addendum
A/HRC/21/17	1	Election of members of the Human Rights Council Advisory Committee: note by the Secretary-General
A/HRC/21/17/Add.1	1	Addendum
A/HRC/21/18	2, 5	Cooperation with the United Nations, its representatives and mechanisms in the field of human rights: report of the Secretary-General
A/HRC/21/19	3	Report of the Working Group on the Right to Development on its thirteenth session (Geneva, 7–11 May 2012)
A/HRC/21/20	2, 3	Progress report on the implementation of the World Programme for Human Rights Education: report of the United Nations High Commissioner for Human Rights
A/HRC/21/20/Corr.1	2, 3	Corrigendum
A/HRC/21/20/Corr.2	2, 3	Corrigendum

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/21	2, 3	Contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights: report of the Secretary-General
A/HRC/21/21/Corr.1	2, 3	Corrigendum
A/HRC/21/22	2, 3	Technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal morbidity and mortality: report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/22/Corr.1	2, 3	Corrigendum
A/HRC/21/22/Corr.2	2, 3	Corrigendum
A/HRC/21/23	2, 3	Report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples
A/HRC/21/24	2, 3	Ways and means of promoting participation at the United Nations of indigenous peoples' representatives on issues affecting them: report of the Secretary-General
A/HRC/21/25	2, 3	Joint report of the Office of the High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system
A/HRC/21/26	2, 3	Report of the High Commissioner for Human Rights on the protection of human rights of juveniles deprived of their liberty
A/HRC/21/27	2, 3	The incompatibility between democracy and racism: report of the United Nations High Commissioner for Human Rights
A/HRC/21/28	2, 3	Consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development
A/HRC/21/29	2, 3	Question of the death penalty: report of the Secretary-General
A/HRC/21/29/Corr.1	2, 3	Corrigendum

Documents issued in the general series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/21/30	2, 3	Summary of the Human Rights Council panel discussion on the promotion and protection of freedom of expression on the Internet: report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/31	2, 3	Summary of the full-day meeting on the rights of the child: report of the United Nations High Commissioner for Human Rights
A/HRC/21/32	2, 4	Situation of human rights in the Syrian Arab Republic: Implementation of Human Rights Council resolution 19/22: report of the Secretary-General
A/HRC/21/32/Corr.1	2, 4	Corrigendum
A/HRC/21/33	7	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: report of the Secretary-General
A/HRC/21/34	10	Technical assistance and capacity-building for South Sudan in the field of human rights: report of the United Nations High Commissioner for Human Rights
A/HRC/21/35	2, 10	The role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights: report of the Secretary-General
A/HRC/21/36	2, 10	United Nations support to end human rights abuses and combat impunity in Somalia: report of the Secretary-General
A/HRC/21/37	2, 10	Situation of human rights in Yemen: report of the United Nations High Commissioner for Human Rights
A/HRC/21/38	3	Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy
A/HRC/21/39	3	Final draft of the guiding principles on extreme poverty and human rights, submitted by the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/40	3 Report of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies: note by the secretariat
A/HRC/21/41	3 Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian: thematic report on servile marriage
A/HRC/21/41/Corr.1	3 Corrigendum
A/HRC/21/41/Add.1	3 Mission to Lebanon
A/HRC/21/41/Add.2	3 Mission to Lebanon: comments by the State on the report of the Special Rapporteur
A/HRC/21/42	3 Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque - Stigma and the realization of the human rights to water and sanitation
A/HRC/21/42/Add.1	3 Mission to Senegal (14 to 21 November 2011)
A/HRC/21/42/Add.2	3 Mission to Uruguay (13 to 17 February 2012)
A/HRC/21/42/Add.3	3 Mission to Namibia
A/HRC/21/43	3 Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination
A/HRC/21/44	3 Report of the Independent Expert on human rights and international solidarity, Virginia Dandan
A/HRC/21/44/Add.1	3 Summary of the expert workshop on human rights and international solidarity (Geneva, 7 and 8 June 2012)
A/HRC/21/45	3 Report of the Independent Expert on the promotion of a democratic and equitable international order, Alfred Maurice de Zayas
A/HRC/21/45/Corr.1	3 Corrigendum
A/HRC/21/46	3 Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff
A/HRC/21/47	3 Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya
A/HRC/21/47/Add.1	3 The situation of indigenous peoples in the United States of America

Documents issued in the general series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/21/47/Add.2	3	The situation of indigenous peoples in Argentina
A/HRC/21/47/Add.3	3	Communications sent, replies received, and follow-up
A/HRC/21/48	3	Report of the Special Rapporteur on the human rights obligations related to environmentally sound management and disposal of hazardous substances and waste, Calin Georgescu
A/HRC/21/48/Corr.1	3	Corrigendum
A/HRC/21/48/Add.1	3	Mission to the Marshall Islands (27–30 March 2012) and the United States of America (24–27 April 2012)
A/HRC/21/48/Add.2	3	Mission to the Marshall Islands: comments by the State on the report of the Special Rapporteur
A/HRC/21/49	3, 4, 7, 9, 10	Communications Report of Special Procedures
A/HRC/21/50	4	Report of the independent international commission of inquiry on the Syrian Arab Republic
A/HRC/21/50/Add.1	4	Addendum
A/HRC/21/51	5	Report of the nineteenth annual meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Human Rights Council (Geneva, 11–15 June 2012): note by the United Nations High Commissioner for Human Rights
A/HRC/21/52	5	Report of the Expert Mechanism on the Rights of Indigenous Peoples on its fifth session (Geneva, 9–13 July 2012)
A/HRC/21/53	5	Role of languages and culture in the promotion and protection of the rights and identity of indigenous peoples: study of the Expert Mechanism on the Rights of Indigenous Peoples
A/HRC/21/54	5	Summary of responses from the questionnaire seeking the views of States on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples: report of the Expert Mechanism on the Rights of Indigenous Peoples
A/HRC/21/55	5	Follow-up report on indigenous peoples and the right to participate in decision-making, with a focus on extractive industries

Documents issued in the general series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/56	5	Report of the Human Rights Council Advisory Committee on its seventh, eighth and ninth sessions: note by the Secretariat
A/HRC/21/57	3, 5	Preliminary study on promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind: note by the secretariat
A/HRC/21/58	3, 5	Interim report of the Human Rights Council Advisory Committee on human rights and issues related to terrorist hostage-taking: note by the secretariat
A/HRC/21/59	9	Report of the Ad Hoc Committee on the elaboration of complementary standards on its fourth session
A/HRC/21/60	9	Report of the Working Group of Experts on People of African Descent on its eleventh session
A/HRC/21/60/Add.1	9	Mission to Portugal
A/HRC/21/60/Add.2	9	Draft Programme of Action for the Decade for People of African Descent
A/HRC/21/61	10	Report of the Independent Expert on the situation of human rights in Somalia, Shamsul Bari
A/HRC/21/62	10	Report of the Independent Expert on the situation of human rights in the Sudan, Mashood A. Baderin
A/HRC/21/63	10	Report of the Special Rapporteur on the situation of human rights in Cambodia, Surya P. Subedi
A/HRC/21/63/Add.1/Rev.1	10	A human rights analysis of economic and other land concessions in Cambodia
A/HRC/21/64	2, 4	Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Northern Mali: note by the secretariat
A/HRC/21/65	2, 3	Summary of the Human Rights Council panel discussion on the theme of remedies for women subjected to violence: report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/66	3, 5	Final paper on human rights and international solidarity: prepared by Chen Shiqiu on behalf of the drafting group on human rights and international solidarity of the Human Rights Council Advisory Committee
A/HRC/21/67	6	Statement made by the United Nations High Commissioner for Refugees on the adoption of the report on the universal periodic review of Brazil

Conference room papers

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/CRP.1	1 Progress report of the task force on secretariat services, accessibility for persons with disabilities and use of information technology

Documents issued in the limited series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/L.1	3 The human right to safe drinking water and sanitation
A/HRC/21/L.2	3 Promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind: best practices
A/HRC/21/L.3	3 The right to development
A/HRC/21/L.4	10 Technical assistance for the Sudan in the field of human rights
A/HRC/21/L.5	3 Enforced or involuntary disappearances
A/HRC/21/L.6	3 Safety of journalists
A/HRC/21/L.7 and Rev.1	10 Technical assistance and capacity-building for South Sudan in the field of human rights
A/HRC/21/L.8	5 Human rights and issues related to terrorist hostage-taking
A/HRC/21/L.9 and Rev.1	4 Situation of human rights in the Republic of Mali
A/HRC/21/L.10	3 Preventable maternal mortality and morbidity and human rights
A/HRC/21/L.11	10 Enhancement of technical cooperation and capacity-building in the field of human rights
A/HRC/21/L.12	8 High-level panel discussion to commemorate the twentieth anniversary of the adoption of the Vienna Declaration and Programme of Action
A/HRC/21/L.13	3 Panel discussion on the negative impact of corruption on the enjoyment of human rights
A/HRC/21/L.14 and Rev.1	3 Contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights
A/HRC/21/L.15	3 The human rights of older persons
A/HRC/21/L.16	3 Right to the truth

Documents issued in the limited series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/L.17	3	The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination
A/HRC/21/L.18	3	Promotion of a democratic and equitable international order
A/HRC/21/L.19	3	Human rights and international solidarity
A/HRC/21/L.20	3	Guiding principles on extreme poverty and human rights
A/HRC/21/L.21	3	Human rights and indigenous peoples
A/HRC/21/L.22	3	World Programme for Human Rights Education
A/HRC/21/L.23	5	Promotion of the human rights of peasants and other people working in rural areas
A/HRC/21/L.24	3	Human rights and transitional justice
A/HRC/21/L.25	3	The rights to freedom of peaceful assembly and of association
A/HRC/21/L.26	3	Mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes
A/HRC/21/L.27	3	Open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies
A/HRC/21/L.28	9	Elaboration of international complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination
A/HRC/21/L.29	9	From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance
A/HRC/21/L.30 and Rev.1	10	Technical assistance and capacity-building for Yemen in the field of human rights
A/HRC/21/L.31	10	Assistance to Somalia in the field of human rights
A/HRC/21/L.32	4	Situation of human rights in the Syrian Arab Republic

Documents issued in the Government series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/21/G/1	3	Note verbale dated 7 August 2012 from the Permanent Mission of Belarus to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/G/2	4	Note verbale dated 31 May 2012 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/G/2/Corr.1	4	Note verbale dated 31 July 2012 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/G/3	4	Note verbale dated 6 August 2012 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/G/4	4	Note verbale dated 4 September 2012 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/G/5	4	Note verbale dated 14 September 2012 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/G/6	4	Note verbale dated 14 September 2012 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/11/G/7	4	Note verbale dated 14 September 2012 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

Documents issued in the Government series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/21/G/8	4	Note verbale dated 18 September 2012 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/G/9	9	Note verbale dated 20 September 2012 from the Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/G/10	4	Note verbale dated 24 September 2012 from the Permanent Mission of the Republic of Armenia to the United Nations Office and other international organizations in Geneva addressed to the President of the Human Rights Council
A/HRC/21/G/11	3	Note verbale dated 24 September 2012 from the Permanent Mission of Greece to the United Nations Office at Geneva and other international organizations in Switzerland addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/21/G/12	4	Letter dated 10 October 2012 from the Permanent Representative of the Republic of Azerbaijan to the United Nations Office and other international organizations in Geneva addressed to the President of the Human Rights Council

Documents issued in the non-governmental organization series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/21/NGO/1	3	Written statement submitted by Maarij Foundation for Peace and Development (MFPD), a non-governmental organization in special consultative status
A/HRC/21/NGO/2	3	Written statement submitted by Maarij Foundation for Peace and Development (MFPD), a non-governmental organization in special consultative status
A/HRC/21/NGO/3	4	Written statement submitted by Maarij Foundation for Peace and Development (MFPD), a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/NGO/4	3	Written statement submitted by Maarij Foundation for Peace and Development (MFPD), a non-governmental organization in special consultative status
A/HRC/21/NGO/5	4	Written statement submitted by the Society Studies Centre (MADA ssc), a non-governmental organization in special consultative status
A/HRC/21/NGO/6	10	Written statement submitted by the Society Studies Centre (MADA ssc), a non-governmental organization in special consultative status
A/HRC/21/NGO/7	4	Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, the Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XXI, United Towns Agency for North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED), organización no gubernamental reconocida como entidad en la Lista

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/NGO/8	3 Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XXI, United Towns Agency for the North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council y Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED) organización no gubernamental reconocida como entidad en la Lista
A/HRC/21/NGO/9	3 Written statement submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status
A/HRC/21/NGO/10	3 Written statement submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/NGO/11	3 Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XX1, United Towns Agency for North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED) organización no gubernamental reconocida como entidad en la Lista
A/HRC/21/NGO/12	3 Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XX1, United Towns Agency for North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council y Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED) organización no gubernamental reconocida como entidad en la Lista
A/HRC/21/NGO/13	3 Written statement submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/NGO/14	3 Written statement submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status
A/HRC/17/NGO/15	3 Joint written statement submitted by the Commission of the Churches on International Affairs of the World Council of Churches (CCIA), Pax Christi International, the International Catholic Peace Movement, a non-governmental organization in special consultative status
A/HRC/21/NGO/16	3 Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XX1, United Towns Agency for North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED), organización no gubernamental reconocida como entidad en la Lista

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/NGO/17	3 Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XX1, United Towns Agency for North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED) organización no gubernamental reconocida como entidad en la Lista
A/HRC/21/NGO/18	3 Written statement submitted by the Al Zubair Charitable Foundation, a non-governmental organization in special consultative status
A/HRC/21/NGO/19	3 Written statement submitted by the Al Zubair Charitable Foundation, a non-governmental organization in special consultative status,
A/HRC/21/NGO/20	3 Written statement submitted by the Al Zubair Charitable Foundation, a non-governmental organization in special consultative status
A/HRC/21/NGO/21	4 Written statement submitted by the International Humanist and Ethical Union, a non-governmental organization in special consultative status
A/HRC/21/NGO/22	3 Written statement submitted by the Associazione Comunità Papa Giovanni XXIII, a non-governmental organization in special consultative status
A/HRC/21/NGO/23	2 Written statement submitted by Liberation, a nongovernmental organization in special consultative status
A/HRC/21/NGO/24	4 Written statement submitted by the Jubilee Campaign, a non-governmental organization in special consultative status
A/HRC/21/NGO/25	4 Written statement submitted by the Jubilee Campaign, a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/NGO/26	3	Exposición escrita presentada por la American Association of Jurists, organización no gubernamental reconocida como entidad consultiva especial
A/HRC/21/NGO/27	4	Written statement submitted by the Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), a nongovernmental organization on the roster
A/HRC/21/NGO/28	3	Written statement submitted by the International Commission of Jurists, a non-governmental organization in special consultative status
A/HRC/21/NGO/29	3	Written statement submitted by the International Commission of Jurists, a non-governmental organization in special consultative status
A/HRC/21/NGO/30 and Rev.1	9	Written statement submitted by United Nations Watch, a non-governmental organization in special consultative status
A/HRC/21/NGO/31	3	Written statement submitted by the Helsinki Foundation for Human Rights, a non-governmental organization in special consultative status
A/HRC/21/NGO/32	3	Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XXI, United Towns Agency for North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED), organización no gubernamental reconocida como entidad en la Lista

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/NGO/33	3 Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XX1, United Towns Agency for North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED), organización no gubernamental reconocida como entidad en la Lista
A/HRC/21/NGO/34	6 Written statement submitted by the Human Rights Law Centre, a non-governmental organization in special consultative status
A/HRC/21/NGO/35	3 Written statement submitted by the Himalayan Research and Cultural Foundation, a non-governmental organization in special consultative status
A/HRC/21/NGO/36	4 Written statement submitted by the Bahá'í International Community, a non-governmental organization in special consultative status
A/HRC/21/NGO/37	6 Joint written statement submitted by the World Federation of Democratic Youth (WFDY), a non-governmental organization in general consultative status, the American Association of Jurists (AAJ), France Libertés: Fondation Danielle Mitterrand, non-governmental organizations in special consultative status, the Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), non-governmental organizations on the roster
A/HRC/21/NGO/38	4 Written statement submitted by the Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), a nongovernmental organization on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/NGO/39	3 Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XX1, United Towns Agency for North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED), organización no gubernamental reconocida como entidad en la Lista
A/HRC/21/NGO/40	3 Exposición escrita conjunta presentada por International Youth and Student Movement for the United Nations (ISMUN), Women's International Democratic Federation (WIDF), organizaciones no gubernamentales reconocidas como entidades consultivas generales, International Organization for the Elimination of all Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, Arab Lawyers Union, General Arab Women Federation (GAWF), International Association of Democratic Lawyers (IADL), North-South XX1, United Towns Agency for North-South Cooperation, Indian Movement "Tupaj Amaru", Asian Women Human Rights Council, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, organizaciones no gubernamentales reconocidas como entidades consultivas especiales, International Educational Development, Inc. (IED), organización no gubernamental reconocida como entidad en la Lista
A/HRC/21/NGO/41	4 Written statement submitted by the Hawa Society for Women, a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/NGO/42	6 Joint written statement submitted by the World Federation of Democratic Youth (WFDY), a non-governmental organization in general consultative status, and France Libertés: Fondation Danielle Mitterrand, non-governmental organization in special consultative status
A/HRC/21/NGO/43	6 Written statement submitted by the Minority Rights Group, a non-governmental organization in special consultative status
A/HRC/21/NGO/44	4 Exposición presentada por la American Association of Jurists, organización no gubernamental reconocida como entidad consultiva especial
A/HRC/21/NGO/45	7 Joint written statement submitted by the Al Mezan Centre for Human Rights, Al-Haq, Law in Service of Man, the BADIL Resource Center for Palestinian Residency and Refugee Rights, non-governmental organizations in special consultative status
A/HRC/21/NGO/46	3 Written statement submitted by Anti-Slavery International, a non-governmental organization in special consultative status
A/HRC/21/NGO/47	4 Written statement submitted by the Minority Rights Group, a non-governmental organization in special consultative status
A/HRC/21/NGO/48	3 Written statement submitted by Corporate Accountability International, a non-governmental organization in special consultative status
A/HRC/21/NGO/49	3 Exposición escrita presentada por los Permanent Assembly for Human Rights, organización no gubernamental reconocida como entidad consultiva especial
A/HRC/21/NGO/50	3 Exposición escrita presentada por los Permanent Assembly for Human Rights, organización no gubernamental reconocida como entidad consultiva especial
A/HRC/21/NGO/51	3 Exposición escrita presentada por los Permanent Assembly for Human Rights, organización no gubernamental reconocida como entidad consultiva especial
A/HRC/21/NGO/52	3 Exposé écrit présenté par le Permanent Assembly for Human Rights, organisation non gouvernementale dotée du statut consultatif spécial

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/NGO/53	3	Joint written statement submitted by the Sovereign Military Order of the Temple of Jerusalem (OSMTH), the AL HAKIM Foundation, non-governmental organizations in special consultative status
A/HRC/17/NGO/54	4	Written statement submitted by the Press Emblem Campaign (PEC), a non-governmental organization in special consultative status
A/HRC/21/NGO/55	3	Exposición escrita presentada por la Permanent Assembly for Human Rights, organización no gubernamental reconocida como entidad consultiva especial
A/HRC/21/NGO/56	10	Written statement submitted by International Educational Development, Inc., a non-governmental organization on the roster
A/HRC/21/NGO/57	4	Written statement submitted by International Educational Development, Inc., a non-governmental organization on the roster
A/HRC/21/NGO/58	7	Joint written statement submitted by the Al Mezan Centre for Human Rights, Al-Haq–Law in Service of Man, the BADIL Resource Center for Palestinian Residency and Refugee Rights, non-governmental organizations in special consultative status
A/HRC/21/NGO/59	7	Written statement submitted by the Palestinian Centre for Human Rights, a non-governmental organization in special consultative status
A/HRC/21/NGO/60	4	Written statement submitted by the Nonviolent Radical Party, Transnational and Transparty, a non-governmental organization in general consultative status
A/HRC/21/NGO/61	3	Written statement submitted by Liberal International (World Liberal Union), a non-governmental organization in general consultative status
A/HRC/21/NGO/62	3	Written statement submitted by Liberal International (World Liberal Union), a non-governmental organization in general consultative status
A/HRC/21/NGO/63	3	Written statement submitted by the International Women's Anthropology Conference (IWAC), a non-governmental organization on the roster
A/HRC/21/NGO/64	3	Written statement submitted by Penal Reform International, a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/NGO/65	7 Joint written statement submitted by Al-Haq–Law in Service of Man, the Al Mezan Centre for Human Rights, the BADIL Resource Center for Palestinian Residency and Refugee Rights, non-governmental organizations in special consultative status
A/HRC/21/NGO/66	4 Written statement submitted by the Helsinki Foundation for Human Rights, a non-governmental organization in special consultative status
A/HRC/21/NGO/67	6 Written statement submitted by the International Movement Against All Forms of Discrimination and Racism (IMADR), a non-governmental organization in special consultative status
A/HRC/21/NGO/68	3 Written statement submitted by the International Movement Against All Forms of Discrimination and Racism (IMADR), a non-governmental organization in special consultative status
A/HRC/21/NGO/69	4 Written statement submitted by the International Movement Against All Forms of Discrimination and Racism (IMADR), a non-governmental organization in special consultative status
A/HRC/21/NGO/70	4 Joint written statement submitted by Al-Haq–Law in Service of Man, the Al Mezan Centre for Human Rights, the BADIL Resource Center for Palestinian Residency and Refugee Rights, non-governmental organizations in special consultative status
A/HRC/21/NGO/71	4 Joint written statement submitted by the International Movement Against All Forms of Discrimination and Racism (IMADR), the Association of the Indigenous Peoples in the Ryukyus (AIPR), non-governmental organizations in special consultative status
A/HRC/21/NGO/72	4 Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/21/NGO/73	4 Joint written statement submitted by France Libertés: Fondation Danielle Mitterrand, the Women's Human Rights International Association (WHRIA), the Women's International League for Peace and Freedom (WILPF), nongovernmental organizations in special consultative status, the International Educational Development, Inc., the Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), non-governmental organizations on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/NGO/74	3	Written statement submitted by the Federation of Western Thrace Turks in Europe (ABTTF), a non-governmental organization in special consultative status
A/HRC/21/NGO/75	3	Joint written statement submitted by France Libertés: Fondation Danielle Mitterrand, the Society for Threatened Peoples, non-governmental organizations in special consultative status, the Mouvement contre le racisme et pour l'amitié entre les peuples, a non-governmental organization on the roster
A/HRC/21/NGO/76	3	Exposé écrit présenté conjointement par France Libertés – Fondation Danielle Mitterrand, organisation non gouvernementale dotée du statut consultatif spécial, Mouvement contre le racisme et pour l'amitié entre les peuples, organisation non gouvernementale sur la liste
A/HRC/21/NGO/77	3	Exposé écrit présenté conjointement par World Federation of Democratic Youth (WFDY), organisation non gouvernementale dotée du statut consultatif général, France Libertés – Fondation Danielle Mitterrand, organisation non gouvernementale dotée du statut consultatif spécial, Mouvement contre le racisme et pour l'amitié entre les peuples, organisation non gouvernementale sur la liste
A/HRC/21/NGO/78	3	Exposé écrit présenté conjointement par France Libertés – Fondation Danielle Mitterrand, organisation non gouvernementale dotée du statut consultatif spécial, Mouvement contre le racisme et pour l'amitié entre les peuples, organisation non gouvernementale sur la liste
A/HRC/21/NGO/79	4	Joint written statement submitted by CIVICUS – World Alliance for Citizen Participation, a non-governmental organization in general consultative status, the East and Horn of Africa Human Rights Defenders Projects, a nongovernmental organizations in special consultative status
A/HRC/21/NGO/80	3	Written statement submitted by France Libertés: Fondation Danielle Mitterrand, a non-governmental organization in special consultative status
A/HRC/21/NGO/81	3	Written statement submitted by Asian Legal Resource Centre, a non-governmental organization in general consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/NGO/82	3	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/21/NGO/83	4	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/21/NGO/84	4	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/21/NGO/85	6	Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status
A/HRC/21/NGO/86	3	Written statement submitted by Reporters Sans Frontiers International–Reporters Without Borders International, a non-governmental organization in special consultative status
A/HRC/21/NGO/87	4	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/21/NGO/88	4	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/21/NGO/89	3	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/21/NGO/90	10	Joint written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), the East and Horn of Africa Human Rights Defenders Project (EHAHRDP), nongovernmental organizations in special consultative status
A/HRC/21/NGO/91	4	Written statement submitted by the Jubilee Campaign, a non-governmental organization in special consultative status
A/HRC/21/NGO/92	6	Written statement submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status
A/HRC/21/NGO/93	3	Written statement submitted by Franciscans International (FI), a non-governmental organization in general consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/NGO/94	3	Written statement submitted by Defence for Children International (DCI), a non-governmental organization in special consultative status
A/HRC/21/NGO/95	3	Written statement submitted by the African-American Society for Humanitarian Aid and Development (ASHAD), a non-governmental organization on the roster
A/HRC/21/NGO/96	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/21/NGO/97	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/21/NGO/98	3, 5	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/21/NGO/99	4	Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status
A/HRC/21/NGO/100	6	Written statement submitted by the Nonviolent Radical Party, Transnational and Transparty, a non-governmental organization in general consultative status
A/HRC/21/NGO/101	4	Written statement submitted by the African-American Society for Humanitarian Aid and Development (ASHAD), a non-governmental organization on the roster
A/HRC/21/NGO/102	4	Written statement submitted by International Educational Development, Inc., a non-governmental organization on the roster
A/HRC/21/NGO/103	6	Written statement submitted by the Arab NGO Network for Development, a non-governmental organization on the roster
A/HRC/21/NGO/104	6	Written statement submitted by the Arab NGO Network for Development, a non-governmental organization on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>
A/HRC/21/NGO/105	3 Joint written statement submitted by the Commission of the Churches on International Affairs of the World Council of Churches (CCIA/WCC), the International Alliance of Women (IAW), the International Youth and Student Movement for the United Nations (ISMUN), non-governmental organizations in general consultative status, Associazione Comunita Papa Giovanni XXIII, Women's Union of Russia (WUR), Rencontre Africaine pour la Defense des Droits de l'Homme (RADDHO), International Association of Peace Messenger Cities (IAPMC), Universal Esperanto Association (UEA), the BADIL Resource Center for Palestinian Residency and Refugee Rights, the International Federation of Women Lawyers (FIDA), International Federation of Women in Legal Careers (FIFCJ), North-South XXI, Union of Arab Jurists (UAJ), International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), General Arab Women Federation (GWAFF), Arab Lawyers Union (ALU), Peace Boat, International Women's Year Liaison Group, Japanese Worker's Committee for Human Rights, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale (OCAPROCE), Lama Gangchen World Peace Foundation (LGWPF), American Association of Jurists (AAJ), Worldwide Organization for Women (WOW), Comision Colombiana de Juristas (CCJ), the Pan Pacific South East Asia Women's Association International (PSEAWA), Center for Global Community and World Law, the Solar Cookers International (SCI), Tandem Project, International Movement against all Forms of Discrimination and Racism (IMADR), the Cairo Institute for Human Rights Studies (CIHR), non-governmental organizations in special consultative status, the Institute for Planetary Synthesis (IPS), the 3HO Foundation, Inc. (Healthy, Happy, Holy Organization), International Society for Human Rights (ISHR), Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), the International Peace Bureau (IPB) non-governmental organizations on the roster
A/HRC/21/NGO/106	9 Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster
A/HRC/21/NGO/107	3 Written statement submitted by the American Anthropological Association, a non-governmental organization on the roster

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/NGO/108	4	Written statement submitted by the Syriac Universal Alliance (SUA), a non-governmental organization special consultative status
A/HRC/21/NGO/109	3	Joint written statement submitted by the Women's International League for Peace and Freedom (WILPF), the International Association of Schools of Social Work (IASSW), OCAPROCE International, International Educational Development, Inc., non-governmental organizations in special consultative status, the Indian Council of South America (CISA), the International Human Rights Association of American Minorities (IHRAAM), nongovernmental organizations on the roster
A/HRC/21/NGO/110	3	Written statement submitted by the Women's Human Rights International Association (WHRIA), a non-governmental organization in special consultative status
A/HRC/21/NGO/111	4	Written statement submitted by the Women's Human Rights International Association (WHRIA), a non-governmental organization in special consultative status
A/HRC/21/NGO/112	3	Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status
A/HRC/21/NGO/113	6	Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status
A/HRC/21/NGO/114	7	Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status
A/HRC/21/NGO/115	10	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/21/NGO/116	3	Joint written statement submitted by the Indian Movement “Tupaj Amaru”, the United Towns Agency for the North-South Cooperation, the Union of Arab Jurists, the General Arab Women Federation (GAWF), Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale–OCAPROCE, non-governmental organizations in special consultative status, International Educational Development, Inc. (IED), nongovernmental organization on the roster
A/HRC/21/NGO/117	4	Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status
A/HRC/21/NGO/118	3	Written statement submitted by the Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status
A/HRC/21/NGO/119	3	Written statement submitted by the Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status
A/HRC/21/NGO/120	6	Written statement submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status
A/HRC/21/NGO/121	4	Joint written statement submitted by the General Arab Women Federation (GAWF), the Union of Arab Jurists (UAJ), non-governmental organizations in special consultative status
A/HRC/21/NGO/122	4	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/21/NGO/123	2	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/21/NGO/124	3	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/21/NGO/125	4	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status
A/HRC/21/NGO/126	4	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status

Documents issued in the non-governmental organization series

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/21/NGO/127	3	Written statement submitted by International Human Rights Association of American Minorities (IHRAAM), a nongovernmental organization on the roster
A/HRC/21/NGO/128	5	Written statement submitted by the Canadian HIV/AIDS Legal Network, a non-governmental organization in special consultative status
A/HRC/21/NGO/129	8	Written statement submitted by the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children (IAC), a non-governmental organization in special consultative status
A/HRC/21/NGO/130	3	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster
A/HRC/21/NGO/131	6	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster
A/HRC/21/NGO/132	4	Exposé écrit présenté conjointement par l'International Alliance of Women (IAW), organisation non gouvernementale dotée du statut consultatif général, la Rencontre Africaine pour la Défense des Droits de l'homme (RADDHO), l'Al-Hakim Foundation, l'Association Apprentissage Sans Frontière (ASF), l'Action Internationale pour la Paix et le Développement dans la région des Grands Lacs (AIPD-GL), la Commission Africaine des Promoteurs de la Santé et des Droits de l'Homme (CAPSDH), le Centre Indépendant de Recherche et d'Initiative pour le Dialogue (CIRID), le Comité International pour le Respect et l'Application de la Charte africaine des Droits de l'Homme et des Peuples (CIRAC), l'Espace Afrique International, l'Inter-African Committee on Traditional Practices Affecting the Health of Women and Children (IAC), l'Union Interafricaine des droits de l'homme (UIDH), l'United Towns Agency for North-South Cooperation (UTA), Tchad Agir pour l'Environnement (TCHAPE), organisations non gouvernementales dotées du statut consultatif spécial
A/HRC/21/NGO/133	4	Exposé écrit présenté par Femmes Afrique Solidarité (FAS), organisation non gouvernementale dotée du statut consultatif spécial

Documents issued in the non-governmental organization series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/21/NGO/134	10	Written statement submitted by Amnesty International, a non-governmental organization in special consultative status

Documents issued in the national institution series

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/21/NI/1	6	Information presented by the National Human Rights Council (NHRC) of the Kingdom of Morocco
A/HRC/21/NI/2	2	Information presented by the Equality and Human Rights Commission of Great Britain: note by the Secretariat
A/HRC/21/NI/3	8	Written statement submitted by the Canadian Human Rights Commission: note by the secretariat

Annex IV**List of Advisory Committee members and duration of terms of membership**

<i>Member</i>	<i>Term expires in</i>
Saeed Mohamed Al Faihani (Bahrain)	30 September 2015
Mario L. Coriolano (Argentina)	30 September 2015
Katharina Pabel (Germany and Austria)	30 September 2015
Imeru Tamrat Yigezu (Ethiopia)	30 September 2015

Annex V

Special procedures mandate holders appointed by the Human Rights Council at its twenty-first session

Special Rapporteur on the situation of human rights in Eritrea

Beedwantee Keetharuth (Mauritius)

Special Rapporteur on the situation of human rights in Belarus

Miklós Haraszti (Hungary)

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

Marc Pallemmaerts (Belgium)

Working Group on the issue of discrimination against women in law and in practice

Patricia Olamendi (Mexico)

Annex VI

Additional members of the independent international commission of inquiry on the Syrian Arab Republic appointed by the Human Rights Council at its twenty-first session

Carla del Ponte (Switzerland)

Vitit Muntarbhorn (Thailand)
