



**United Nations**

# **Report of the Human Rights Council**

**Twenty-second special session  
(1 September 2014)**

**Twenty-seventh session  
(8–26 September 2014)**

**General Assembly  
Official Records  
Sixty-ninth session  
Supplement No. 53A**

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## Checklist of resolutions, decisions and President's statements

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## **I. Introduction**

1. The Human Rights Council held its twenty-second special session on 1 September 2014. It held its twenty-seventh session from 8 to 26 September 2014.
2. The reports of the Human Rights Council on the above-mentioned sessions have been issued in documents A/HRC/S-22/4<sup>1</sup> and A/HRC/27/2.<sup>1</sup>

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<sup>1</sup> To be finalized.

## II. Resolutions brought to the attention of the General Assembly for its consideration and possible action

**27/18**

### **National institutions for the promotion and protection of human rights**

*The Human Rights Council,*

*Recalling* all relevant Human Rights Council resolutions and relevant resolutions of the General Assembly and the Commission on Human Rights concerning national institutions for the promotion and protection of human rights, and recalling Council resolution 24/16 of 27 September 2013,

*Reaffirming* the importance of establishing and strengthening independent, pluralistic national human rights institutions<sup>2</sup> in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles),

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

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

*Welcoming* the role of national human rights institutions, within their respective mandates, in contributing to the prevention of human rights violations and abuses,

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

*Noting with interest* the twenty-seventh annual meeting of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, held from 12 to 14 March 2014,

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

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<sup>2</sup> National human rights institutions are those national institutions for the protection and promotion of human rights referred to in the Vienna Declaration and Programme of Action and the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

1. *Welcomes* the most recent reports of the Secretary-General submitted to the Human Rights Council on national institutions for the promotion and protection of human rights<sup>3</sup> and on the activities of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights in accrediting national institutions in compliance with the Paris Principles;<sup>4</sup>
2. *Encourages* Member States to establish effective, independent and pluralistic national human rights institutions or, where they already exist, to strengthen them to enable the effective fulfilment of their mandate to promote and protect human rights and fundamental freedoms for all, as outlined in the Vienna Declaration and Programme of Action, and to do so in accordance with the Paris Principles;
3. *Recognizes* that, consistent with the Vienna Declaration and Programme of Action, it is the right of each State to choose the framework for national institutions for the promotion and protection of human rights that is best suited to its particular needs at the national level in order to promote human rights in accordance with its international human rights obligations and commitments;
4. *Also recognizes* the role of independent national human rights institutions in working together with their Governments to ensure full respect for human rights at the national level, including by contributing to follow-up actions, as appropriate, to the recommendations resulting from international human rights mechanisms;
5. *Encourages* national human rights institutions to continue to play an active role in preventing and combating all violations and abuses of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;
6. *Commends* the International Coordinating Committee for making the role of prevention in the promotion and protection of human rights the overarching theme of its twenty-seventh annual meeting;
7. *Encourages* national human rights institutions to assist, advise and engage with the State and other stakeholders in the prevention of violations and abuses of human rights, including by promoting the ratification of international treaties, promoting legal and procedural reforms, conducting practical and relevant human rights training and education, and raising public awareness and advocacy about the promotion and protection of human rights;
8. *Stresses* the importance of financial and administrative independence and the stability of national human rights institutions for the promotion and protection of human rights, and notes with satisfaction the efforts of those Member States that have provided their national human rights institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;
9. *Recognizes* that national human rights institutions and their respective members and staff should not face any form of reprisal or intimidation, including political pressure, physical intimidation, harassment or unjustifiable budgetary limitations, as a result of activities undertaken in accordance with their respective mandates, including when taking up individual cases or when reporting on serious or systematic violations in their countries;

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<sup>3</sup> A/HRC/27/39.

<sup>4</sup> A/HRC/27/40.

10. *Recognizes* the role that national human rights institutions can play in preventing and addressing cases of reprisal as part of supporting the cooperation between their Governments and the United Nations in the promotion of human rights, including by contributing to follow-up actions, as appropriate, to recommendations made by international human rights mechanisms;

11. *Emphasizes* that any cases of alleged reprisal or intimidation against national human rights institutions and their respective members and staff or against individuals who cooperate or seek to cooperate with national human rights institutions should be promptly and thoroughly investigated, with the perpetrators brought to justice;

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

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

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

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

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

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

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

19. *Commends in particular* the increasing engagement of national human rights institutions at all stages of the universal periodic review mechanism, and encourages national human rights institutions to promote and support the implementation of accepted recommendations in their respective national contexts;

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

21. *Also welcomes* the participation in and contribution of national human rights institutions to the process of strengthening and enhancing the effective functioning of the human rights treaty body system, as noted by the General Assembly in its resolution 68/268 of 9 April 2014;

22. *Further welcomes* the endorsement by the General Assembly of the strengthening of opportunities for national human rights institutions compliant with the Paris Principles to contribute to the work of the Human Rights Council in its resolutions 65/281, 66/169 of 19 December 2011 and 68/171 of 18 December 2013, and urges the Assembly to explore the feasibility of enabling national human rights institutions compliant with the Paris Principles to participate in the Assembly based on the practices and arrangements agreed upon in Assembly resolution 60/251, Human Rights Council resolutions 5/1 and 5/2, and 16/21 of 25 March 2011, and Commission on Human Rights resolution 2005/74, while ensuring their most effective contribution;

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

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

25. *Also welcomes* the important role of national human rights institutions in supporting cooperation between their Governments and the United Nations in the promotion and protection of human rights;

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

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

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

29. *Requests* the Secretary-General to submit to the Human Rights Council, at its thirty-third session, a report on the implementation of the present resolution, and a report on the activities of the International Coordinating Committee in accrediting national institutions in compliance with the Paris Principles.

*39th meeting*  
*25 September 2014*

[Adopted without a vote.]



### III. Twenty-second special session

#### S-22/1

#### **The human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups**

*The Human Rights Council,*

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

*Recalling Security Council resolutions 1373 (2001) of 28 September 2001, 1618 (2005) of 4 August 2005, 1624 (2005) of 14 September 2005, 2169 (2014) of 30 July 2014 and 2170 (2014) of 15 August 2014, General Assembly resolution 60/288 of 8 October 2006 and Human Rights Council resolutions 10/15 of 26 March 2009 and 13/26 of 26 March 2010, as well as all other relevant United Nations resolutions,*

*Reaffirming its commitment to the sovereignty, unity and territorial integrity of Iraq within its internationally recognized borders,*

*Welcoming the various statements issued by the Security Council, the Secretary-General, the United Nations High Commissioner for Human Rights and the Special Representative of the Secretary-General for Iraq, in which they noted the enormity of the atrocities committed by the so-called Islamic State in Iraq and the Levant and associated terrorist groups, and in which they stated that such atrocities may amount to crimes against humanity, involving unlawful killing, sexual violence against women and children, enslavement, rape, forced marriages, displacement and abduction, and have caused a catastrophic humanitarian crisis and the displacement of large numbers of people from the areas under their control,*

*Deeply concerned by the increasing and dramatic human rights violations and abuses and violations of international humanitarian law in Iraq resulting from the terrorist acts committed by the so-called Islamic State in Iraq and the Levant and associated terrorist groups against the Iraqi people, including those involving unlawful killing, the deliberate targeting of civilians, forced conversions, targeted persecution of individuals on the basis of their religion or belief, and acts of violence against members of ethnic and religious minorities, in particular Christians and Yazidis in Mosul and the surrounding areas, including Sinjar, Tal Afar, Bashir, Amerli, the Plain of Nineveh and other areas, as well as sieges against civilians in villages inhabited by minorities,*

*Deeply concerned also by the attacks against civilians by the so-called Islamic State in Iraq and the Levant and the mass execution of a large number of unarmed Iraqi soldiers and clergy, as well as the rampant destruction of monuments, shrines, churches, mosques and other places of worship, archaeological sites and cultural heritage sites,*

*Deeply regretting the attacks against journalists by the so-called Islamic State in Iraq and the Levant and associated groups,*

*Reaffirming that all States have the responsibility to promote and protect all human rights and fundamental freedoms for all, in accordance with the Charter and other instruments relating to human rights, and reaffirming also that the protection and promotion of human rights and fundamental freedoms is the responsibility of Governments,*

*Reaffirming also that no terrorist act can be justified in any circumstances,*

*Expressing alarm* that acts of terrorism in all forms and manifestations pose a serious threat to the enjoyment of human rights,

*Recognizing with grave concern* that the transnational character of the so-called Islamic State in Iraq and the Levant and associated groups poses a threat to the wider region,

*Emphasizing* the need to take appropriate steps to protect members of religious and ethnic minorities, women and children, and members of groups in vulnerable situations, and to provide support to them, as well as to protect civilian and public facilities, such as schools, hospitals, shrines and places of worship,

*Emphasizing also* the need to strengthen international cooperation in order to provide humanitarian assistance and aid to all displaced Iraqi people to ensure that basic needs are met and to alleviate suffering caused by the violence,

*Fully aware* of the obligations of the States Members of the United Nations to prevent and suppress the financing of any terrorist acts,

1. *Condemns* in the strongest possible terms the systematic violations and abuses of human rights and violations of international humanitarian law resulting from the terrorist acts committed by the so-called Islamic State in Iraq and the Levant and associated groups taking place since 10 June 2014 in several provinces of Iraq, which may amount to war crimes and crimes against humanity, and strongly condemns in particular all violence against persons based on their religious or ethnic affiliation, as well as violence against women and children;

2. *Urges* all parties to comply with applicable international humanitarian law and human rights law, to protect civilians, in particular women and children, to respect their human rights and to meet their basic needs, which requires providing safe access for humanitarian and medical services to all affected populations;

3. *Stresses* the need for those responsible for such violations of international humanitarian law or violations and abuses of human rights law to be held to account through appropriate mechanisms, and calls upon the Government of Iraq to ensure that all perpetrators are brought to justice;

4. *Expresses* its support for the Iraqi authorities in establishing a new and inclusive Government within the constitutionally mandated time frame;

5. *Calls upon* the new Government of Iraq to promote and protect human rights by involving all components of Iraqi society in a spirit of national unity and reconciliation, by upholding human rights law and international humanitarian law in its efforts to confront the so-called Islamic State in Iraq and the Levant, and by investigating appropriately all alleged abuses and violations of human rights law and international humanitarian law in Iraq, and continues to support the efforts of the Government of Iraq to foster religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion and to contribute openly and on an equal footing to society, and to take appropriate measures to prevent attacks against persons on the basis of their religion or belief and to prosecute the perpetrators of such attacks;

6. *Urges* all parties not to lend any legitimacy to terrorist acts;

7. *Calls upon* the international community to assist the Iraqi authorities to ensure protection of and assistance to those fleeing the areas affected by terrorism, in particular members of groups in a vulnerable situation, including women, children and persons with disabilities, as well as members of ethnic, religious and other minorities;

8. *Commends* the United Nations, its specialized agencies and the partners of Iraq for their continued assistance to the national authorities of Iraq, and urges the

international community and all relevant stakeholders to strengthen their efforts in assisting Iraq in restoring peace, stability and security in the areas controlled by the so-called Islamic State in Iraq and the Levant and associated groups and in protecting civilians at the request of the Government of Iraq, and notably the threatened minorities, in order to ensure the return of internally displaced persons to their homes;

9. *Requests* the United Nations High Commissioner for Human Rights to provide technical and capacity-building assistance to the Government of Iraq to assist in promoting and protecting human rights, and to report thereon;

10. *Requests* the Office of the High Commissioner urgently to dispatch a mission to Iraq to investigate alleged violations and abuses of international human rights law committed by the so-called Islamic State in Iraq and the Levant and associated terrorist groups, and to establish the facts and circumstances of such abuses and violations, with a view to avoiding impunity and ensuring full accountability, and to provide a report on its findings to the Human Rights Council at an interactive dialogue during its twenty-eighth session, and also requests the High Commissioner to provide an oral update during the twenty-seventh session of the Council on the implementation of the present resolution;

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

*2nd meeting  
1 September 2014*

[Adopted without a vote.]

## IV. Twenty-seventh session

### A. Resolutions

#### 27/1

#### 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 to life, the right to liberty and security of person, the right not to be subjected to torture and the right to recognition as a person before the law,

*Recalling* Commission on Human Rights resolution 20 (XXXVI) of 29 February 1980, in which the Commission 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 resolutions 7/12 of 27 March 2008 and 16/16 of 24 March 2011, in which the Council renewed by consensus the mandate of the Working Group on Enforced or Involuntary Disappearances, as well as Council decision 25/116 of 27 March 2014 and Council resolution 21/4 of 27 September 2012,

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

*Welcoming* the fact that 98 States have signed the International Convention for the Protection of All Persons from Enforced Disappearance and that 43 States have ratified or acceded to it, and recognizing that its implementation is a significant contribution to ending impunity and to the promotion and the protection of all human rights for all,

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

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

*Taking note with interest* of the recommendation made by the Working Group that more assistance should be provided to family members and members of civil society in order to enable them to report alleged cases of enforced disappearances to the Working Group, given that, in a large number of cases, the underreporting of cases of enforced disappearances remains a major problem due to various reasons including, inter alia, fear of reprisals, weak administration of justice, poverty and illiteracy,<sup>5</sup>

<sup>5</sup> See A/HRC/27/49, para. 113.

*Taking note with interest also* of the general comments of the Working Group on the right to the truth in relation to enforced disappearances,<sup>6</sup> on children and enforced disappearances,<sup>7</sup> and on women affected by enforced disappearances,<sup>8</sup> as well as of its general comment on enforced disappearance as a crime of a continuous nature,<sup>9</sup> and in this regard recalling the relevant provisions of the Convention and the Declaration,

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

*Welcoming* the decision of the General Assembly to declare 30 August International Day of the Victims of Enforced Disappearances, as well as the decision of the Assembly in its resolution 65/196 of 21 December 2010 to proclaim, pursuant to the recommendation made by the Human Rights Council in its resolution 14/7 of 17 June 2010, 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims, and its call upon Member States, the United Nations system and other international and regional organizations, as well as civil society, to observe these days,

*Acknowledging* that many States cooperate with the Working Group, and encouraging States to cooperate with the Working Group,

*Recalling* Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

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

2. *Takes note with appreciation* of the reports of the Working Group on Enforced or Involuntary Disappearances,<sup>10</sup> and encourages States to give due consideration to the comments and recommendations contained therein;

3. *Welcomes* the important work undertaken by the Working Group to address all situations of enforced disappearances, and encourages the Working Group to pursue the fulfilment of its mandate as set out by the Human Rights Council in its resolution 7/12;

4. *Also welcomes* the cooperation established between the Working Group and the Committee on Enforced Disappearances, as well as with other relevant special procedures and treaty bodies, within the framework of their respective mandates;

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

6. *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;

7. *Encourages* the Working Group, in accordance with its working methods, to continue to provide concerned States with relevant and detailed information concerning

<sup>6</sup> See A/HRC/16/48, para. 39.

<sup>7</sup> A/HRC/WGEID/98/1 and Corr.1.

<sup>8</sup> A/HRC/WGEID/98/2.

<sup>9</sup> See A/HRC/16/48, para. 39.

<sup>10</sup> A/HRC/22/45 and Corr.1, and A/HRC/27/49.

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;

8. *Notes with concern* that, according to the Working Group, it has insufficient resources to exercise its mandate effectively, particularly in relation to human resources, where there is an acute need,<sup>11</sup> and requests the Secretary-General to provide the Working Group with all the resources and assistance necessary for it to be able to sustainably fulfil its mandate effectively, in particular by putting adequate and predictable human and material resources at its disposal;

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

*39th meeting  
25 September 2014*

[Adopted without a vote.]

## **27/2**

### **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 24/4 of 26 September 2013,

*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,<sup>12</sup>

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

*Emphasizing also* that all human rights and fundamental freedoms, including the right to development, can only be enjoyed in an inclusive and collaborative framework, at the international, regional and national levels, and in this regard underlining 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, development practitioners, human rights experts and the public at all levels, 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,

<sup>11</sup> A/HRC/27/49, para. 122.

<sup>12</sup> General Assembly resolution 65/1.

*Recognizing also* that extreme poverty and hunger are one of the greatest global threats and require the collective commitment of the international community for its eradication, pursuant to Millennium Development Goal 1, and therefore calling upon the international community to contribute towards achieving that goal,

*Underlining* the imperative need for raising awareness of the progress made, still existing difficulties and accelerating action towards the achievement of the Millennium Development Goals,

*Emphasizing* that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, independent and interrelated,

*Underlining* that the post-2015 development agenda will need to aim at strengthening a new, more equitable and sustainable national and international order, as well as the promotion and protection of all human rights and fundamental freedoms,

*Emphasizing* that the right to development should be central to the post-2015 development agenda,

*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,

*Recognizing* that Member States should cooperate with each other in ensuring development and eliminating obstacles to development, that the international community should promote effective international cooperation, in particular global partnership for development, for the realization of the right to development and the elimination of obstacles to development, and that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

*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,<sup>13</sup> 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 May 2013 to April 2014;

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<sup>13</sup> A/HRC/27/27.

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 mandate of the Working Group as established by the Commission on Human Rights in its resolution 1998/72 of 22 April 1998;

4. *Acknowledges* the need to strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms;

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

6. *Takes note with appreciation* of the report of the Working Group on its fifteenth session;<sup>14</sup>

7. *Recalls* that the Working Group, at its fifteenth session, had before it four documents containing detailed views and comments on the draft criteria and operational sub-criteria 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 fourteenth session;

8. *Takes note with appreciation* of the continuation of the process of considering, revising and refining the draft criteria and the corresponding operational sub-criteria, and welcomes the completion of the first reading of the draft criteria and operational sub-criteria;

9. *Acknowledges* the need to have the contributions of experts, regrets the low attendance of invited experts from international organizations at the fifteenth session of the Working Group, and in this context urges their broader engagement and re-emphasizes the importance of engaging further and inviting to the sixteenth 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;

10. *Also acknowledges* the need to further consider, revise and refine the draft criteria and corresponding operational sub-criteria mentioned in paragraphs 5 and 8 above, as mandated by the Human Rights Council in its resolution 21/32;

11. *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;

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<sup>14</sup> A/HRC/27/45.



(b) That the criteria and corresponding operational sub-criteria mentioned in paragraph 5 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 fifteenth session;

(e) That the Working Group will continue, at its sixteenth session, to accomplish its mandate including, in particular, to consider, revise and refine the draft right to development criteria and corresponding operational sub-criteria;

(f) 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 sixteenth session;

(g) That the Chair-Rapporteur of the Working Group will further her efforts to improve the effectiveness and efficiency of the Working Group with a view to accomplishing its mandate, including through drafting a framework for consideration at the sixteenth session of the Working Group, in consultation with regional and political groups;

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

12. *Encourages* Member States to pay particular consideration to the right to development in the context of the elaboration of the post-2015 development agenda;

13. *Urges* the High Commissioner to pursue his efforts, in fulfilment of his 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;

14. *Encourages* the Office of the High Commissioner, in the implementation of the Declaration on the Right to Development, to take sufficient measures to ensure balanced and visible allocation of resources and due attention to ensure visibility of the right to development through identifying and implementing tangible projects dedicated to the right to development, and to provide continuous updating to the Human Rights Council in this regard;

15. *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 his mandate with regard to the implementation of the right to development;

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

*39th meeting*  
*25 September 2014*

[Adopted by a recorded vote of 42 to 1, with 4 abstentions. The voting was as follows:

*In favour:*

Algeria, Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Czech Republic, Estonia, Ethiopia, France, Gabon, Germany, India, Indonesia, Ireland, Italy, Kazakhstan, Kenya, Kuwait, Maldives, Mexico, Montenegro, Morocco, Namibia, Pakistan, Peru, Philippines, Romania, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

*Against:*

United States of America

*Abstaining:*

Japan, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland]

### **27/3**

#### **Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence**

*The Human Rights Council,*

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

*Reaffirming* the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Geneva Conventions of 12 August 1949 and the Additional Protocols 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* the set of principles for the protection and promotion of human rights through action to combat impunity,<sup>15</sup> and the updated version of those principles,<sup>16</sup>

*Recalling also* 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 further* 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, Human Rights Council resolutions 9/10 of 24 September 2008, 12/11 of 1 October 2009 and 21/15 of 27 September 2012, on human rights and transitional justice, 9/11 of 18 September 2008, 12/12 of 1 October 2009 and 21/7 of 27 September 2012, 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, Council decisions 2/105 of

<sup>15</sup> E/CN.4/Sub.2/1997/20/Rev.1, annex II.

<sup>16</sup> E/CN.4/2005/102/Add.1.

27 November 2006, on the right to the truth, and 4/102 of 23 March 2007, on transitional justice, and General Assembly resolution 68/165 of 18 December 2013, on the right to the truth,

*Reaffirming* Human Rights Council resolution 18/7 of 29 September 2011, in which the Council decided to establish the mandate of Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence,

*Recalling* 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, in which article 24, paragraph 2 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 reaffirms the right to freedom to seek, receive and impart information to that end,

*Recalling also* the report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies<sup>17</sup> and his 2011 follow-up report on the same topic,<sup>18</sup> including the relevant recommendations contained therein, as well as his reports issued in 2006,<sup>19</sup> 2012,<sup>20</sup> 2013<sup>21</sup> and 2014<sup>22</sup> outlining a programme of action to enhance the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations,

*Noting with appreciation* the active engagement of the United Nations, including the Office of the United Nations High Commissioner for Human Rights, in assisting States to address gross human rights violations and serious violations of international humanitarian law, in cooperation with and at the request of States,

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

*Recognizing* that the Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence will continue to deal with situations in which there have been gross violations of human rights and serious violations of international humanitarian law,

*Underlining* the fact that, when designing and implementing strategies, policies and measures to address gross human rights violations and serious violations of international humanitarian law, the specific context of each situation must be taken into account with a view to preventing the recurrence of crises and future violations of human rights, to ensure social cohesion, nation-building, ownership and inclusiveness at the national and local levels, and to promote reconciliation,

*Emphasizing* the importance of a comprehensive approach 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, memorialization initiatives and processes to achieve shared narratives or an

<sup>17</sup> S/2004/616.

<sup>18</sup> S/2011/634.

<sup>19</sup> A/61/636-S/2006/980 and Corr.1.

<sup>20</sup> A/66/749.

<sup>21</sup> S/2013/341.

<sup>22</sup> A/68/213/Add.1 and A/69/181.

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,

1. *Takes note with appreciation* of the reports of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence submitted to the Human Rights Council at its twenty-first,<sup>23</sup> twenty-fourth<sup>24</sup> and twenty-seventh<sup>25</sup> sessions, as well as those submitted to the General Assembly at its sixty-seventh<sup>26</sup> and sixty-eighth<sup>27</sup> sessions, and calls upon States to take due consideration of the recommendations contained therein when designing and implementing strategies, policies and measures to address gross human rights violations and serious violations of international humanitarian law within their national context;

2. *Welcomes* the work undertaken by the Special Rapporteur in the implementation of his mandate, the comprehensive, transparent and inclusive consultations conducted with relevant actors from all regions for his thematic reports, and the undertaking of country visits;

3. *Also welcomes* the cooperation of those States that have received the Special Rapporteur in their country, those that have accepted requests for visits by the Special Rapporteur and those that have extended invitations to the Special Rapporteur to visit their country, as well as those that have responded to his requests for information;

4. *Decides* to extend the mandate of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence for a period of three years with the same terms as provided for by the Human Rights Council in its resolution 18/7;

5. *Urges* all States to cooperate with and assist the Special Rapporteur so that his mandate can be carried out effectively, including by responding favourably and rapidly to requests for visits, mindful that country visits are one of the essential tools for the fulfilment of the mandate of the Special Rapporteur, and to provide him in a timely manner with all the necessary information requested by him;

6. *Requests* the Special Rapporteur to continue to report annually to the Human Rights Council and the General Assembly;

7. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the human, technical and financial assistance necessary for the effective fulfilment of his mandate;

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

*39th meeting  
25 September 2014*

[Adopted without a vote.]

<sup>23</sup> A/HRC/21/46.

<sup>24</sup> A/HRC/24/42.

<sup>25</sup> A/HRC/27/56.

<sup>26</sup> A/67/368.

<sup>27</sup> A/68/345.

**27/4****Local government and human rights**

*The Human Rights Council,*

*Recalling* its resolutions 5/1 of 18 June 2007, 16/21 of 25 March 2011 and 24/2 of 26 September 2013, and its decision 6/102 of 27 September 2007,

*Recalling also* the mandate of the Human Rights Council, as set forth in General Assembly resolution 60/251 of 15 March 2006,

*Taking note* of Advisory Committee action 9/1 of 10 August 2012 on research proposals,<sup>28</sup> which includes a research proposal on local government and human rights, presented to the Human Rights Council for its consideration and approval, in accordance with its functions as described in paragraphs 75 to 78 of the annex to Council resolution 5/1,

*Taking note with appreciation* that the Advisory Committee presented to the Human Rights Council at its twenty-seventh session a progress report based on research on the role of local government in the promotion and protection of human rights, including human rights mainstreaming in local administration and public services;<sup>29</sup>

1. *Requests* the Advisory Committee to continue its research, from within existing resources, and to submit a final report on the role of local government in the promotion and protection of human rights to the Human Rights Council at its thirtieth session;

2. *Also requests* the Advisory Committee, when elaborating the above-mentioned report, to include therein the main challenges faced by local governments in the promotion and protection of human rights, and to make recommendations on tackling those challenges based on best practices in human rights mainstreaming in local administration and public services;

3. *Further requests* the Advisory Committee to seek, if necessary, further views and the input of Member States, relevant international and regional organizations, the United Nations High Commissioner for Human Rights and relevant special procedures, as well as national human rights institutions and non-governmental organizations, in order to finalize the above-mentioned research-based report.

*39th meeting  
25 September 2014*

[Adopted without a vote.]

**27/5****The 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

<sup>28</sup> See A/HRC/AC/9/6.

<sup>29</sup> See A/HRC/27/59.

Enforced Disappearance, as well as the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977,

*Recalling* General Assembly resolution 68/163 of 18 December 2013 on the safety of journalists and the issue of impunity, and Security Council resolution 1738 (2006) of 23 December 2006 on the protection of civilians in armed conflict,

*Recalling also* Human Rights Council resolution 21/12 of 27 September 2012 on the safety of journalists, Council decision 24/116 of 26 September 2013 on a panel discussion on the safety of journalists, and all other relevant resolutions of the Commission on Human Rights and the Council, in particular Council resolution 12/16 of 2 October 2009 and all other resolutions on the right to freedom of opinion and expression, Council resolution 13/24 of 26 March 2010, on the protection of journalists in situations of armed conflict, and Council resolution 26/13 of 26 June 2014, on the promotion, protection and enjoyment of human rights on the Internet,

*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,

*Recalling* all relevant reports of the special procedures of the Human Rights Council with regard to the safety of journalists, in particular the reports of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on extrajudicial, summary or arbitrary executions, presented to the Council at its twentieth session,<sup>30</sup> and the interactive dialogue thereon,

*Taking note with appreciation* of the report of the Office of the United Nations High Commissioner for Human Rights on good practices on the safety of journalists, submitted to the Human Rights Council at its twenty-fourth session,<sup>31</sup>

*Welcoming* the panel discussion of the Human Rights Council on the issue of the safety of journalists, held on 11 June 2014, and taking note with appreciation of the summary report of the Office of the High Commissioner thereon, submitted to the Council at its twenty-seventh session,<sup>32</sup>

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

*Noting with appreciation* the international conference on the safety of journalists, held in Warsaw on 23 and 24 April 2013, and its specific recommendations,

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

*Deeply concerned* by all human rights violations and abuses committed in relation to the safety of journalists, including through killing, torture, enforced disappearance, arbitrary detention, expulsion, intimidation, harassment, threats and acts of other forms of violence,

*Expressing serious concern* at the recent attacks and violence against journalists and media workers, in particular in situations of armed conflict, and recalling in this regard that journalists and media workers engaged in dangerous professional missions in areas of

<sup>30</sup> A/HRC/20/17 and A/HRC/20/22.

<sup>31</sup> A/HRC/24/23.

<sup>32</sup> A/HRC/27/35.

armed conflict shall be considered civilians and shall be protected as such, provided that they take no action adversely affecting their status as civilians,

*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,

*Acknowledging also* the particular vulnerability of journalists to becoming targets of unlawful or arbitrary surveillance and/or interception of communications, in violation of their rights to privacy and to freedom of expression,

*Bearing in mind* that impunity for attacks and violence against journalists constitutes one of the main challenges to strengthening the protection of journalists, and emphasizing that ensuring accountability for crimes committed against journalists is a key element in preventing future attacks,

1. *Condemns unequivocally* all attacks and violence against journalists and media workers, such as torture, extrajudicial killings, enforced disappearances and arbitrary detention, and intimidation and harassment in both conflict and non-conflict situations;

2. *Strongly condemns* the prevailing impunity for attacks and violence against journalists, and expresses grave concern that the vast majority of these crimes go unpunished, which in turn contributes to the recurrence of these crimes;

3. *Urges* States to promote a safe and enabling environment for journalists to perform their work independently and without undue interference, to prevent attacks and violence against journalists and media workers, to ensure accountability through the conduct of impartial, speedy, thorough, independent and effective investigations into all alleged violence against journalists and media workers falling within their jurisdiction, to bring perpetrators including, inter alia, those who command, conspire to commit, aid and abet or cover up such crimes, to justice, and to ensure that victims and their families have access to appropriate remedies;

4. *Takes note* of the good practices of different countries aimed 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;

5. *Calls upon* States to develop and implement strategies for combating impunity for attacks and violence against journalists, including by using, where appropriate, good practices such as those identified during the panel discussion held on 11 June 2014 and/or compiled in the report of the Office of the United Nations High Commissioner for Human Rights on good practices on the safety of journalists, inter alia:

- (a) The creation of special investigative units or independent commissions;
- (b) The appointment of a specialized prosecutor;
- (c) The adoption of specific protocols and methods of investigation and prosecution;
- (d) The training of prosecutors and the judiciary regarding the safety of journalists;
- (e) The establishment of information-gathering mechanisms, such as databases, to permit the gathering of verified information about threats and attacks against journalists;
- (f) The establishment of an early warning and rapid response mechanism to give journalists, when threatened, immediate access to the authorities and protective measures;

6. *Emphasizes* the important role that media organizations can play in providing adequate safety, risk awareness, digital security and self-protection training and guidance to employees, together with protective equipment, where necessary;
7. *Welcomes* the proclamation by the General Assembly, in its resolution 68/163, of 2 November as the International Day to End Impunity for Crimes against Journalists;
8. *Stresses* the need to ensure better cooperation and coordination at the international level, including through technical assistance and capacity-building, 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, and to this end also calls upon States to cooperate with relevant United Nations entities, in particular the United Nations Educational, Scientific and Cultural Organization, as well as international and regional human rights mechanisms, and to share information on a voluntary basis on the status of investigations into attacks and violence against journalists;
9. *Acknowledges* the importance of addressing the issue of the safety of journalists through the process of the universal periodic review;
10. *Encourages* national, subregional, regional and international human rights mechanisms and bodies, including the relevant special procedures of the Human Rights Council, treaty bodies and national human rights institutions, in the framework of their mandates, to continue to address the relevant aspects of the safety of journalists in their work;
11. *Decides* to continue its consideration of the safety of journalists in accordance with its programme of work, no later than at its thirty-third session.

*39th meeting  
25 September 2014*

[Adopted without a vote.]

## **27/6**

### **Panel discussion on realizing the equal enjoyment of the right to education by every girl**

*The Human Rights Council,*

*Guided by* the Charter of the United Nations,

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

*Recalling also* the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women,

*Recalling further* all relevant Human Rights Council resolutions, in particular its resolutions on the right to education, the most recent of which is resolution 26/17 of 26 June 2014,

*Recalling* the United Nations Millennium Declaration, in which Member States resolved to ensure that, by 2015, children everywhere, boys and girls alike, would be able



to complete a full course of primary schooling and that girls and boys would have equal access to all levels of education, in accordance with the Education for All agenda and education-related Millennium Development Goals,

*Noting with appreciation* the work carried out by all relevant organs, bodies and mechanisms of the United Nations system within their respective mandates, in particular the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization, as well as the efforts of organizations and civil society to promote girls' enjoyment of the right to education,

*Deeply concerned* that, according to the United Nations Educational, Scientific and Cultural Organization, none of the Education for All goals will be achieved globally by 2015, despite the advances achieved over the past decade,

*Deeply concerned also* that, despite progress in recent years, many girls continue to suffer severe disadvantage and exclusion in education systems throughout their lives,

*Strongly condemning* attacks, including terrorist attacks, on educational institutions as such, their students and staff, and recognizing the negative impact that such attacks can have on the realization of the right to education, in particular of girls,

*Strongly condemning also* attacks on and abductions of girls because they attend or wish to attend school,

*Reaffirming* the equal right of every child to education without discrimination of any kind, and noting the discrimination often faced by girls,

1. *Decides* to convene, at its twenty-ninth session, a panel discussion on realizing the equal enjoyment of the right to education by every girl with a view to sharing lessons learned and best practices in this regard;

2. *Requests* the United Nations High Commissioner for Human Rights to organize the panel and to liaise with States, relevant United Nations agencies, funds and programmes, relevant special procedures, civil society, including relevant children's and youth organizations, national human rights institutions and other relevant stakeholders with a view to ensuring their participation in and contribution to the panel discussion;

3. *Also requests* the High Commissioner to prepare a summary report on the panel discussion and to present it to the Human Rights Council at its thirtieth session.

*39th meeting  
25 September 2014*

[Adopted without a vote.]

## **27/7**

### **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, 18/1 of 28 September 2011, 21/2 of 27 September 2012 and 24/18 of 27 September 2013,

*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, as well as

resolution 68/157 of 18 December 2013, in which the Assembly reaffirmed by consensus the human right to safe drinking water and sanitation,

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

*Recalling further* the Vienna Declaration and Programme of Action, which reaffirms that all human rights are universal, indivisible, interdependent and interrelated, including the right to development,

*Recalling* Human Rights Council resolution 25/11 of 27 March 2014 on the question of the realization in all countries of economic, social and cultural rights, in which the Council underlined the importance of an effective remedy for violations of economic, social and cultural rights,

*Reaffirming* the commitment to human rights as expressed in General Assembly resolution 55/2 of 8 September 2000, entitled “United Nations Millennium Declaration”, and its follow-up resolutions 60/1 of 16 September 2005, entitled “2005 World Summit Outcome”, and 65/1 of 22 September 2010, entitled “Keeping the promise: united to achieve the Millennium Development Goals”, as well as in resolutions 66/288 of 11 September 2012, entitled “The future we want”, and 68/6 of 9 October 2013, entitled “Outcome document of the special event to follow up efforts made towards achieving the Millennium Development Goals”,

*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 of the high-level plenary meeting of the General Assembly on the Millennium Development Goals entitled “Keeping the promise: united to achieve the Millennium Development Goals”,

*Taking note* of 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 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; the Panama Declaration, adopted at the third Latin American and Caribbean Conference on Sanitation, in 2013; the Kathmandu Declaration, adopted at the fifth South Asian Conference on Sanitation, in 2013; and the commitments made on the human right to safe drinking water and sanitation at the Sanitation and Water for All High-Level Meeting, in 2014,

*Taking note with appreciation* of the work of the World Health Organization and the United Nations Children’s Fund in their 2014 update on the Joint Monitoring Programme for Water Supply and Sanitation,

*Welcoming* the fact that, according to the 2012 Joint Monitoring Programme report of the World Health Organization and the United Nations Children’s Fund, the Millennium Development Goal target relating to the reduction by 50 per cent of people without access to an improved water source was formally met five years before its deadline of 2015, while being deeply concerned, however, that, according to the 2014 Joint Monitoring Programme

update, a large number of the world's population still does not enjoy access to safe drinking water, as 748 million people, nearly half of them in sub-Saharan Africa, still lack access to improved drinking-water sources, and that at least 1.8 billion people are estimated to be using an improved or unimproved drinking water source that is unsafe,

*Deeply concerned* that, according to the 2014 Joint Monitoring Programme update, more than 2.5 billion people still do not have access to improved sanitation facilities, including 1 billion people who still practice open defecation, and that the world remains off track to meet the sanitation component of Millennium Development Goal 7, which called for halving the proportion of the population without sustainable access to an improved sanitation facility; and welcoming therefore the emphasis placed by States on the topic of sanitation, for instance in General Assembly resolution 65/1 of 22 September 2010, in which States committed to, inter alia, redouble efforts to close the sanitation gap through scaled-up ground-level action, and the proclamation of 19 November as World Toilet Day in the context of Sanitation for All, pursuant to Assembly resolution 67/291 of 24 July 2013,

*Concerned* that the official figures do not fully capture the dimensions of drinking water safety, affordability of services and safe management of excreta and wastewater, and therefore underestimate the numbers of those without access to safe and affordable drinking water and safely managed and affordable sanitation, and highlighting in this context the need to adequately monitor the safety of drinking water and sanitation in order to obtain data that capture those dimensions as a critical part of securing access to safe drinking water and the safe management of sanitation,

*Reaffirming* that non-discrimination and equality are fundamental human rights principles, and concerned that inequalities in the realization of the right to safe drinking water and sanitation persist, inter alia, between urban and rural areas and between formal and informal areas in cities, and insisting that much remains to be done on safety, equality and non-discrimination issues,

*Concerned* that the lack of access to adequate water and sanitation services, including menstrual hygiene management, and the widespread stigma associated with menstruation have a negative impact on gender equality and the human rights of women and girls,

*Recognizing* that, in realizing the human right to safe drinking water and sanitation as well as other human rights for a rapidly growing world population, States should increasingly pursue integrated approaches and strengthen their water resource management, including by improving their wastewater treatment and by preventing and reducing surface and groundwater pollution,

*Recalling* General Assembly resolution 67/291, entitled "Sanitation for All", in which the Assembly encouraged all Member States, as well as the organizations of the United Nations system and international organizations and other stakeholders, to approach the sanitation issue in a much broader context and to encompass all its aspects, including hygiene promotion, the provision of basic sanitation services, sewerage and wastewater treatment and reuse in the context of integrated water management,

*Affirming* the need to adequately consider the human right to safe drinking water and sanitation in the elaboration of the post-2015 development agenda, in particular while defining concrete goals, targets and indicators,

*Reaffirming* its encouragement to Member States to intensify global partnerships for development as a means to achieve and sustain the Millennium Development Goal targets on water and sanitation,

*Reaffirming also* the importance of national programmes and policies in ensuring the progressive realization of the human right to safe drinking water and sanitation,

*Affirming* the importance of regional and international technical cooperation, where appropriate, as a means to promote the progressive realization of the human right to safe drinking water and sanitation, without any prejudice to questions of international water law, including international watercourse law,

*Reaffirming* that the human right to safe drinking water and sanitation entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use and to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity;

1. *Reaffirms* that the human right to safe drinking water and sanitation is essential for the full enjoyment of life and to all human rights, and recalls that it is derived from the right to an adequate standard of living and is inextricably related to the right to the highest attainable standard of physical and mental health, as well as to the right to life and human dignity;

2. *Recalls* that safe drinking water and sanitation must be progressively made available for present and future generations, without discrimination, and that the provision of services today should safeguard the ability in the future to realize the human right to safe drinking water and sanitation;

3. *Alarmed* by the fact that, according to the 2014 Joint Monitoring Programme update, the percentage of the global population without access to an improved sanitation facility decreased by only 7 per cent between 1990 and 2012 and that, if current trends continue, the Millennium Development Goal target on sanitation will be missed by more than half a billion people, and calls upon all Member States to continue to support the global effort to realize the goals of the advocacy campaign “Sustainable sanitation: the five-year drive to 2015”, including action to eliminate the practice of open defecation, as called for by the Deputy Secretary-General on 28 May 2014;

4. *Welcomes* the fact that the Open Working Group on Sustainable Development Goals proposed in its outcome document a goal on water and sanitation and targets on universal access to drinking water, sanitation and hygiene, highlighting in particular the dimensions of safety, affordability, adequacy, equality, participation and sustainability, that it proposed objectives to end open defecation and to improve wastewater treatment, and that special attention be given to the needs of women and girls and those in vulnerable situations, and invites States to consider adequately the human right to safe drinking water and sanitation in the elaboration of the post-2015 development agenda;

5. *Also 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 the undertaking of country missions;

6. *Further welcomes* the annual report of the Special Rapporteur submitted to the General Assembly on managing wastewater, curbing water pollution and improving water quality for the realization of the human right to safe drinking water and sanitation,<sup>33</sup> in which she emphasized the need to ensure that respect for, protection of and fulfilment of human rights are integrated into wastewater management and to develop a holistic approach to sustainable water resource management, including wastewater management;

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<sup>33</sup> A/68/264.

7. *Welcomes* the annual report of the Special Rapporteur submitted to the Human Rights Council on common violations of the human rights to water and sanitation,<sup>34</sup> and encourages Governments and other stakeholders to use, as appropriate, the “Handbook for realizing the human rights to water and sanitation: from policy to practice”, presented in an addendum to that report<sup>35</sup> as a tool for the progressive realization 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. *Stresses* the important role of international cooperation and the 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;

10. *Underlines* the importance of an effective remedy for violations of economic, social and cultural rights, including the human right to safe drinking water and sanitation, and in this regard, of judicial, quasi-judicial and other appropriate remedies, including procedures initiated by or on behalf of individuals or, as appropriate, groups of individuals, and of adequate procedures to avoid infringements of such rights;

11. *Calls upon* States:

(a) To achieve progressively the full realization of the human right to safe drinking water and sanitation;

(b) To identify patterns of failure to respect, protect or fulfil the human right to safe drinking water and sanitation for all persons without discrimination and to address their structural causes in policymaking and budgeting within a broader framework, while undertaking holistic planning aimed at achieving sustainable universal access, including in instances where the private sector, donors and non-governmental organizations are involved in service provision;

(c) To ensure that effective remedies for violations of their obligations regarding the human right to safe drinking water and sanitation, including judicial, quasi-judicial and other appropriate remedies, are accessible to everyone, without discrimination;

(d) To promote access for judges, prosecutors and decision-makers to adequate human rights education and training, including on the human right to safe drinking water and sanitation, by, inter alia, promoting or otherwise supporting ongoing training and the inclusion of such human rights curricula in law schools and other higher education, as appropriate;

(e) To promote the ability of human rights institutions and other relevant bodies to identify violations of the right to safe drinking water and sanitation, to receive

<sup>34</sup> A/HRC/27/55.

<sup>35</sup> A/HRC/27/55/Add.3.

complaints of violations of the right to safe drinking water and sanitation, and to assist with access to effective remedies for violations of the right to safe drinking water and sanitation;

(f) To provide comprehensive information in their periodic reports to treaty-monitoring bodies, for the universal periodic review process and to relevant regional and other mechanisms, as appropriate, for the identification, prevention and remedy of violations of the human right to safe drinking water and sanitation;

12. *Calls upon* non-State actors, including business enterprises, both transnational and others, to comply with their responsibility to respect human rights, including the human right to safe drinking water and sanitation, including by cooperating with State investigations into allegations of abuses of the human right to safe drinking water and sanitation, and by progressively engaging with States to detect and remedy abuses of the human right to safe drinking water and sanitation;

13. *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, to identify challenges and obstacles to the full realization of the human right to safe drinking water and sanitation, as well as protection gaps thereto, to continue to identify good practices and enabling factors in this regard, and to monitor the way in which the human right to safe drinking water and sanitation is being realized throughout the world;

14. *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;

15. *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 the mandate;

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

*39th meeting  
25 September 2014*

[Adopted without a vote.]

## **27/8**

### **Promoting human rights through sport and the Olympic ideal**

*The Human Rights Council,*

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

*Recalling* the Universal Declaration of Human Rights and relevant international human rights instruments,

*Recalling also* the relevant provisions of the key international human rights treaties, in particular article 31 of the Convention on the Rights of the Child and article 30 of the Convention on the Rights of Persons with Disabilities,

*Recalling further* the resolutions adopted by the General Assembly on the issue of sport and Olympic Games, in particular its resolutions 67/17 of 28 November 2012 and 68/9 of 6 November 2013 on building a peaceful and better world through sport, in which the Assembly recognized the valuable contribution of sport in promoting education,

development, peace, cooperation, solidarity, fairness, social inclusion and health at the local, regional and international levels, and noted that, as declared in the 2005 World Summit Outcome,<sup>36</sup> sports can contribute to an atmosphere of tolerance and understanding among peoples and nations,

*Reaffirming* previous Human Rights Council resolutions on the issue of sport and human rights, in particular resolutions 13/27 of 26 March 2010, 18/23 of 30 September 2011, 24/1 of 26 September 2013 and 26/18 of 26 June 2014,

*Noting* that the Olympic Charter, among its Fundamental Principles of Olympism, stipulates that every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play,

*Recognizing* the potential of sport as a universal language that contributes to educating people on the values of respect, dignity, diversity, equality, tolerance and fairness as a means to combat all forms of discrimination and to promote social inclusion for all,

*Recognizing also* that sport and major sporting events can be used to promote awareness, understanding and the application of the Universal Declaration of Human Rights,

*Recognizing further* the imperative need to engage women and girls in the practice of sport for development and peace, and in this regard welcoming activities that aim to foster and encourage such initiatives at the global level,

*Acknowledging* the potential of sport and major sporting events to educate the youth of the world and to promote their inclusion through sport practised without discrimination of any kind and in the Olympic spirit, which requires human understanding, tolerance, fair play and solidarity,

*Noting* the Fundamental Principles of Olympism as enshrined in the Olympic Charter,

*Acknowledging* the joint endeavours of the International Olympic Committee, the International Paralympic Committee, the Office of the Special Adviser to the Secretary-General on Sport for Development and Peace and the United Nations system in such fields as human development, poverty alleviation, humanitarian assistance, health promotion, HIV and AIDS prevention, child and youth education, gender equality, peacebuilding and sustainable development,

*Acknowledging also* the importance of the Youth Olympic Games in inspiring youth through integrated sports and cultural and educational experiences, noting in this regard the successful conclusion of the first Youth Winter Olympic Games, held in Innsbruck, Austria, from 13 to 22 January 2012, and the second Youth Summer Olympic Games, held in Nanjing, China, from 16 to 28 August 2014, and welcoming the second Youth Winter Olympic Games, to be held in Lillehammer, Norway, from 12 to 21 February 2016,

*Reaffirming* the need to combat discrimination and intolerance where they occur, within and outside the sporting context,

*Recognizing* that sport, the Olympic and Paralympic Games, and other international major sporting events, such as the International Federation of Association Football World Cup, can be used to promote human rights and strengthen universal respect for them, thus contributing to their full realization,

<sup>36</sup> General Assembly resolution 60/1.

*Acknowledging* the valuable contribution that the appeal by the International Olympic Committee for an Olympic Truce, also known as *ekecheiria*, could make towards advancing the purposes and principles of the Charter of the United Nations,

*Acknowledging also* the very important role of the media in the promotion and popularization of sport and in raising public awareness of the merits of practising sports as a key element of a healthy lifestyle, thus contributing to the enjoyment of the highest attainable standard of physical and mental health,

*Noting* the successful conclusion of the Winter Olympic and Paralympic Games in Sochi in 2014 and the 2014 International Federation of Association Football World Cup in Brazil,

*Welcoming* the hosting of the Olympic and Paralympic Games in the cities of Rio de Janeiro, PyeongChang and Tokyo in 2016, 2018 and 2020 respectively, and stressing the opportunity to make use of these important events to promote human rights, especially through sport and the Olympic ideal,

*Recognizing* the potential of sport and major sporting events in contributing to the achievement of the Millennium Development Goals and to fostering peace and sustainable development,

*Welcoming* the designation of 6 April as the International Day of Sport for Development and Peace,

*Being aware* of the need to actively involve sport and the Olympics in achieving the full and equal enjoyment of all human rights by persons with disabilities, as well as respect for their inherent dignity, recognizing efforts made by the hosting countries to create a barrier-free environment for persons with disabilities, and stressing the need to continue to build on efforts made at the 2014 Winter Olympic Games in Sochi and the 2014 International Federation of Association Football World Cup in Brazil,

*Recognizing* the need to reflect more thoroughly on the value of relevant principles enshrined in the Olympic Charter and good sporting example in achieving the universal respect for and realization of all human rights,

1. *Takes note with appreciation* of the progress report of the Advisory Committee on the requested study on the possibilities of using sport and the Olympic ideal to promote human rights for all;<sup>37</sup>
2. *Calls upon* States to cooperate with the International Olympic Committee and the International Paralympic Committee in their efforts to use sport as a tool to promote human rights, development, peace, dialogue and reconciliation during and beyond the period of the Olympic and Paralympic Games;
3. *Encourages* States to promote sport as a means to combat all forms of discrimination;
4. *Welcomes* the cooperation among Member States, the United Nations and its specialized agencies, funds and programmes, the International Olympic Committee and the International Paralympic Committee to work towards a meaningful and sustainable contribution through sport to raising awareness of and to the achievement of the Millennium Development Goals, and encourages the Olympic and Paralympic movements to work closely with national and international sports organizations on the use of sport to contribute to the achievement of the Goals;

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<sup>37</sup> A/HRC/27/58.



5. *Requests* the Advisory Committee to finalize the study on the possibilities of using sport and the Olympic ideal to promote human rights for all and to strengthen universal respect for them, and to present it in a report to the Human Rights Council before its thirtieth session;

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

*39th meeting  
25 September 2014*

[Adopted without a vote.]

## **27/9**

### **Mandate of the Independent Expert on the 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, 18/6 of 29 September 2011, 21/9 of 27 September 2012 and 25/15 of 27 March 2014,

*Recalling also* Human Rights Council resolutions 5/1, on the institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

*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,

*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,

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

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

3. *Takes note* of the report of the Independent Expert on the promotion of a democratic and equitable international order,<sup>38</sup> and welcomes the work conducted by him;
4. *Decides* to extend the mandate of the Independent Expert on the promotion of a democratic and equitable international order for a period of three years, in conformity with the terms set forth in Human Rights Council resolution 18/6;
5. *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;
6. *Requests* the United Nations High Commissioner for Human Rights to provide all the necessary human and financial resources for the effective fulfilment of the mandate by the Independent Expert;
7. *Invites* the Independent Expert to continue to develop close cooperation with academia, think tanks and research institutes, such as South Centre, and other stakeholders from all regions;
8. *Requests* the human rights treaty bodies, the Office of the High Commissioner, the special mechanisms extended by the Human Rights Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution, and to make contributions to its implementation;
9. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;
10. *Requests* the Independent Expert to report regularly to the Human Rights Council and the General Assembly in accordance with their respective programmes of work;
11. *Decides* to continue its consideration of this matter under the same agenda item at its thirtieth session.

*39th meeting  
25 September 2014*

[Adopted by a recorded vote of 29 to 14, with 4 abstentions. The voting was as follows:

*In favour:*

Algeria, Argentina, Benin, Botswana, Brazil, Burkina Faso, China, Congo, Côte d'Ivoire, Cuba, Ethiopia, Gabon, India, Indonesia, Kazakhstan, Kenya, Kuwait, Maldives, Morocco, Namibia, Pakistan, Philippines, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

*Against:*

Austria, Czech Republic, Estonia, France, Germany, Ireland, Italy, Japan, Montenegro, Republic of Korea, Romania, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Chile, Costa Rica, Mexico, Peru]

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<sup>38</sup> A/HRC/27/51.

**27/10****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, 18/4 of 29 September 2011 and 24/13 of 26 September 2013,

*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 movements, and recalling also 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,<sup>39</sup>

*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

<sup>39</sup> General Assembly resolution 2625 (XXV), annex.

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 as well as for private military and security companies 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;

5. *Also requests* all States to exercise the utmost vigilance in banning the use of private companies offering international military consultancy and security services when intervening in armed conflicts or actions to destabilize constitutional regimes;

6. *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;

7. *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;

8. *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;

9. *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;

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

11. *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;

12. *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;

13. *Acknowledges with appreciation* the work and contributions made by the Working Group, including its research activities, and takes note of its latest report;<sup>40</sup>

14. *Recalls* the holding of the third 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, expresses satisfaction at the participation of experts, including of the members of the Working Group on the use of mercenaries, as resource persons in the above-mentioned session, and requests the Working Group and other experts to continue their participation during the fourth session of the open-ended intergovernmental working group;

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,<sup>41</sup> as well as the evolving phenomenon of mercenaries and its related forms;

17. *Reiterates* its requests to the Office of the United Nations High Commissioner for Human Rights to, as a matter of priority, 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, as well as 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 continue to update the 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

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<sup>40</sup> A/HRC/27/50.

<sup>41</sup> E/CN.4/2004/15.

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 seventieth session and to the Human Rights Council at its thirtieth session;

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

*39th meeting  
25 September 2014*

[Adopted by a recorded vote of 32 to 14, with 1 abstention. The voting was as follows:

*In favour:*

Algeria, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Ethiopia, Gabon, India, Indonesia, Kazakhstan, Kenya, Kuwait, Maldives, Morocco, Namibia, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

*Against:*

Austria, Czech Republic, Estonia, France, Germany, Ireland, Italy, Japan, Montenegro, Republic of Korea, Romania, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Mexico]

## **27/11**

### **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, 18/2 of 28 September 2011 and 21/6 of 27 September 2012 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, and all relevant agreed conclusions of the sessions of the Commission on the Status of Women, World Health Assembly resolution 67.15 of 24 May 2014, 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<sup>42</sup> 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,

*Deeply concerned* that, despite the impressive reductions in maternal mortality rates achieved since 1990, in 2013 there were an estimated 289,000 maternal deaths of women and girls, which are largely preventable, and that millions more women and girls suffer serious and sometimes lifelong injuries, which have severe consequences for their enjoyment of their human rights and their overall well-being,

*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,

*Acknowledging* that the failure to prevent maternal mortality and morbidity is one of the most significant barriers to the empowerment of women and girls in all aspects of life, the full enjoyment of their human rights, their ability to reach their full potential and to sustainable development in general,

1. *Urges* all States to renew their political commitment to eliminate preventable maternal mortality and morbidity at the local, national, regional and international levels due to primary and secondary causes, and to strengthen their efforts to ensure the full and effective implementation of their human rights obligations, as well as their commitments as addressed in 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, 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-care services in relation to the right to the highest attainable standard of physical and mental health, including 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. *Urges* States and other relevant stakeholders, including national human rights institutions and non-governmental organizations, to take action at all levels, utilizing a comprehensive human rights-based approach, to address the interlinked root causes of maternal mortality and morbidity, such as gender inequalities, all forms of discrimination and violence against women, early childbearing, early marriage, poverty, malnutrition, harmful practices, lack of accessible and appropriate health-care services for all,

<sup>42</sup> General Assembly resolution 60/1.

information and education, and to pay particular attention to eliminating all forms of violence against women and girls, especially adolescent girls;

4. *Takes note with interest* of the report of the Office of the United Nations High Commissioner for Human Rights on the application of 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,<sup>43</sup> and calls upon States and encourages stakeholders to consider the recommendations contained therein;

5. *Calls upon* all relevant actors, including Governments, regional organizations, relevant United Nations agencies, national human rights institutions and civil society organizations to continue to disseminate the technical guidance and to apply it, as appropriate, when designing, implementing and reviewing policies and evaluating programmes to reduce preventable maternal mortality and morbidity;

6. *Calls upon* all relevant United Nations agencies, programmes and funds, within their respective mandates, to provide technical cooperation and assistance to States, upon their request, to support the implementation of the technical guidance;

7. *Encourages* the High Commissioner to promote enhanced awareness and utilization of the technical guidance, 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;

8. *Requests* the High Commissioner to prepare, from within existing resources, in consultation with States, United Nations agencies and all other relevant stakeholders, a follow-up 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 thirty-third session;

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

*39th meeting  
25 September 2014*

[Adopted without a vote.]

## **27/12**

### **World Programme for Human Rights Education: adoption of the plan of action for the third phase**

*The Human Rights Council,*

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

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

<sup>43</sup> A/HRC/27/20.



*Recalling* General Assembly resolution 43/128 of 8 December 1988, by which the Assembly launched the World Public Information Campaign on Human Rights, resolution 49/184 of 23 December 1994, in which the Assembly proclaimed the United Nations Decade for Human Rights Education, 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 resolution 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,

*Recalling also* Human Rights Council resolutions on the World Programme for Human Rights Education, the most recent being resolution 24/15 of 27 September 2013,

*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 States should continue the implementation of previous phases while taking the necessary measures to implement the ongoing phase,

*Reaffirming* the United Nations Declaration on Human Rights Education and Training, adopted by the General Assembly in its resolution 66/137 on 19 December 2011,

1. *Takes note with appreciation* of the draft plan of action for the third phase (2015–2019) of the World Programme for Human Rights Education,<sup>44</sup> prepared by the Office of the United Nations High Commissioner for Human Rights in consultation with States, relevant intergovernmental organizations, national human rights institutions and civil society;

2. *Adopts* the plan of action for the third phase (2015–2019) of the World Programme for Human Rights Education;

3. *Encourages* all States and, where appropriate, relevant stakeholders to develop initiatives in accordance with the World Programme and, in particular, to implement, within their capabilities, the plan of action for the third phase;

4. *Requests* the Office of the High Commissioner, in close cooperation with the United Nations Educational, Scientific and Cultural Organization, to promote the national implementation of the plan of action, as appropriate, to provide technical assistance when requested, and to coordinate related international efforts;

5. *Appeals* to relevant organs, bodies and agencies of the United Nations system, as well as all other international and regional intergovernmental and non-governmental organizations, within their respective mandates, to promote and provide technical assistance, when requested, for the national implementation of the plan of action;

6. *Calls upon* all existing national human rights institutions to assist in the implementation of human rights education programmes, in accordance with the plan of action;

7. *Requests* the Office of the High Commissioner and the United Nations Educational, Scientific and Cultural Organization to disseminate the plan of action widely among States, intergovernmental and non-governmental organizations, national human rights institutions and civil society;

8. *Reminds* States of the need to prepare and submit their national evaluation reports on the second phase of the World Programme to the Office of the High Commissioner by April 2015;

<sup>44</sup> A/HRC/27/28.

9. *Requests* the Office of the High Commissioner to submit an evaluation report on the implementation of the second phase of the World Programme, based on national evaluation reports, to the Human Rights Council at its thirtieth session;

10. *Decides* to follow up on the implementation of the World Programme in 2017, and requests the Office of the High Commissioner to prepare, from within existing resources, a midterm progress report on the implementation of the third phase of the World Programme and to submit it to the Council at its thirty-sixth session.

*39th meeting*  
25 September 2014

[Adopted without a vote.]

## **27/13**

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

*Welcoming* the forthcoming thirtieth anniversary of the United Nations Voluntary Fund for Indigenous Peoples in 2015, and acknowledging the decades of its substantive work to facilitate the direct and meaningful participation of indigenous peoples within the United Nations, the Human Rights Council and the human rights treaty bodies, also in the light of this important anniversary,

*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,

*Welcoming* the completion of the studies by the Expert Mechanism on the Rights of Indigenous Peoples on access to justice in the promotion and protection of the rights of indigenous peoples: restorative justice, indigenous juridical systems and access to justice for indigenous women, children and persons with disabilities<sup>45</sup> and on the promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives<sup>46</sup> submitted to the Human Rights Council at its twenty-seventh session, and encouraging all parties to consider the examples of good practices and recommendations included in these studies as practical advice on how to attain the end goals of the United Nations Declaration on the Rights of Indigenous Peoples,

*Stressing* the need to pay particular attention to the rights and special needs of indigenous women, children, youth and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples,

<sup>45</sup> A/HRC/27/65.

<sup>46</sup> A/HRC/27/66.

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

*Recognizing also* the twenty-fifth anniversary of the adoption by the International Labour Organization of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) and its contribution to the promotion and protection of the rights of indigenous peoples,

1. *Welcomes* the report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples,<sup>47</sup> 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, including the official visits made and her reports, and encourages all Governments to respond favourably to her requests for visits;

3. *Requests* the Special Rapporteur to report on the implementation of her mandate to the General Assembly at its seventieth session;

4. *Welcomes* the work of the Expert Mechanism on the Rights of Indigenous Peoples, takes note with appreciation of the report on its seventh session,<sup>48</sup> and encourages States to continue to participate in and contribute to its discussions, including by their national specialized bodies and institutions;

5. *Requests* the Expert Mechanism to prepare a study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage, including through their participation in political and public life, and to present it to the Human Rights Council at its thirtieth session;

6. *Also requests* the Expert Mechanism to continue to undertake, with the assistance of the Office of the High Commissioner, the questionnaire survey to seek the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies in order to attain the end 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 thirtieth session, and encourages States and indigenous peoples that have not yet provided their responses to do so, as well as those States and indigenous peoples that have already responded to the questionnaire survey to update their responses as appropriate;

7. *Welcomes* the adoption by the General Assembly of its resolutions 65/198 of 21 December 2010 and 66/296 of 17 September 2012 on the organization of the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples, held on 22 and 23 September 2014, and takes note of the preparatory process, including the meetings that took place in Tiquipaya, Cochabamba, Plurinational State of Bolivia, and Chiang Mai, Thailand, as well as the previous meetings in Alta, Norway, and in Guatemala City;

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<sup>47</sup> A/HRC/27/30.

<sup>48</sup> A/HRC/27/65.

8. *Also welcomes* the report of the Secretary-General on ways and means of promoting participation in the United Nations of indigenous peoples' representatives on the issues affecting them,<sup>49</sup> and invites the Secretary-General, taking into account the views expressed by indigenous peoples, to present options, including recommendations regarding concrete proposals, to the General Assembly at its seventieth session in this regard;

9. *Decides* to hold, at its thirtieth session, a half-day panel discussion on the follow-up to and implementation of the outcome of the World Conference on Indigenous Peoples, and its implications for the achievement of the ends of the United Nations Declaration on the Rights of Indigenous Peoples;

10. *Welcomes* the ongoing cooperation and coordination among the Special Rapporteur, the Permanent Forum on Indigenous Issues and the Expert Mechanism, and their permanent effort to promote the United Nations Declaration on the Rights of Indigenous People, including the follow-up to the World Conference of Indigenous Peoples, and invites them to continue to work in close cooperation with all Human Rights Council mechanisms, within their respective mandates;

11. *Reaffirms* that the United Nations treaty bodies are important mechanisms for the promotion and protection of human rights, and encourages States to give serious consideration to their recommendations regarding indigenous peoples;

12. *Welcomes* the contribution of the universal periodic review to the realization of the rights of indigenous peoples, and encourages the effective follow-up to accepted universal periodic review recommendations concerning indigenous peoples;

13. *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 or that have not yet supported the United Nations Declaration on the Rights of Indigenous Peoples to consider doing so;

14. *Welcomes* the increased support by States for the United Nations Declaration on the Rights of Indigenous Peoples and the commemoration of the seventh anniversary of its adoption, and encourages States that have endorsed it to adopt measures to pursue its objectives in consultation and cooperation with indigenous peoples;

15. *Encourages* States to give due consideration to all the rights of indigenous peoples in the process of the elaboration of the post-2015 development agenda and to take measures to ensure the participation of indigenous peoples, and in particular indigenous youth, in national processes for the implementation of the new development goals;

16. *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 fulfil that role effectively, including with the support of the Office of the High Commissioner;

17. *Takes note* of the activity of the United Nations Indigenous Peoples' Partnership, and invites States and other potential donors to support it;

18. *Invites* States and other public or private actors or institutions to contribute to the United Nations Voluntary Fund for Indigenous Peoples as an important means of promoting the rights of indigenous peoples worldwide and within the United Nations system;

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<sup>49</sup> A/HRC/21/24.

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

*39th meeting*  
*25 September 2014*

[Adopted without a vote.]

## **27/14**

### **Preventable mortality and morbidity of children under 5 years of age as a human rights concern**

*The Human Rights Council,*

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

*Recalling* Human Rights Council resolution 24/11 of 26 September 2013 on preventable mortality and morbidity of children under 5 years of age as a human rights concern, as well as all other relevant resolutions on the rights of the child of the Commission on Human Rights, the Council and the General Assembly,

*Reaffirming* that all human rights are universal, indivisible, interdependent and interrelated, and recognizing the need to ensure the full and effective enjoyment by all of their human rights, including the right to development,

*Reaffirming also* the right of everyone to a standard of living adequate for their health and well-being, which is enshrined in the Universal Declaration of Human Rights, and the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, as enshrined in the International Covenant of Economic, Social and Cultural Rights as well as in the Convention on the Rights of the Child,

*Deeply concerned* that more than 6,300,000 children under 5 years of age die each year,<sup>50</sup> mostly from preventable and treatable causes, owing to inadequate or lack of access to integrated and quality maternal, newborn and child health care and services, early childbearing, as well as to health determinants, such as safe drinking water and sanitation, safe and adequate food and nutrition, and that mortality remains highest among children belonging to the poorest and most marginalized communities,

*Recognizing* that a human rights-based approach to reduce and eliminate preventable child mortality and morbidity is an approach underpinned by the principles of, inter alia, equality and non-discrimination, participation, sustainability, transparency, the best interests of the child, international cooperation and accountability,

*Reaffirming* that States should take all appropriate measures to ensure the right of the child to the enjoyment of the highest attainable standard of physical and mental health without discrimination of any kind and, in doing so, be guided by the best interests of the child, ensuring the meaningful participation of children, consistent with their evolving capacities, in all matters and decisions affecting their lives, bearing in mind the rights, duties and responsibilities of parents or caregivers in relation to preventing mortality and morbidity of children under 5 years of age, and take steps to ensure the allocation of available resources to the maximum extent possible to achieve the full realization of the

<sup>50</sup> See "Levels and Trends in Child Mortality", available from [www.unicef.org/media/files/Levels\\_and\\_Trends\\_in\\_Child\\_Mortality\\_2014.pdf](http://www.unicef.org/media/files/Levels_and_Trends_in_Child_Mortality_2014.pdf).

right of the child to the highest attainable standard of health, including by strengthening international cooperation in this field,

*Reaffirming also* the commitments made by States to make every effort to accelerate the achievement of the internationally agreed development goals, including Millennium Development Goal 4, to reduce by two thirds the under-5 mortality rate by 2015, Goal 5, to improve maternal health, and Goal 6, to combat HIV/AIDS, malaria and other diseases, and the need to take into account preventable mortality and morbidity of children under 5 years of age in the post-2015 development agenda,

*Acknowledging* the work done by the United Nations and its specialized agencies, programmes and funds in relation to the reduction and elimination of preventable mortality and morbidity of children under 5 years of age, and in that regard welcoming the Global Strategy for Women's and Children's Health launched by the Secretary-General, and the related establishment of the Commission on Information and Accountability for Women's and Children's Health and the Independent Expert Review Group on Information and Accountability for Women's and Children's Health, the action plan "Every Newborn: an action plan to end preventable deaths" endorsed by the World Health Assembly, and the analytical study by the World Health Organization entitled "Women's and Children's Health: Evidence of Impact of Human Rights",

1. *Welcomes* the technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age;<sup>51</sup>

2. *Urges* States to disseminate the technical guidance and to apply it, as appropriate, in the design, implementation, evaluation and monitoring of laws, policies, programmes, budgets and mechanisms for remedy and redress, aimed at eliminating preventable mortality and morbidity of children under 5 years of age;

3. *Calls upon* States to adopt a human rights-based approach to reduce and eliminate preventable mortality and morbidity of children under 5 years of age, including in scaling up efforts to achieve the integrated management of quality maternal, newborn and child health care and services, particularly at the community and family levels, and to take action to address the main causes of preventable mortality and morbidity of children under 5 years of age;

4. *Calls upon* 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 preventable mortality and morbidity of children under 5 years of age, such as poverty, malnutrition, harmful practices, violence, stigma and discrimination, unsafe households and environments, lack of safe drinking water and sanitation, lack of accessible, affordable, quality and appropriate health care, services, medicines and vaccinations, late detection of childhood illnesses and low levels and quality of education;

5. *Calls upon* States to strengthen their international commitment, cooperation and mutual assistance with the objective of reducing and eliminating preventable mortality and morbidity of children under 5 years of age, including through the sharing of good practices, research, policies, monitoring and capacity-building;

6. *Calls upon* all relevant United Nations agencies to provide technical cooperation and assistance to States, as requested, to support the application of the technical guidance, including through the development and dissemination of tools for its

<sup>51</sup> A/HRC/27/31.

operationalization at all relevant stages of national planning and action cycles for child health and survival;

7. *Reaffirms* that the Human Rights Council should promote the effective coordination and mainstreaming of human rights within the United Nations system;

8. *Encourages* the United Nations High Commissioner for Human Rights, in close collaboration with the World Health Organization, to bring the technical guidance to the attention of the Secretary-General and all United Nations entities with mandates relevant to preventable mortality and morbidity of children under 5 years of age, and to continue dialogue on the issue of preventable mortality and morbidity of children under 5 years of age with all relevant actors and in that regard;

9. *Encourages* further consideration of preventable mortality and morbidity of children under 5 years of age in the post-2015 development agenda;

10. *Requests* the High Commissioner, in close collaboration with the World Health Organization and in consultation with States, relevant United Nations agencies, including the United Nations Children's Fund and the Joint United Nations Programme on HIV/AIDS, as well as the special procedures mandate holders, human rights mechanisms, regional organizations and civil society, to prepare a report on the practical application of the technical guidance and its impact on the development and implementation of policies and programmes in States to reduce preventable mortality and morbidity of children under 5 years of age, and to present it to the Human Rights Council at its thirty-third session;

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

*39th meeting  
25 September 2014*

[Adopted without a vote.]

## **27/15**

### **The right of the child to engage in play and recreational activities**

*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 relevant international human rights instruments,

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

*Welcoming* the twenty-fifth anniversary of the adoption of the Convention on the Rights of the Child,

*Recalling in particular* article 31 of the Convention on the Rights of the Child, which outlines the right of the child to engage in play and recreational activities appropriate to the age of the child,

*Recalling specifically* article 30 of the Convention on the Rights of Persons with Disabilities, which stipulates the right of persons with disabilities to take part on an equal basis with others in cultural life, recreation, leisure and sport,

*Recalling* relevant International Labour Organization conventions with respect to child labour,

*Reaffirming* all previous relevant resolutions of the Commission on Human Rights, the Human Rights Council and the General Assembly on the rights of the child,

*Welcoming* the work of the Committee on the Rights of the Child, and taking note with interest of its general comment No. 17 (2013),<sup>52</sup>

*Recalling* General Assembly resolutions 67/17 of 28 November 2012, on sport as a means to promote education, health, development and peace, in which the Assembly stressed the use of sport as a vehicle to strengthen education, including physical education, for children and young persons, and 67/296 of 23 August 2013, in which the Assembly proclaimed 6 April as the International Day of Sport for Development and Peace,

*Bearing in mind* that the survival, protection, growth and development of children in good physical and emotional health are the foundations of human dignity and human rights, and that play has been proven essential to the emotional and physical health and well-being of the child, as well as for the development of creativity, imagination, self-confidence and self-efficacy,

*Acknowledging* the fundamental importance of the right of children to engage in play and recreational activities for their well-being, health and development,

*Reaffirming* that, with regard to economic, social and cultural rights, States should take steps to ensure the allocation of available resources to the maximum extent possible and, where needed, within the framework of international cooperation,

1. *Encourages* States to take specific measures to respect, protect, promote and fulfil the right of the child to engage in play and recreational activities, and in particular:

(a) To strengthen the evidence base of data and information on how play and recreational activities, including sport, are critical elements that support the development and well-being of the child;

(b) To position play and recreational activities as both a right of the child and a means to secure children's entitlement to optimum development;

(c) To affirm the importance of the right of the child to engage in self-directed and non-compulsory play, initiated by children themselves;

(d) To introduce or revise national and local legislation, policies, regulations and guidelines to guarantee sufficient access to play and recreational activities for every child, regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;

(e) To adopt measures aimed at reducing the necessity for children living in poverty to work, in order to enable them to enjoy their right to engage in play and recreational activities;

(f) To establish, where appropriate, frameworks and minimum standards of care and protection for children participating in play and recreational activities, including sport, to protect children from potential harm;

(g) To establish safety and accessibility standards for all play and recreational facilities, toys and games equipment in order to ensure the protection of children from recreational material that might be injurious to their health and well-being;

(h) To address social norms that attach low value to the right to engage in play and recreational activities by raising public awareness of its significance;

<sup>52</sup> CRC/C/GC/17.



- (i) To provide guidance and support to parents and caregivers on how to create safe and inclusive environments that facilitate children's play and recreational activities, including on their responsible use of digital technology;
- (j) To strengthen the digital inclusion of children and to ensure that all legislative and policy measures governing the Internet take into consideration their best interests, including by promoting their safety and protecting them from cyberbullying, pornography, cybergrooming and other harmful content or practices, as well as by educating them on the responsible use of digital technology;
- (k) To work to ensure the provision of adequate space to facilitate safe and inclusive play and recreational activities, including in schools and communities;
- (l) To promote the provision of a school curriculum that allows for sufficient opportunity for play and recreational activities, including physical education and sport;
2. *Also encourages* States to ensure that effective, safe and child-sensitive counselling, reporting and complaints mechanisms are accessible to all children, that they pursue the best interests of the child at all times and that they comply with international human rights standards;
3. *Further encourages* States to take active measures to restore and protect the right of the child to engage in play and recreational activities in forced displacement, post-conflict and disaster situations, with a view to promoting resilience and psychological healing;
4. *Encourages* international cooperation in the realization of the right of the child to engage in play and recreational activities through the active engagement of States, United Nations agencies, funds and programmes, civil society organizations and other international, national and local partners;
5. *Recommends* that the celebration of the International Day of Sport for Development and Peace emphasize, through specific events, the right of the child to engage in play and recreational activities.

*39th meeting  
25 September 2014*

[Adopted without a vote.]

## **27/16**

### **The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic**

*The Human Rights Council,*

*Guided by* the Charter of the United Nations,

*Reaffirming* all previous Human Rights Council resolutions on the Syrian Arab Republic,

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

*Condemning* the grave deterioration of the human rights situation and the indiscriminate killing and deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that may foment sectarian tensions,

*Welcoming* Security Council resolutions 2139 (2014) of 22 February 2014 and 2165 (2014) of 14 July 2014, expressing grave concern at their lack of implementation, and noting their demand for rapid, safe and unhindered humanitarian access,

*Welcoming also* the appointment of Staffan de Mistura as Special Representative of the United Nations for Syria and diplomatic efforts aimed at finding a political solution,

*Reaffirming* its commitment to Security Council resolution 2170 (2014) of 15 August 2014,

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

*Expressing its deepest concern* about the findings of the independent international commission of inquiry on the Syrian Arab Republic and also the allegations contained in the evidence presented by “Caesar” in January 2014 regarding the torture and execution of persons incarcerated by the current Syrian regime, and underscoring the need for those allegations and similar evidence to be collected, examined and made available for future accountability efforts,

*Strongly condemning* the lack of cooperation by the Syrian authorities with the commission of inquiry,

1. *Welcomes* the reports of the independent international commission of inquiry on the Syrian Arab Republic, and notes the importance of the work of the commission of inquiry and the information it has collected in support of future accountability efforts, in particular, information on alleged perpetrators violating international law;

2. *Demands* that the Syrian authorities cooperate fully with the commission of inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

3. *Strongly condemns* all violations and abuses of international human rights law and all violations of international humanitarian law committed against the civilian population, in particular all indiscriminate attacks, including those involving the use of barrel bombs against civilian populated areas and civilian infrastructure, and demands that all parties immediately demilitarize medical facilities and schools and comply with their obligations under international law;

4. *Expresses its deep concern* at reports from the commission of inquiry and the Office of the United Nations High Commissioner for Human Rights on the suffering and torture in detention centres throughout the Syrian Arab Republic;

5. *Calls for* the appropriate international monitoring bodies to be granted access to detainees in government prisons and detention centres, including the military facilities referenced in the reports of the commission of inquiry;

6. *Expresses grave concern* over the commission of inquiry’s reports on prisoners in government facilities being held in dire conditions, denied medical assistance and food and subjected to torture, and over the restrictions placed on food and medical supplies reaching Aleppo Central Prison and other detention facilities by a number of groups, including Jabhat al-Nusra;

7. *Strongly condemns* the reports of widespread use of sexual violence in government detention centres, including those run by the intelligence agencies, and notes

that such acts may constitute violations of international humanitarian law and international human rights law;

8. *Reaffirms* the Syrian authorities' responsibility for enforced disappearances, and takes note of the commission of inquiry's assessment that the Syrian authorities' use of enforced disappearances amounts to a crime against humanity, and also condemns the targeted disappearances of young men following government-brokered ceasefires;

9. *Demands* that the Syrian authorities meet their responsibilities to protect the Syrian population;

10. *Strongly condemns* practices including abduction, hostage-taking, incommunicado detention, torture and killings carried out by non-State armed groups, most notably the so-called Islamic State in Iraq and the Levant, and underlines that such acts may amount to crimes against humanity;

11. *Expresses grave concern* at allegations of torture in detention facilities controlled by non-State armed groups, and stresses that such acts constitute violations of international humanitarian law and abuses of human rights;

12. *Expresses particular concern* about the abduction, incommunicado detention and torture of human rights defenders by the Syrian authorities and armed opposition groups, and calls for their immediate and unconditional release;

13. *Strongly condemns* the intervention in the Syrian Arab Republic of all foreign terrorist fighters and those foreign combatants fighting on behalf of the regime, particularly militia groups from the region, and expresses deep concern that their involvement, and that of other militias like the *shabbiha*, further exacerbates the deteriorating human rights and humanitarian situation, which has a serious negative impact on the region;

14. *Also strongly condemns* the arbitrary arrest, detention, ill-treatment and torture of children by government forces for their or their relatives' alleged support to opposition groups;

15. *Demands* that the Syrian authorities, the so-called Islamic State in Iraq and the Levant and all other groups halt the arbitrary detention of civilians, both Syrian and non-Syrian nationals, and release all civilians detained;

16. *Also demands* that the Syrian authorities end incommunicado detention and ensure that detention conditions are consistent with international law, and calls upon the Syrian authorities to publish a list of all detention facilities;

17. *Condemns* all violations and abuses committed against journalists and media activists, human rights defenders, humanitarian aid providers, and recognizes their role in documenting protests and human rights violations and abuses in the Syrian Arab Republic;

18. *Strongly condemns* the use of chemical weapons and all indiscriminate methods of warfare in the Syrian Arab Republic, which is prohibited under international law, and notes with grave concern the commission of inquiry's finding that the Syrian authorities have repeatedly used chlorine gas as an illegal weapon, which constitutes a violation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and is prohibited under international law;

19. *Notes* the reporting of the commission of inquiry, including on the amount and type of crimes committed, in which it assesses that crimes against humanity and war crimes have been and continue to be committed in the territory of the Syrian Arab Republic;

20. *Also notes* that the International Criminal Court was established to help to end impunity for such crimes where the State is unwilling or unable to genuinely carry out investigations or prosecutions;

21. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

22. *Reaffirms* that, in the context of an inclusive and credible dialogue, the Syrian people should determine the appropriate process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations and abuses of international law, as well as reparations and effective remedies for victims;

23. *Also reaffirms* its commitment to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, where all citizens are equal, regardless of gender, religion and ethnicity;

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

25. *Strongly condemns* the intentional denial of humanitarian assistance to civilians, from whatever quarter, and in particular the Syrian authorities' denial of medical assistance and the withdrawal of water and sanitation services to civilian areas, stressing that the starvation of civilians as a method of combat is prohibited under international law;

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

27. *Calls upon* all members of the international community to respond expeditiously to the Syrian humanitarian appeal and to fulfil previous pledges;

28. *Urges* those countries with influence over the Syrian parties to take all measures to encourage the parties to the conflict to negotiate constructively and on the basis of the call made in the Geneva communiqué for the formation of a transitional governing body;

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

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

*39th meeting  
25 September 2014*

[Adopted by a recorded vote of 32 to 5, with 10 abstentions. The voting was as follows:

*In favour:*

Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Costa Rica, Côte d'Ivoire, Czech Republic, Estonia, France, Gabon, Germany, Indonesia, Ireland, Italy, Japan, Kuwait, Maldives, Mexico, Montenegro, Morocco, Peru, Republic of Korea, Romania, Saudi Arabia, Sierra Leone, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

*Against:*

Algeria, China, Cuba, Russian Federation, Venezuela (Bolivarian Republic of)

*Abstaining:*

Congo, Ethiopia, India, Kazakhstan, Kenya, Namibia, Pakistan, Philippines, South Africa, Viet Nam]

**27/17****Promotion of the right to peace***The Human Rights Council,*

*Recalling* all previous resolutions on the promotion of the right of peoples to peace adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, in particular Council resolution 20/15 of 5 July 2012,

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

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

*Taking note* of the report of the open-ended intergovernmental working group on its second session,<sup>53</sup> held from 30 June to 4 July 2014, pursuant to Human Rights Council resolution 20/15, in particular of the inputs from Governments, regional and political groups, civil society and relevant stakeholders, and the text presented by the Chairperson-Rapporteur of the working group, as requested by the Council in its resolution 23/16 of 13 June 2013,

1. *Decides* that the working group shall hold its third session for five working days in 2015 with the objective of finalizing the declaration;
2. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the working group with the assistance necessary for it to fulfil its mandate;
3. *Requests* the Chairperson-Rapporteur of the working group to conduct informal consultations with Governments, regional groups and relevant stakeholders before the third session of the working group;
4. *Also requests* the Chairperson-Rapporteur of the working group to prepare a revised text on the basis of the discussions held during the first and second sessions of the working group and on the basis of the intersessional informal consultations to be held, and to present it prior to the third session of the working group for consideration and further discussion thereat;
5. *Invites* States, civil society and all relevant stakeholders to contribute actively and constructively to the work of the working group;

<sup>53</sup> A/HRC/27/63.

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

*39th meeting  
25 September 2014*

[Adopted by a recorded vote of 33 to 9, with 5 abstentions. The voting was as follows:

*In favour:*

Algeria, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Ethiopia, Gabon, India, Indonesia, Kazakhstan, Kenya, Kuwait, Maldives, Mexico, Morocco, Namibia, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

*Against:*

Austria, Czech Republic, Estonia, France, Germany, Japan, Republic of Korea, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Ireland, Italy, Montenegro, Romania, the former Yugoslav Republic of Macedonia]

## **27/18**

### **National institutions for the promotion and protection of human rights**

For the text of the resolution, see chapter II.

## **27/19**

### **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, 19/29 of 23 March 2012, 21/22 of 27 September 2012 and 24/32 of 27 September 2013,

*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 progress in the political transition process, based on the Gulf Cooperation Council initiative and its implementation mechanism, and looking forward to the successful implementation of the recommendations made in the outcome document of the National Dialogue Conference, to further progress in the drafting of the new Constitution and to subsequent stages of the transition, and noting also in that regard the 10-point speech made by the President on 28 July 2014,

*Welcoming also* the ongoing implementation of the confidence-building measures contained in the 20 and 11 recommendation points contained in the reports on the preparation and the first phase of the National Dialogue Conference, in particular the measures to address the grievances of the citizens of Southern Yemen and Sada'a,

*Welcoming further* the commitment of the Government of Yemen to fully promote and protect human rights,

*Welcoming* the approval by the Cabinet of the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, and noting the intention of the Cabinet to accede to the Rome Statute of the International Criminal Court, while recalling the recommendation of the United Nations High Commissioner for Human Rights calling for a swift approval by Parliament to become party to those instruments,

*Recalling* Security Council resolution 2140 (2014) of 26 February 2014,

*Aware* of reports by the Office for the Coordination of Humanitarian Affairs that the existing humanitarian emergency affects the enjoyment of social and economic rights,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the human rights situation in Yemen<sup>54</sup> and of the debate held during the twenty-seventh session of the Human Rights Council, as well as the statement and comments made by the Government of Yemen on the report and its willingness to cooperate with the United Nations and the 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, 19/29, 21/22 and 24/32;

3. *Takes note with concern* of the armed violence in, inter alia, Dhale'a, Amran, Al Jawf, Ma'rib and Sana'a, and in particular the recent escalation of violence, and calls upon all parties to respect their obligations under international human rights law and, as applicable, humanitarian law, and to ensure humanitarian access to the affected population, and in that connection calls for an investigation into all cases of violations and abuses of human rights and cases of violations of international humanitarian law;

4. *Welcomes* the Peace and National Partnership Agreement of 21 September 2014, and calls upon all parties to cooperate and implement the Agreement without delay and also to cooperate constructively in implementing the outcome document of the National Dialogue Conference;

5. *Also welcomes* the active cooperation of the Government with the Office of the High Commissioner in the field of technical assistance;

6. *Urges* the competent State organs of Yemen, in particular the Parliament, to ensure the early adoption of the draft law establishing an independent national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), adopted by the General Assembly in its resolution 48/134 on 20 December 1993, and welcomes the commitments of the Government and the steps taken in that regard;

7. *Notes* that the appointment of the members of the committee to investigate allegations of violations of human rights in 2011, established by Republican Decree No. 140 of 2012, as invited by the Human Rights Council in its resolution 24/32, has not yet been finalized by the President, also notes the High Commissioner's concern at the continuous delay, and calls for the implementation of the pertinent recommendation of the

<sup>54</sup> A/HRC/27/44.

High Commissioner in that regard to name its members and provide the committee with all facilities to carry out its task, which is needed to secure the viability of that national mechanism;

8. *Welcomes* the recommendation of the National Dialogue Conference that a transitional justice law be adopted that addresses victims' rights to remedies for human rights violations and without impediments, and calls upon the Government to ensure the early adoption of a law on transitional justice and national reconciliation that is in accordance with the international obligations and commitments of Yemen and consistent with best practices, and recalls in that regard the recommendation to cooperate with the Office of the High Commissioner;

9. *Calls upon* the Government to release persons arbitrarily detained and to end any practice of unlawful detention of persons, and recalls Cabinet decision No. 180 (2012) to release all those imprisoned for their participation in the events of 2011;

10. *Welcomes* the measures of the Government of Yemen to end the recruitment and use of children, and looks forward to the implementation of those measures, including the action plan signed with the United Nations in May 2014, without further delay;

11. *Demands* that armed groups end the recruitment and use of children and release those who have already been recruited, and calls upon all parties 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;<sup>55</sup>

12. *Calls upon* the Government of Yemen to investigate cases of violence against journalists and review cases of detention of journalists, in accordance with its international obligations to respect the freedom of expression, peaceful assembly and association;

13. *Notes with appreciation* the considerable representation of women in the National Dialogue Conference, welcomes the recommendations on women's rights made in the outcome document of the National Dialogue Conference, and encourages the Government of Yemen to ensure that the 30 per cent quota for women in its governmental bodies recommended by the National Dialogue Conference is met and that women are able to participate in public life, free of discrimination and intimidation, including through the drafting process of the Constitution;

14. *Calls upon* the Government of Yemen to uphold the rights of all non-nationals, including by becoming party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, by enacting an anti-trafficking law that is in accordance with international standards, by ensuring that law enforcement agencies actively investigate and prosecute perpetrators of crimes against migrants and refugees, and by ensuring protection of trafficking victims;

15. *Welcomes* the establishment of a Yemeni business and human rights forum in 2014;

16. *Encourages* the Government of Yemen to continue to implement the accepted recommendations contained in the reports of the High Commissioner<sup>56</sup> with the support of her Office, and calls upon the Government to address the recommendations

<sup>55</sup> A/67/845-S/2013/245 and A/68/267.

<sup>56</sup> A/HRC/18/21, A/HRC/19/51, A/HRC/21/37 and A/HRC/24/34.



contained in the report of the High Commissioner submitted to the Human Rights Council at its twenty-seventh session;<sup>54</sup>

17. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect the human rights of all individuals within its territory and subject to its jurisdiction, and in that connection recalls that Yemen is a party to 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 International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography thereto, and the Convention on the Rights of Persons with Disabilities;

18. *Looks forward* to the Government continuing its efforts to promote and protect human rights;

19. *Welcomes* the establishment of a national committee for the preparation of a national human rights strategy, and encourages the Government of Yemen to ensure the development of a national human rights action plan in accordance with the pertinent *Handbook on National Human Rights Plans of Action* produced by the Office of the High Commissioner;

20. *Stresses* that the work of the Panel of Experts established by the Security Council in its resolution 2140 (2014) is important in relation to the improvement in the human rights situation and plays an important role in the improvement in accountability for violations and abuses of human rights in Yemen;

21. *Calls upon* the Government of Yemen to ensure, in the framework of scrupulous respect for due process-related rights, fair trial guarantees, including in cases involving the death penalty, and to continue to ensure that the death penalty is not applied to minors, in conformity with commitments undertaken by the Government, including during its universal periodic review in 2009, and in conformity with the outcome document of the National Dialogue Conference, and notes in that connection the work of the Specialized Forensic Technical Committee and the accelerated efforts of the Government to improve birth registration with international assistance;

22. *Welcomes* the recommendation of the National Dialogue Conference calling for the establishment of a minimal age for marriage and the criminalization of early, forced marriages, also welcomes the efforts by the Government of Yemen to promote and protect the rights of children, and calls upon the Government to ensure the early adoption of the Child Rights Bill and rapid progress in putting in place appropriate legislative, administrative, social and educational measures to eliminate the occurrence of child, early and forced marriages;

23. *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;

24. *Calls upon* the international community to provide financial support for the Yemen humanitarian response plan for 2014;

25. *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;

26. *Requests* the Office of the High Commissioner to present to the Human Rights Council, at its thirtieth 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, 19/29, 21/22 and 24/32.

39th meeting  
25 September 2014

[Adopted without a vote.]

## **27/20**

### **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 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, which should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of States to prevent human rights violations and comply with their human rights obligations for the benefit of all human beings,

*Recalling* its mandate to promote advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of States concerned, and provisions in Human Rights 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* that all human beings are born free and equal in dignity and in rights, and recalling the provisions of the Declaration on the Right to Development, which state that human beings are the central subject of development and are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized,

*Emphasizing* that all human rights and fundamental freedoms, including the right to development, which are universal, indivisible, interdependent and interrelated, are of crucial importance for all policies and programmes to eradicate poverty and promote inclusive, equitable, people-centred and sustainable development, and that respect for and promotion and protection of human rights are an integral part of effective work towards the Millennium Development Goals,

*Welcoming* proposed goals aimed at the eradication of poverty and the promotion of sustainable, inclusive and equitable development in the outcome document of the Open Working Group on Sustainable Development Goals, with due consideration given to the promotion and protection of economic, social and cultural rights, as well as civil and political rights, in accordance with States' obligations under international human rights law, and emphasizing that these proposed goals and considerations should be taken into account in the formulation of the post-2015 development agenda,

1. *Reaffirms* that States have the primary responsibility for the promotion and protection of human rights, and emphasizes the need to promote a cooperative and constructive approach to 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 the discussions held under agenda item 10;

2. *Reaffirms* that each country must take primary responsibility for its own development and that the role of national policies and strategies cannot be overemphasized in the achievement of sustainable development and poverty eradication, and recognizes that increased, effective national efforts should be complemented by concrete, effective and supportive international programmes, measures and policies, including technical cooperation, aimed at expanding development opportunities and the building institutional and technical capacities of developing countries, while taking into account national conditions and ensuring respect for national ownership strategies and sovereignty, in accordance with General Assembly resolution 67/224 of 21 December 2012 on the Second United Nations Decade for the Eradication of Poverty (2008–2017);

3. *Encourages* that the following elements be taken into account, as appropriate, in devising the aforementioned national policies and strategies, with due consideration given to the national context:

(a) To ensure that such policies and strategies are in line with the State's obligations under international human rights law and are carried out in a non-discriminatory, participatory, transparent and accountable manner;

(b) To respond to the needs, and to promote the empowerment and realization of the rights, of the poorest and disadvantaged, and people in vulnerable situations, and to take into account the guiding principles on extreme poverty and human rights, adopted by the Human Rights Council in its resolution 21/11 on 27 September 2012;

(c) To actively engage with and promote free, informed and meaningful participation of all relevant stakeholders, especially in decision-making on public policies that affect their lives;

(d) To ensure transparency and accountability by providing accessible and adequate information, including information on the rights of all relevant stakeholders;

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

5. *Welcomes* the panel discussion held under agenda item 10 of the Human Rights Council at its twenty-sixth session on the theme "Technical cooperation and capacity-building in advancing the rights of persons with disabilities through legal and institutional frameworks, including public-private partnerships", which underscored the need to ensure that persons with disabilities could participate in and benefit from society on an equal basis with others through, inter alia, the promotion of the rights of persons with disabilities and the mainstreaming of such rights in development policies;

6. *Calls upon* the United Nations High Commissioner for Human Rights and relevant United Nations agencies to continue to provide technical cooperation to States, upon their request, in the implementation of their human rights obligations and accepted universal periodic review recommendations to ensure and promote the full realization of the rights of persons with disabilities;

7. *Welcomes* the efforts made by the Office of the High Commissioner to provide technical assistance and capacity-building to States, and emphasizes that such

technical assistance and capacity-building shall be provided in consultation with and with the consent of the States concerned;

8. *Also welcomes* the report of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights submitted to the Human Rights Council at its twenty-sixth session,<sup>57</sup> and encourages the Office of the High Commissioner to fully implement the recommendations made by the Board to ensure effectiveness of technical cooperation, while encouraging States to enhance voluntary contributions for the relevant United Nations funds to support technical assistance and capacity-building, particularly the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the Voluntary Fund for Participation in Universal Periodic Review Mechanism and the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review;

9. *Decides*, in accordance with paragraphs 3 and 4 of Human Rights Council resolution 18/18 of 29 September 2011, that the theme for the annual thematic panel discussion under agenda item 10 to be held at the twenty-eighth session of the Council shall be “Technical cooperation to support inclusive and participatory development and poverty eradication at the national level”;

10. *Requests* the High Commissioner to prepare a report on the technical assistance provided by his Office to support inclusive and participatory development at the national level, for submission to the Human Rights Council at its twenty-eighth 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 with a view to ensuring their participation in the thematic panel discussion.

*39th meeting  
25 September 2014*

[Adopted without a vote.]

## **27/21**

### **Human rights and unilateral coercive measures**

*The Human Rights Council,*

*Recalling* the purposes and principles of the Charter of the United Nations,

*Recalling also* all previous resolutions on human rights and unilateral coercive measures adopted by the Commission on Human Rights, the Human Rights Council and the General Assembly,

*Reaffirming* Human Rights Council resolution 24/14 of 27 September 2013 and General Assembly resolution 68/162 of 18 December 2013,

*Stressing* that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter and the norms and principles governing peaceful relations among States,

*Recognizing* the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as a universal and inalienable right and an integral part of all human rights,

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<sup>57</sup> A/HRC/26/51.

*Expressing its concern* at the negative impact of unilateral coercive measures on human rights, development, international relations, trade, investment and cooperation,

*Reaffirming* that no State may use or encourage the use of any type of measure, including but not limited to economic or political measures, to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind,

*Recognizing* that unilateral coercive measures in the form of economic sanctions can have far-reaching implications for the human rights of the general population of targeted States, disproportionately affecting the poor and the most vulnerable classes,

*Underlining* that under no circumstances should people be deprived of their basic means of survival,

*Recognizing* that long-term unilateral coercive measures may result in social problems and raise humanitarian concerns in the States targeted,

*Highlighting* the deep-rooted problems and grievances within the international system and the importance for the United Nations to give a voice to all members of the international community in order to ensure multilateralism, mutual respect and the peaceful settlement of disputes,

*Recalling* the final document of the sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 2012,<sup>58</sup> and the final document of the seventeenth Ministerial Conference of the Non-Aligned Movement, held in Algiers on 28 and 29 May 2014, and those adopted at previous summits and conferences, in which States members of the Movement decided to refrain from recognizing, adopting or implementing extraterritorial or unilateral coercive measures or laws, including unilateral economic sanctions, other intimidating measures and arbitrary travel restrictions, that seek to exert pressure on non-aligned countries — threatening their sovereignty and independence, and their freedom of trade and investment — and to prevent them from exercising their right to decide, by their own free will, their own political, economic and social systems, where such measures or laws constitute flagrant violations of the Charter, international law, the multilateral trading system as well as the norms and principles governing friendly relations among States, and in this regard oppose and condemn these measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise, as called for by the General Assembly and other United Nations organs, and request States applying these measures or laws to revoke them fully and immediately,

*Recalling also* that the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral measure not in accordance with international law and the Charter and that created obstacles to trade relations among States and impeded the full realization of all human rights, and that also severely threatened the freedom of trade,

*Deeply concerned* that, despite the resolutions adopted on this issue by the General Assembly, the Human Rights Council, the Commission on Human Rights and at United Nations conferences held in the 1990s and at their five-year reviews, and contrary to norms of international law and the Charter, unilateral coercive measures continue to be promulgated, implemented and enforced by, inter alia, resorting to war and militarism, with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby

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<sup>58</sup> See A/67/506-S/2012/752, annex I.

creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

*Deeply disturbed* by the negative impact of unilateral coercive measures on the right to life, the rights to health and medical care, the right to freedom from hunger and the right to an adequate standard of living, food, education, work and housing,

*Alarmed* by the disproportionate and indiscriminate human costs of unilateral sanctions and their negative effects on the civilian population, in particular women and children, of targeted States,

*Reaffirming* that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,

*Concerned* that unilateral coercive measures have, in some instances, prevented humanitarian organizations from making financial transfers to States where they work,

*Underlining* the necessity of examining the wide range of impacts of unilateral coercive measures on international humanitarian and human rights law, as well as on the economy, peace, security and social fabric of States,

*Highlighting* the need to monitor human rights violations associated with unilateral coercive measures and to promote accountability,

*Emphasizing* the necessity of establishing a special procedure, within the context of the Human Rights Council, on the impact of the application of unilateral coercive measures on the enjoyment of all human rights,

*Recalling* Human Rights Council resolutions 5/1, on the institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

*Recalling also* article 1, paragraph 2, common to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which provides that, inter alia, in no case may a people be deprived of its own means of subsistence,

1. *Calls upon* all States to stop adopting, maintaining or implementing unilateral coercive measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature with extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States neither to recognize these measures nor to apply them, and to take effective administrative or legislative measures, as appropriate, to counteract the extraterritorial application or effects of unilateral coercive measures;

3. *Condemns* the continued unilateral application and enforcement by certain powers of such measures as tools of political or economic pressure against any country, particularly against developing countries, with a view to preventing these countries from exercising their right to decide, of their own free will, their own political, economic and social systems;

4. *Expresses grave concern* that, in some countries, the situation of children and women is adversely affected by unilateral coercive measures not in accordance with

international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities;

5. *Reiterates* its call upon Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions, and to commit themselves to their obligations and responsibilities arising from relevant provisions of the international law and human rights instruments to which they are parties by putting an immediate end to such measures;

6. *Reaffirms* in this context the right of all peoples to self-determination by virtue of which they freely determine their political status and freely pursue their own economic, social and cultural development;

7. *Also reaffirms* its opposition to any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State, which is incompatible with the Charter;

8. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, and to the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States, proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measure to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

9. *Reaffirms* that essential goods, such as food and medicines, should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

10. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development, and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of domestic laws that run counter to the principles of free trade and hamper the development of developing countries;

11. *Rejects* all attempts to introduce unilateral coercive measures, as well as the increasing trend in this direction, including through the enactment of laws with extraterritorial application, which are not in conformity with international law;

12. *Recognizes* that the Declaration of Principles, adopted at the first phase of the World Summit on the Information Society, held in Geneva in December 2003, strongly urges States to avoid and refrain from any unilateral measure in building the information society;

13. *Urges* all special rapporteurs and existing thematic mechanisms of the Human Rights Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

14. *Recognizes* the importance of the quantitative and qualitative documentation of the negative impact associated with the application of unilateral coercive measures in the context of ensuring the accountability of those responsible for the human rights violations resulting from the application of unilateral coercive measures against any State;

15. *Decides* to give due consideration to the negative impact of unilateral coercive measures on the human rights issues in its task concerning the implementation of the right to development;

16. *Requests* the United Nations High Commissioner for Human Rights, in discharging his functions in relation to the promotion and protection of human rights, to pay due attention and give urgent consideration to the present resolution;

17. *Notes with appreciation* the holding of the workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations, in particular their socioeconomic impact on women and children in the States targeted, organized by the Office of the High Commissioner on 23 May 2014, in Geneva;

18. *Takes note with appreciation* of the report of the Office of the High Commissioner on the proceedings of the above-mentioned workshop,<sup>59</sup> and takes positive note of the report of the Secretary-General submitted to the General Assembly on human rights and unilateral coercive measures;<sup>60</sup>

19. *Decides* to organize a biannual panel discussion on the issue of unilateral coercive measures and human rights, starting at its twenty-ninth session, with the participation of Member States, relevant United Nations bodies, agencies and other relevant stakeholders, and also requests the Office of High Commissioner to prepare and submit a report on the panel discussion to the Human Rights Council;

20. *Reiterates* its request to the Human Rights Council Advisory Committee to prepare a research-based report containing recommendations on mechanism to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability, and to present a progress report on the requested research-based report to the Council at its twenty-eighth session for its consideration;

21. *Requests* the Advisory Committee to seek the views and inputs of Member States and relevant special procedures, as well as national human rights institutions and non-governmental organizations, in the preparation of the above-mentioned research-based report;

22. *Decides* to appoint, for a period of three years, a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, with the following mandate:

(a) To gather all relevant information, wherever it may occur, including from Governments, non-governmental organizations and any other parties, relating to the negative impact of unilateral coercive measures on the enjoyment of human rights;

(b) To study trends, developments and challenges in relation to the negative impact of unilateral coercive measures on the enjoyment of human rights, and to make guidelines and recommendations on ways and means to prevent, minimize and redress the adverse impact of unilateral coercive measures on human rights;

(c) To make an overall review of independent mechanisms to assess unilateral coercive measures to promote accountability;

(d) To contribute to strengthening the capacity of the Office of the High Commissioner to provide affected countries with technical assistances and advisory

<sup>59</sup> A/HRC/27/32.

<sup>60</sup> A/68/211.



services to prevent, minimize and redress the adverse impact of unilateral coercive measures on human rights;

23. *Requests* the Special Rapporteur, within the framework of his or her mandate:

(a) To draw the attention of the Human Rights Council and the High Commissioner to those situations and cases regarding the negative impact of unilateral coercive measures on the full enjoyment of human rights;

(b) To cooperate with other relevant United Nations bodies, including the High Commissioner, the human rights treaty bodies, the special procedures and mechanisms, specialized agencies, funds and programmes, regional intergovernmental organizations and their mechanisms, with the aim to prevent, minimize and redress the adverse impact of unilateral coercive measures on human rights;

24. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his or her tasks, and to provide all necessary information requested by him or her;

25. *Invites* the High Commissioner, relevant special procedures of the Human Rights Council and the treaty bodies to pay attention, within the framework of their mandates, to the situation of persons whose right has been violated as the result of unilateral coercive measures;

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

27. *Requests* the Special Rapporteur to submit each year to the Human Rights Council and the General Assembly a report on the activities relating to his or her mandate;

28. *Decides* to continue its consideration of the issue of negative impact of unilateral coercive measures on human rights in accordance with its programme of work.

*40th meeting  
26 September 2014*

[Adopted by a recorded vote of 31 to 14, with 2 abstentions. The voting was as follows:

*In favour:*

Algeria, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, China, Congo, Côte d'Ivoire, Cuba, Ethiopia, Gabon, India, Indonesia, Kenya, Kuwait, Maldives, Mexico, Morocco, Namibia, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

*Against:*

Austria, Czech Republic, Estonia, France, Germany, Ireland, Italy, Japan, Montenegro, Republic of Korea, Romania, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Costa Rica, Kazakhstan]

27/22

## **Intensifying global efforts and sharing good practices to effectively eliminate female genital mutilation**

*The Human Rights Council,*

*Recalling* the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Optional Protocols thereto, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

*Recalling also* Human Rights Council resolution 5/1 on institution-building of the Council of 18 June 2007,

*Recalling further* all relevant resolutions of the General Assembly, the Commission on the Status of Women and the Human Rights Council concerning measures with a view to eliminating harmful traditional practices prejudicial to the human rights of women and girls,

*Reaffirming* the Beijing Declaration and Platform for Action, the outcomes of the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”, the programme of action of the International Conference on Population and Development and the programme of action of the World Summit for Social Development and their five-, ten- and fifteen-year reviews, and the United Nations Millennium Declaration and the commitments relevant to women and girls made at the 2005 World Summit and reiterated by the General Assembly in its resolution 65/1 of 22 September 2010 entitled “Keeping the promise: united to achieve the Millennium Development Goals”,

*Recalling* General Assembly resolution 67/146 of 20 December 2012 entitled “Intensifying global efforts for the elimination of female genital mutilations” and Human Rights Council decision 24/117 of 27 September 2013 entitled “High-level panel on the identification of good practices in combating female genital mutilation”,

*Reaffirming* that female genital mutilation is a form of discrimination, an act of violence against women and girls and a harmful practice that constitutes a serious threat to their health, including their psychological, sexual and reproductive health, which can increase their vulnerability to HIV and may have adverse obstetric and prenatal outcomes as well as fatal consequences for the mother and the newborn, and that the abandonment of this harmful practice can be achieved as a result of a comprehensive movement that involves all public and private stakeholders in society, including girls and boys, women and men,

*Acknowledging* the importance of the work undertaken by the United Nations treaty bodies, particularly the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women, in addressing the practice of female genital mutilation,

*Acknowledging also* the relevance and importance of regional instruments and mechanisms, including the African Charter on Human and Peoples’ Rights and the Optional Protocols thereto and the African Commission on Human and Peoples’ Rights, in the prevention and elimination of female genital mutilation,

*Recognizing* that efforts at the local, national, regional and international levels have led to a decline in the global prevalence of female genital mutilation,

*Concerned* about the plight of the victims of female genital mutilation and the continuing persistence of the practice, despite these efforts,

*Noting with profound concern* that the medicalization of this practice will undermine the progress made in eliminating female genital mutilation and achieving zero tolerance of the practice,

*Welcoming* the growing global consensus regarding the need to take appropriate measures to eliminate female genital mutilation, and understanding that this practice has no relevant religious or cultural basis,

*Deeply concerned* that the significant gap in resources continues and that the shortfall in funding has severely limited the scope and pace of programmes and activities for the elimination of female genital mutilation,

*Welcoming* the holding during the twenty-sixth session of the Human Rights Council of the high-level panel discussion on the identification of good practices in combating female genital mutilation, and taking note with interest of the summary report thereon, prepared by the Office of the United Nations High Commissioner for Human Rights,<sup>61</sup>

1. *Urges* States to place special emphasis on education, in particular of youth, parents and community leaders, about the harmful effects of female genital mutilation, and especially to encourage men and boys to become more involved in information and awareness campaigns and become agents of change;

2. *Also urges* States to work for better dissemination and implementation of their relevant international human rights obligations and commitments, particularly those relating to the rights of women and girls, including by using outreach tools;

3. *Further urges* States to develop and implement, at the national level, policies, programmes, action plans and national legislation for the elimination of female genital mutilation, based on integrated multisectoral, coordinated and collective approaches at all levels, taking into account the empowerment of former practitioners, the principles of human rights, equality between women and men and non-discrimination, to ensure that former practitioners abstain from resuming the exercise of this practice, and in general taking into account the issue of respect for the basic human rights of women and girls, while also working together with religious and traditional leaders;

4. *Urges* States to condemn all harmful practices that affect women and girls, in particular female genital mutilation, whether committed within or outside a medical institution;

5. *Stresses* the importance of working with local, regional and national networks to address female genital mutilation, while warning about the risk of shifting the practice from one country to another;

6. *Also stresses* the need to establish synergy between the activities of international, regional and local organizations to provide better support to field programmes, strengthen advocacy and ensure international support for the planning, development and implementation of innovative long-term strategies for the effective elimination of female genital mutilation;

7. *Urges* States to strengthen support to communities, especially those that have developed successful local models to prevent and eliminate female genital mutilation, by

<sup>61</sup> A/HRC/27/36.

encouraging them to design and utilize education programmes, information and awareness-raising tools and to make them accessible to the greatest number of people possible;

8. *Urges* States, international and regional governmental organizations and civil society, including non-governmental organizations, to intensify research on the consequences of female genital mutilation, the persistence of the practice and the impact of campaigns and other initiatives to eliminate this scourge;

9. *Urges* the international community to continue and strengthen efforts to share best practices on national and regional legislation, policies, programmes and action plans aimed at preventing and criminalizing the practice, to mobilize resources and to enhance international cooperation in this regard;

10. *Calls upon* States to continue to increase technical and financial assistance for the effective implementation of policies, programmes and action plans to eliminate female genital mutilation at the national, regional and international levels, including by strengthening the United Nations Population Fund-United Nations Children's Fund Joint Programme on Female Genital Mutilation/Cutting: Accelerating Change, and all the other initiatives and activities at the local, regional and international levels aimed at the prevention and elimination of female genital mutilation;

11. *Calls upon* States, the international community and the organizations of the United Nations system to end the medicalization of female genital mutilation, which entails the definition and dissemination of guidelines to medical staff, and to provide, including through clinical guidelines, an adequate response to the chronic health problems suffered by the millions of women and girls who have undergone female genital mutilation and that hinder progress on health in general;

12. *Urges* the international community to keep the issue of the elimination of female genital mutilation on the agenda of development policies, within the framework of the process of developing the post-2015 development agenda;

13. *Encourages* the treaty bodies, in particular the Committee on Economic, Social and Cultural Rights, the Human Rights Committee, the Committee on the Rights of the Child, the Committee on the Elimination of Discrimination against Women, the Committee against Torture and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, to continue to give the necessary consideration to the question of female genital mutilation;

14. *Requests* the United Nations High Commissioner for Human Rights to prepare, in consultation with States, the World Health Organization, the United Nations Children's Fund, the United Nations Population Fund, the treaty bodies, relevant special procedures, regional organizations, national human rights institutions, civil society and other relevant stakeholders, a compilation of good practices and major challenges in preventing and eliminating female genital mutilation, and to submit it to the Human Rights Council at its twenty-ninth session;

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

*40th meeting  
26 September 2014*

[Adopted without a vote.]

27/23

## **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 emphasizing that the mandate holder is to discharge his or her duties in accordance with those resolutions and the annexes thereto,

*Recalling also* its resolutions 21/17 of 27 September 2012, 18/11 of 27 September 2011 and 9/1 of 24 September 2008 and all the resolutions of the Commission on Human Rights on this subject,

1. *Takes note* of the preliminary report of the new Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, which was submitted to the Council at its twenty-seventh session;<sup>62</sup>

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

3. *Acknowledges* the work carried out by the previous Special Rapporteur, and requests the new Special Rapporteur, in accordance with his mandate, to provide detailed, up-to-date information on the adverse consequences that the improper management and disposal of hazardous substances and wastes may have in terms of the full enjoyment of human rights;

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

5. *Requests* the Special Rapporteur to continue his consultations with the competent United Nations agencies and bodies and with the secretariats of the relevant international conventions as part of a multidisciplinary, in-depth approach for addressing existing problems with a view to finding lasting solutions for the management of such substances and wastes so that he may present to the Council, in accordance with its programme, annual reports on the implementation of the resolutions that it has adopted, as well as specific recommendations and proposals concerning the steps that should be taken immediately in order to address the adverse implications for human rights of hazardous substances and wastes;

<sup>62</sup> A/HRC/27/54.

6. *Also requests* the Special Rapporteur to develop, in consultation with the relevant stakeholders and with the assistance of the United Nations High Commissioner for Human Rights, a guide to good practices in relation to the human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes, to be submitted, together with his report, to the Human Rights Council at its thirty-sixth session;

7. *Further requests* the Special Rapporteur to hold, to this end, two international meetings of experts (with five experts) from all regions with a view to drawing up this guide, while reflecting the points of view of other relevant human rights mechanisms, United Nations specialized agencies and other international bodies, government experts, national human rights institutions and civil society;

8. *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 appropriate opportunities to respond to allegations that are transmitted to him and are referred to in his report and to have their observations reflected in his report to the Council;

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

10. *Also reiterates* its appeal to the Secretary-General and to the High Commissioner to provide the Special Rapporteur with all necessary assistance in connection with the successful fulfilment of his mandate;

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

*40th meeting  
26 September 2014*

[Adopted without a vote.]

## **27/24**

### **Equal participation in political and public affairs**

*The Human Rights Council,*

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

*Recalling* relevant international human rights treaties, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

*Recalling also* all relevant General Assembly and Human Rights Council resolutions on participation in political and public affairs, in particular Council resolution 24/8 of 26 September 2013 on equal political participation,

*Reaffirming* that every citizen shall have the right and the opportunity, without any of the distinctions stipulated in the International Covenant on Civil and Political Rights and without unreasonable restrictions, to take part in the conduct of public affairs, directly or through freely chosen representatives, and to have access, on general terms of equality, to public service in his or her country, as well as to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot,

guaranteeing the free expression of the will of the electors, and reaffirming also that the will of the people shall be the basis of the authority of government,

*Reaffirming also* that no distinctions are permitted among citizens in the enjoyment of the right to participate in the conduct of public affairs on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, or on the basis of disability,

*Emphasizing* the critical importance of equal and effective participation in political and public affairs for democracy, the rule of law, social inclusion, economic development and advancing gender equality, as well as for the realization of all human rights and fundamental freedoms,

*Reaffirming* that the active participation of women, on equal terms with men, at all levels of decision-making, is essential to the achievement of equality, inclusive economic growth and sustainable development, peace and democracy,

*Recognizing* that the rights of everyone to freedom of expression, to peaceful assembly, to freedom of association, to education, and access to information, as well as inclusive economic empowerment, are among the essential conditions for equal participation in political and public affairs and must be promoted and protected,

*Recognizing also* the need for further work on the full and effective implementation of the right to participate in public affairs in the context of article 25 of the International Covenant on Civil and Political Rights,

*Recognizing further* the need to intensify efforts to eliminate barriers in law and in practice and to actively facilitate full and effective participation in political and public affairs,

*Welcoming* the work of the Office of the United Nations High Commissioner for Human Rights, the special procedures, the treaty bodies and other relevant human rights mechanisms on identifying and addressing obstacles to the full implementation of the right to participate in public affairs,

1. *Expresses concern* that, despite progress made towards the full implementation of the right to participate in public affairs worldwide, many people continue to face obstacles, including discrimination, in the enjoyment of their right to participate in the public affairs of their countries as well as in the enjoyment of other human rights that enable it;

2. *Recognizes* that women, persons belonging to marginalized groups or minorities, and persons in vulnerable situations are among those who are most affected by discrimination in participation in political and public affairs;

3. *Reaffirms* the obligation of States to take all appropriate measures to ensure that every citizen has an effective right and opportunity to equal participation in public affairs;

4. *Notes with appreciation* the study on the factors that impede equal political participation and steps to overcome those challenges, prepared by the Office of the United Nations High Commissioner for Human Rights,<sup>63</sup> and urges all States to consider, as appropriate, the conclusions and recommendations of the study, and to ensure the full, effective and equal participation of all citizens in political and public affairs, including by, inter alia:

<sup>63</sup> A/HRC/27/29.

(a) Complying fully with their international human rights law obligations and commitments with regard to participation in political and public affairs, including by reflecting them in their national legislative framework;

(b) Considering signing and ratifying or acceding to the International Covenant on Civil and Political Rights and other core international human rights treaties;

(c) Taking all necessary measures to eliminate laws, regulations and practices that discriminate, directly or indirectly, against citizens in their right to participate in public affairs on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, or on the basis of disability;

(d) Taking proactive measures to eliminate all barriers in law and in practice that prevent or hinder citizens, in particular women, persons belonging to marginalized groups or minorities, and persons in vulnerable situations, from participating fully and effectively in political and public affairs, including, inter alia, reviewing and repealing measures that unreasonably restrict the right to participate in public affairs, and considering adopting, on the basis of reliable data on participation, temporary special measures, including legislative acts, aimed at increasing the participation of underrepresented groups, in all aspects of political and public life;

(e) Taking appropriate measures to encourage publicly and promote the importance of participation of all citizens in political and public affairs, in particular women, persons belonging to marginalized groups or to minorities, and persons in vulnerable situations, including by engaging them in designing, evaluating and reviewing policies on participation in political and public affairs;

(f) Developing information and educational materials on the political process and relevant international human rights law provisions to facilitate equal participation in political and public affairs;

(g) Taking steps to promote and protect the voting rights of all those entitled to vote without any discrimination, including facilitation of voter registration and participation and the provision of electoral information and voting papers in a range of accessible formats and languages, as appropriate;

(h) Ensuring the rights of everyone to freedom of expression, peaceful assembly and freedom of association, education and development, and facilitating equal and effective access to information, media and communication technologies in order to enable pluralistic debates fostering inclusive and effective participation in political and public affairs;

(i) Creating a safe and enabling environment for human rights defenders and civil society organizations who, together with other actors, play a key role in the effective promotion and protection of all human rights;

(j) Providing full and effective access to justice and redress mechanisms to those citizens whose right to participate in public affairs has been violated, including by developing effective, independent and pluralistic national human rights institutions, in accordance with the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (Paris Principles);

5. *Encourages* the Office of the United Nations High Commissioner for Human Rights, relevant United Nations agencies, intergovernmental organizations, the special procedures, the treaty bodies and other relevant international human rights mechanisms to address the right to participate in public affairs in their work, within their respective mandates;

6. *Requests* the Office of the High Commissioner, with the participation of States, relevant United Nations agencies, intergovernmental organizations, the treaty bodies,



the special procedures, national human rights institutions, non-governmental organizations and other relevant stakeholders, to prepare a study on best practices, experiences and challenges and ways to overcome them with regard to the promotion, protection and implementation of the right to participate in public affairs in the context of the existing human rights law with a view to identifying possible elements of principles guiding this implementation, and to present it to the Council at its thirtieth session for further consideration.

*40th meeting*  
*26 September 2014*

[Adopted without a vote.]

## **27/25**

### **Mandate of the Working Group of Experts on People of African Descent**

*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* all previous resolutions and decisions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the elimination of racism, racial discrimination, xenophobia and related intolerance, in particular Commission resolutions 2002/68 of 25 April 2002 and 2003/30 of 23 April 2003, and Council resolutions 9/14 of 18 September 2008 and 18/28 of 17 October 2011 on the mandate of the Working Group of Experts on People of African Descent,

*Bearing in mind* paragraph 6 of General Assembly resolution 60/251 of 16 March 2006,

*Reaffirming* the obligations of States under relevant international human rights instruments, in particular the International Convention on the Elimination of All Forms of Racial Discrimination adopted by the General Assembly in its resolution 2106 (XX) of 21 December 1965,

*Underlining* that the Durban Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance remains the only instructive outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which prescribes comprehensive measures and remedies for the effective combating of all scourges of racism at all levels,

*Recalling* Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

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

1. *Decides* to extend the mandate of the Working Group of Experts on People of African Descent for a further period of three years, in accordance with the terms of reference contained in Human Rights Council resolution 9/14;

2. *Also decides* that the Working Group shall undertake a minimum of two country visits per year;

3. *Requests* all Governments to cooperate fully with the Working Group in the discharge of its mandate, including by responding promptly to the Working Group's communications and by providing the information requested;
4. *Requests* the Working Group to submit an annual report to the Human Rights Council on all activities relating to its mandate, as well as to the General Assembly in the context of the International Decade for People of African Descent;
5. *Requests* States, non-governmental organizations, relevant human rights treaty bodies, special procedures and other mechanisms of the Human Rights Council, and national human rights institutions, international financial and development institutions, specialized agencies, programmes and funds of the United Nations to collaborate with the Working Group, including by, inter alia, providing it with the necessary information and, where possible, reports in order to enable the Working Group to carry out its mandate, including with regard to field missions;
6. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Working Group with all the human, technical and financial assistance necessary for the sustainable and effective fulfilment of its mandate;
7. *Recalls* the establishment of a voluntary fund to provide additional resources for, inter alia, the participation of people of African descent, representatives of developing countries, especially the least developed countries, non-governmental organizations and experts in the open-ended sessions of the Working Group, and invites States to contribute to that fund;
8. *Decides* to remain seized of this important issue.

*40th meeting  
26 September 2014*

[Adopted without a vote.]

## **27/26 National policies and human rights**

*The Human Rights Council,*

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

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

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

*Recalling also* Human Rights Council resolution 23/19 of 23 June 2013 on national policies and human rights,

*Recalling further* that States emphasized in the Vienna Declaration and Programme of Action and the 2005 World Summit Outcome<sup>64</sup> that they bear the responsibility, in conformity with the Charter, to develop and encourage respect for human rights and fundamental freedoms for all, without distinction of any kind such as race, colour, sex,

<sup>64</sup> General Assembly resolution 60/1.

language, religion, political or other opinion, national or social origin, property, birth or other status,

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

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

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

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

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

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

*Bearing in mind* that technical cooperation offered by the Office of the United Nations High Commissioner for Human Rights, upon request of and in close cooperation with States, with the aim of integrating human rights into national policies and programmes can be a useful vehicle to support States' compliance with their human rights obligations, as well as their follow-up to recommendations made by the United Nations human rights mechanisms,

*Affirming* that the participation of members of all sectors of society in debating and developing policies and programmes affecting the population is critical for the success of such processes,

*Recognizing* that public policies planned and formulated through participatory approaches are key for promoting respect for, and safeguarding of, the realization of human rights,

1. *Takes note with appreciation* of the report of the Office of the United Nations High Commissioner for Human Rights on technical assistance and capacity-building options for integrating human rights into national policies;<sup>65</sup>

2. *Acknowledges* the efforts made by the Office of the High Commissioner, in both technical assistance and capacity-building, upon request and in close cooperation with States, to align laws, policies, institutions and practices with their human rights obligations and commitments, to implement accepted universal periodic review recommendations and to follow up on recommendations made by other United Nations human rights mechanisms;

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<sup>65</sup> A/HRC/27/41.

3. *Recommends* that States integrate into their national policies a human rights perspective aimed at the promotion, protection and full realization of human rights and fundamental freedoms;
4. *Decides* to convene, at its twenty-eighth session, a panel discussion on the issue of national policies and human rights, with a particular focus on the findings of the report,<sup>65</sup> identifying challenges, further developments and good practices in mainstreaming human rights in national policies and programmes;
5. *Requests* the High Commissioner to prepare a summary report on the discussions of the panel, and to present it to the Human Rights Council before its thirtieth session;
6. *Decides* to remain seized of this issue.

*40th meeting  
26 September 2014*

[Adopted without a vote.]

## **27/27**

### **Technical assistance and capacity-building for human rights in the Democratic Republic of the Congo**

*The Human Rights Council,*

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

*Recalling also* Council resolutions 5/1 of 18 June 2007, 7/20 of 27 March 2008 and S-8/1 of 1 December 2008,

*Recalling further* Council resolutions 10/33 of 27 March 2009, 13/22 of 26 March 2010, 16/35 of 25 March 2011, 19/27 of 23 March 2012 and 24/27 of 27 September 2013, in which the Council called upon the international community to support the national efforts of the Democratic Republic of the Congo and its institutions as a means of improving the human rights situation and to respond to its requests for technical assistance,

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

*Welcoming* the efforts undertaken by the Government of the Democratic Republic of the Congo and the international community, which culminated in the demise of the Mouvement du 23 mars (“M23”) and the adoption of the Nairobi Declaration of 12 December 2013, and taking note of the actions being taken to pacify the east of the Democratic Republic of the Congo,

*Encouraging* the efforts made by the Government of the Democratic Republic of the Congo to put an end to impunity for crimes under international law by strengthening its justice system and international judicial cooperation,

*Welcoming* the establishment in the Democratic Republic of the Congo, by the President of the Republic, of the National Oversight Mechanism of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region (the “Addis Ababa Framework Agreement”), which was signed in Addis Ababa on 24 February

2013, while encouraging all those concerned at the national level to work further to protect civilians and to promote security,

*Acknowledging* the joint role played by the Office of the United Nations High Commissioner for Human Rights in the Democratic Republic of the Congo and the Human Rights Division of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo in improving the human rights situation in the country,

*Welcoming* the work of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the deployment in the Democratic Republic of the Congo, with the full cooperation of the Government, of its international Intervention Brigade to hasten the return of peace and security in the east of the country,

*Underscoring* the important role played by the international community, the United Nations, the African Union, the Southern African Development Community, the Economic Community of Central African States, the International Conference on the Great Lakes Region and the European Union in enhancing the rule of law and improving the human rights situation in the Democratic Republic of the Congo,

*Expressing its deep concern* at the wave of violence and serious crimes, including acts of sexual violence perpetrated principally by armed groups against Congolese, particularly in the east of the Democratic Republic of the Congo, causing death, the mass displacement of nearly 3 million people and desperation among the civilian population, particularly women and children, as well as more than 450,000 refugees,

*Welcoming* the national consultations held in October 2013 in the Democratic Republic of the Congo, which were convened pursuant to Presidential Order No. 13/078 of 26 June 2013, and the establishment of an ad hoc monitoring committee to ensure the prompt implementation of the recommendations that were adopted,

*Taking note* of the November 2013 plan for implementation of the joint communiqué of 30 March 2013 between the Government of the Democratic Republic of the Congo and the Special Representative of the Secretary-General on Sexual Violence in Conflict with a view to addressing sexual violence,

*Considering* the determination of the Democratic Republic of the Congo to protect and promote human rights,

1. *Welcomes* the active participation of the Government of the Democratic Republic of the Congo at the twenty-fifth session of the Council in the high-level dialogue on lessons learned and the continuing challenges in combating sexual violence in that country;

2. *Takes note* of the presentation by the Government of the Democratic Republic of the Congo of its national report on 29 April 2014 during the second cycle of the universal periodic review, and invites it to implement the recommendations of the Working Group on the Universal Periodic Review that it accepted and to continue the reforms undertaken to improve the human rights situation, including the reform of the army, the national police and other security forces, the strengthening of the judiciary, the fight against impunity and the facilitation of access to justice for victims;

3. *Also takes note* of the report of the United Nations High Commissioner for Human Rights on the human rights situation and the activities of her Office in the Democratic Republic of the Congo,<sup>66</sup> and welcomes the commitment of the Government of the Democratic Republic of the Congo to continue its cooperation with the High Commissioner and with the special procedures of the Human Rights Council;

4. *Welcomes* the appointment, pursuant to Presidential Order No. 14/002 of 8 July 2014, of the Personal Representative of the Head of State on Sexual Violence and Child Recruitment, and encourages the Government of the Democratic Republic of the Congo to make the resources available to her that are necessary for the effective performance of her tasks;

5. *Encourages* the Democratic Republic of the Congo to continue to pursue the process undertaken with a view to ensuring that the National Human Rights Commission will soon become operational in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

6. *Welcomes* the efforts undertaken by the Government of the Democratic Republic of the Congo within the framework of the institutional normalization process, in particular the establishment of the Constitutional Court under Act No. 13/026 of 15 October 2013 and the appointment of its members pursuant to Presidential Order No. 14/021 of 7 July 2014, and encourages it to set up the Court within a reasonable period of time;

7. *Also welcomes* the restructuring of the new Independent National Electoral Commission through the establishment of the Plenary Assembly as a collegiate decision-making body and the reactivation of consensus-building mechanisms, and encourages the Government of the Democratic Republic of the Congo to continue the reform process;

8. *Invites* the Government of the Democratic Republic of the Congo and its national partners to ensure the transparency and credibility of the electoral process, to create the necessary conditions in order for the electoral process to be free, fair, credible, peaceful and transparent, and to ensure respect for fundamental rights and freedoms in accordance with the international commitments of the Democratic Republic of the Congo;

9. *Welcomes* the amnesty measures introduced in order to strengthen the process of national reconciliation in accordance with Act No. 14/006 of 11 February 2014 on amnesty for acts of insurrection, acts of war and political offences, which excludes perpetrators of war crimes, crimes against humanity and crimes of genocide, sexual violence and recruitment of children;

10. *Congratulates* the Government of the Democratic Republic of the Congo on the operation, both at the national level and in the provinces, of the consensus-building and cooperation mechanism referred to as the *Entité de liaison de droits de l'homme*, and encourages it to ensure the operation of the unit for the protection of human rights defenders and to allocate budgetary funds under the Finance Act for its effective functioning;

11. *Welcomes* efforts to combat acts of sexual violence in the Democratic Republic of the Congo, considers that sexual violence remains a matter of major concern and encourages the Government to redouble its efforts, with the support of the international community, to put an end to impunity, especially of perpetrators of sexual violence, and to all human rights violations and to bring their perpetrators to justice and to ensure that the victims receive compensation;

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<sup>66</sup> A/HRC/27/42.

12. *Also welcomes* the adoption on 30 August 2014 of the action plan of the Armed Forces of the Democratic Republic of the Congo to combat sexual violence, as well as the efforts undertaken to train judges and other justice officials as part of the fight against sexual violence and to strengthen governmental coordination in the follow-up on the national strategy to combat sexual and gender-based violence;

13. *Takes note* of the fifth report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo,<sup>67</sup> invites the Government of the Democratic Republic of the Congo to institute proceedings against the perpetrators of grave violations against children and encourages it to continue implementing the national action plan signed on 4 October 2012 in order to prevent and put an end to the recruitment and use of children in armed conflicts, as well as sexual violence against children;

14. *Encourages* the Government of the Democratic Republic of the Congo to ensure that the national disarmament, demobilization and reintegration programme takes account of the specific needs of children affected by the armed conflict and the protection of their rights;

15. *Welcomes* the initiatives taken by the Government of the Democratic Republic of the Congo to promote human rights, the administration of justice and the consolidation of security, in particular through the promulgation of the Act on the Organization, Functioning and Competence of Courts and Tribunals, which gives courts of appeal jurisdiction over crimes of genocide, war crimes and crimes against humanity;

16. *Underscores* the efforts undertaken to date by the Democratic Republic of the Congo to reform the army, the police and the security services, and encourages the Government to maintain this momentum;

17. *Encourages* the Government of the Democratic Republic of the Congo to ensure appropriate protection for journalists and human rights defenders in the course of their respective activities in accordance with the laws in force in the Democratic Republic of the Congo;

18. *Welcomes with satisfaction* the ratification by the Government of the Democratic Republic of the Congo of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa and the Southern African Development Community Protocol on Gender and Development, and encourages it to continue to ratify and implement international and regional instruments relating to human rights and international humanitarian law;

19. *Encourages* the States in the region that are parties to the Addis Ababa Framework Agreement of 24 February 2013 to continue to discharge the obligations arising from it and to work for the return of peace and security in the Democratic Republic of the Congo and the Great Lakes region;

20. *Calls upon* the international community to support the Office of the United Nations High Commissioner for Human Rights in its efforts to increase and strengthen its technical assistance programmes and activities aimed at improving the human rights situation in the country, and invites the High Commissioner to report to the Council at its thirtieth session;

21. *Calls upon* the United Nations High Commissioner for Human Rights to commission a study on the impact of technical assistance and capacity-building on the

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<sup>67</sup> S/2014/453.

human rights situation in the Democratic Republic of the Congo and to submit the report at its thirtieth session within the framework of an interactive dialogue;

22. *Decides* to remain seized of the matter until its thirtieth session.

*40th meeting  
26 September 2014*

[Adopted without a vote.]

**27/28**

**Technical assistance and capacity-building in the field of human rights in the Central African Republic**

*The Human Rights Council,*

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

*Guided also* by the Universal Declaration of Human Rights,

*Recalling* other relevant international human rights instruments,

*Recalling also* General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007, 23/18 of 13 June 2013, 24/34 of 27 September 2013 and S-20/1 of 20 January 2014,

*Recalling further* Security Council resolutions 2088 (2013) of 24 January 2013, 2121 (2013) of 10 October 2013, 2127 (2013) of 5 December 2013, 2134 (2014) of 28 January 2014 and 2149 (2014) of 10 April 2014,

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

*Reaffirming* that all States are under an obligation to promote and to protect the human rights and fundamental freedoms enshrined in 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 to which they are parties,

*Bearing in mind* the Bamako Declaration, adopted on 3 November 2000 by the French-speaking States and Governments at the International Symposium on the Practices of Democracy, Rights and Freedoms in the French-speaking Community, which condemns all coups d'état and any seizure of power through violence, arms or other illegal means,

*Bearing in mind also* the final communiqué of the special summit meeting of the Heads of State and Government of the Economic Community of Central African States held in N'Djamena on 21 December 2012, the political agreement signed in Libreville on 11 January 2013 and the Cessation of Hostilities Agreement signed in Brazzaville on 23 July 2014,

*Reaffirming* its support for the efforts undertaken by States members of the Economic Community of Central African States, in particular those of the chairperson of the Community's Follow-up Committee on the Situation in the Central African Republic,

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

*Concerned* about the political and security situation in the Central African Republic, the dire humanitarian situation that continues to prevail, and especially the plight of internally displaced persons and refugees, and the risk of confrontation between communities and armed religious groups,



*Deeply concerned* about the serious human rights violations and abuses and acts of violence perpetrated against the civilian population, including summary executions, rape and other forms of sexual abuse, torture, looting, illegal destruction of property and other serious violations of international human rights law,

*Taking note* of the mobilization of the international community to provide humanitarian assistance to the Central African population affected by the crisis through a high-level meeting on humanitarian action in the Central African Republic, held in Brussels on 20 January 2014, and the donors' conference held in Addis Ababa on 1 February 2014,

*Welcoming* the efforts of the International Support Mission to the Central African Republic, the European Union mission to the Central African Republic, the Operation Sangaris conducted by France and the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic to protect civilians and disarm militias,

*Taking note* of the commitment made by the authorities of the Central African Republic to restore the rule of law, to put an end to impunity and to bring to justice the perpetrators of crimes referred to in the Rome Statute of the International Criminal Court, to which the Central African Republic is a party, and of the decision taken by the Prosecutor of the Court on 7 February 2014 to conduct a preliminary review of the situation in the Central African Republic,

*Taking note also* of the work of the international commission of inquiry in investigating reports of violations of international humanitarian law and international human rights law in the Central African Republic by all parties since 1 January 2013,

1. *Strongly condemns* the continued and widespread human rights violations and abuses committed by all actors, and emphasizes that the perpetrators of such violations and abuses must be held accountable and brought to justice;

2. *Demands* an immediate halt to all human rights violations and abuses and unlawful acts of violence by all parties and the strict observance of all human rights and fundamental freedoms, as well as the restoration of the rule of law in the country and, in this regard, reminds all parties of their responsibilities under international human rights law;

3. *Takes note with satisfaction* of the preliminary report of the Independent Expert on the situation of human rights in the Central African Republic and the recommendations contained therein;<sup>68</sup>

4. *Urges* all parties in the Central African Republic to protect all civilians, in particular women and children, from sexual and gender-based violence;

5. *Calls upon* the authorities of the Central African Republic to ensure respect for the rights and fundamental freedoms of the entire population and to take all necessary steps to put an end to the impunity of the perpetrators of crimes, acts of violence and all other human rights violations by, inter alia, strengthening the judiciary and national accountability mechanisms;

6. *Takes note* of the decision of the Central African authorities to request the Prosecutor of the International Criminal Court to open an investigation into serious and systematic human rights violations committed in the Central African Republic and supports the work of the international commission of inquiry in investigating reports of violations by all parties of international humanitarian law and international human rights law in the Central African Republic;

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<sup>68</sup> A/HRC/26/53.

7. *Supports* the efforts of the Mediator of the Economic Community of Central African States and those of the African Union and all other partners of the Central African Republic to resolve the crisis and to bring about a definitive return to constitutional order, peace and security in accordance with the political agreement signed in Libreville on 11 January 2013, the N'Djamena Declaration of 18 April 2013 and the Constitutional Charter for the Transition of 18 July 2013;
8. *Welcomes* the appointment of a new Government to lead the political transition in the Central African Republic, and calls upon it to expedite efforts to promote national reconciliation through an inclusive process, involving women in the dialogue with all parties, and to hold free, fair, open and transparent elections within a reasonable period of time;
9. *Applauds* the improvement in the security situation in the Central African Republic, and calls upon all parties to respect the terms of the Cessation of Hostilities Agreement of 23 July 2014 as an important step towards resolving the crisis;
10. *Invites* the Central African authorities to take all necessary steps to consolidate the security situation in the country through the introduction of a disarmament, demobilization and reintegration programme;
11. *Remains gravely concerned* by the conditions in which displaced persons and refugees are living, and encourages the international community to support the national authorities and host countries in their efforts to provide appropriate protection and assistance to victims of violence, in particular women, children and persons with disabilities;
12. *Invites* all stakeholders and the international community to stand ready to respond to the emergencies and priorities identified by the Central African Republic, including through the provision of financial and technical assistance and treatment for psychotraumatic disorders suffered by persons as a result of the crisis;
13. *Calls upon* all parties to facilitate victims' access to humanitarian assistance and humanitarian actors' access to all parts of the country's territory by ensuring that roadways are secure;
14. *Encourages* the States Members of the United Nations, within the framework of international cooperation activities, the relevant United Nations agencies, international financial institutions and all other relevant international organizations, as well as donors, to provide the Central African Republic with technical and capacity-building assistance with a view to promoting respect for human rights and to reforming the judicial and security sectors;
15. *Decides* to issue a one-year extension of the mandate of the Independent Expert to monitor, verify and report on the situation of human rights in the Central African Republic with a view to making recommendations concerning technical assistance and capacity-building in the field of human rights;
16. *Calls upon* all parties to cooperate fully with the Independent Expert in carrying out her mandate;
17. *Requests* the Independent Expert to work closely with all entities of the United Nations, the African Union and the Economic Community of Central African States and with all other international organizations concerned, with Central African civil society and with all relevant human rights mechanisms;
18. *Also requests* the Independent Expert to provide an oral update on her report on technical assistance and capacity-building in the field of human rights in the Central

African Republic at its twenty-eighth session and to submit a written report to the Council at its thirtieth session;

19. *Decides* to hold an interactive dialogue at its twenty-ninth session, in the presence of the Independent Expert and other relevant stakeholders, to assess developments in the human rights situation on the ground, with a particular focus on the fight against impunity;

20. *Requests* the United Nations High Commissioner for Human Rights to continue to provide the Independent Expert with all the financial and human resources that she needs in order for her to carry out her mandate fully;

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

*40th meeting  
26 September 2014*

[Adopted without a vote.]

## **27/29**

### **Technical assistance and capacity-building to improve human rights in the Sudan**

*The Human Rights Council,*

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

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

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

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

*Welcoming the commitment of the Government of the Sudan to protect and promote human rights in the country,*

*Noting the developments taking place in the Sudan, and the record of the Government of the Sudan in the promotion and protection of human rights,*

*Welcoming the implementation by the Government of the Sudan of the Child Act (2010), which provides protection for children, including prohibition of child recruitment,*

*Encouraging the efforts of the Government of the Sudan to implement the universal periodic review recommendations accepted by the Government,*

*Noting the challenges that still face the Sudan in conflict-affected areas, particularly in the States of Darfur, South Kordofan and Blue Nile,*

1. *Takes note* of the report of the Independent Expert on the situation of human rights in the Sudan submitted to the Human Rights Council at its twenty-seventh session,<sup>69</sup> and the recommendations made therein;

2. *Takes note with appreciation* of the work of the Independent Expert;

<sup>69</sup> A/HRC/27/69.

3. *Takes note* of the continued cooperation of the Government of the Sudan with the Independent Expert to enable him to fulfil his mandate, and of the Government's stated commitment to continue this cooperation;
4. *Encourages* the initiative of holding a comprehensive, inclusive national dialogue in the Sudan to achieve sustainable peace, as well as the progress being made by Sudanese stakeholders to prepare for this process with the support of the African Union High-Level Implementation Panel;
5. *Takes note* of the assessment made by the Independent Expert in paragraph 46 of his report, encourages the Government of the Sudan to fulfil its pledges with regard to the release of political prisoners, and further encourages all Sudanese stakeholders to ensure the creation of a conducive environment for inclusive, transparent and credible dialogue;
6. *Commends* the steps taken by the Sudan Ministry of Education to reinforce human rights education at the basic and secondary levels in the course of the implementation of the National Plan for the Protection and Promotion of Human Rights (2013-2023), and encourages the Government of the Sudan to continue these efforts;
7. *Welcomes* the efforts made by the Government of the Sudan in combating human trafficking, including by enacting national legislation, such as the Human Trafficking Act, by forming and strengthening national mechanisms, and by continuing its cooperation with regional and international stakeholders in this issue;
8. *Encourages* the Government of the Sudan to further promote and protect the right to freedom of religion and belief, and in this respect to comply with its constitutional obligations and its obligations under the International Covenant on Civil and Political Rights;
9. *Expresses serious concern* at excessive use of force, including the lethal shooting of demonstrators in September 2013 and March 2014, and calls upon the Government of the Sudan to institute an independent public inquiry and to refer its findings to the judiciary within its legal system to ensure justice and accountability related to those incidents;
10. *Expresses concern* at reports of restrictions on the media, pre- and post-publication censorship, seizure of newspapers, the banning of some journalists and violations of the rights to freedom of expression and freedom of association and of peaceful assembly;
11. *Urges* the Government of the Sudan to further its efforts for the promotion and protection of human rights, in particular to ensure freedom from arbitrary arrest and detention, and to respect the human rights of all individuals, including human rights defenders and members of civil society organizations;
12. *Condemns* the violations and abuses of international human rights and humanitarian law reported in the States of Darfur, South Kordofan and Blue Nile and by all parties, including sexual and gender-based violence, the indiscriminate aerial bombings of humanitarian facilities, such as the reported bombing of a hospital run by Doctors Without Borders, and the targeting of civilians and humanitarian aid workers, and urges all parties to resort to peace;
13. *Urges* the Government of the Sudan to investigate allegations of human rights violations in the camps for internally displaced persons with a view to end violations, taking into account the recommendations of the Independent Expert;
14. *Encourages* comprehensive national legal reform initiatives in the Sudan, to further guarantee full compliance of the State with its constitutional and international human rights obligations, and also encourages the Government of the Sudan to ratify

international instruments as accepted by the Government in the universal periodic review process;

15. *Encourages* all parties to allow access for vaccination to conflict-affected areas and to facilitate humanitarian access to populations in need of assistance, and encourages the Government of the Sudan to intensify its endeavours to address humanitarian needs in conflict-affected areas;

16. *Urges* Member States, the United Nations High Commissioner for Human Rights, relevant United Nations agencies and other stakeholders to support the national efforts of the Government of the Sudan in accordance with the present resolution with a view to further improving the situation of human rights in the country by responding to the Government's requests for technical assistance;

17. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in the Sudan for a period of one year under agenda item 10, to continue his/her engagement with the Government of the Sudan to assess, verify and report on the situation of human rights with the view to make recommendations on technical assistance and capacity-building for addressing human rights in the country, considering a full range of information, including information presented by the Government and viewpoints by civil society, and other relevant stakeholders that would assist him/her in the implementation of his/her mandate;

18. *Requests* the Independent Expert to present a report to the Human Rights Council for its consideration at its thirtieth session;

19. *Calls upon* the Government of the Sudan to continue its full cooperation with the Independent Expert and to continue to permit effective access to visit all areas of the country, and to meet with all relevant actors;

20. *Requests* the Office of the High Commissioner to provide all necessary financial and human resources support to the Independent Expert in the implementation of his mandate;

21. *Calls upon* the Government of the Sudan to continue to cooperate with the Office of the High Commissioner in the implementation of the present resolution;

22. *Decides* to consider this issue under agenda item 10.

*40th meeting  
26 September 2014*

[Adopted without a vote.]

## **27/30**

### **Effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights: the activities of vulture funds**

*The Human Rights Council,*

*Guided* by the purposes and principles of the Charter of the United Nations, the Vienna Declaration and Programme of Action and the United Nations Declaration on the Right to Development,

*Recalling* the determination expressed in the Preamble to the Charter to promote social progress and better standards of life in larger freedom, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

*Recalling also* the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international human rights instruments,

*Recalling further* General Assembly resolution 68/304 entitled “Towards the establishment of a multilateral legal framework for sovereign debt restructuring processes”, adopted on 9 September 2014,

*Reaffirming* all resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council on the effects of structural adjustment and economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights, the most recent being Council resolution 25/16 of 15 April 2014,

*Welcoming* the work and commending the contributions of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, in particular the conclusions and recommendations of his report with a thematic focus on vulture funds,<sup>70</sup> in which he aimed to draw global attention to the negative impact of the activities of vulture funds on international debt relief efforts and on the capacity of indebted poor countries that have benefited from debt relief to create the necessary conditions for the realization of human rights, including the right to development,

*Noting* the concern expressed in the declaration that Heads of State and Government of the Group of 77 and China issued on the occasion of the summit entitled “For a New World Order for Living Well”, held in Santa Cruz de la Sierra, Plurinational State of Bolivia, on 14 and 15 June 2014,<sup>71</sup> that reiterates the importance of not allowing vulture funds to paralyse the debt restructuring efforts of developing countries, and that these funds should not supersede the State’s right to protect its people under international law,

*Recognizing* the sovereign right of any State to restructure its sovereign debt, which should not be frustrated or impeded by any measure emanating from another State,

*Affirming* that debt burden contributes to extreme poverty and hunger and is an obstacle to sustainable human development, to the realization of the Millennium Development Goals and to the right to development, and is thus a serious impediment to the realization of all human rights,

*Encouraging* all Governments, relevant United Nations agencies, funds and programmes and the private sector, when designing policies and programmes, to take into consideration the guiding principles on foreign debt and human rights,<sup>72</sup> in particular paragraphs 6, 8 and 20 thereof, that were endorsed by the Human Rights Council in its resolution 20/10 of 10 July 2012,

*Noting* that the international financial system does not have a sound legal framework for the orderly and predictable restructuring of sovereign debt, which further increases the economic and social cost of non-compliance,

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<sup>70</sup> A/HRC/14/21.

<sup>71</sup> See A/68/948, annex.

<sup>72</sup> A/HRC/20/23, annex.

*Expressing its concern* about the voluntary nature of international debt relief schemes, which has created opportunities for vulture funds to acquire defaulted sovereign debt at vastly reduced prices and then seek repayment of the full value of the debt through litigation, seizure of assets or political pressure,

*Taking into account* the fact that vulture funds, through litigation and other means, oblige indebted countries to divert financial resources saved from debt cancellation and diminish the impact of, or dilute the potential gains from, debt relief for these countries, thereby undermining the capacity of Governments to guarantee the full enjoyment of human rights of the population,

*Welcoming* the research proposal on the activities of vulture funds and human rights proposed by the Advisory Committee in its action 13/7 at its thirteenth session<sup>73</sup> and submitted to the Human Rights Council for its consideration,

1. *Condemns* the activities of vulture funds for the direct negative effect that the debt repayment to those funds, under predatory conditions, has on the capacity of Governments to fulfil their human rights obligations, particularly economic, social and cultural rights and the right to development;

2. *Reaffirms* in this context that the activities of vulture funds highlight some of the problems in the global financial system and are indicative of the unjust nature of the current system, which directly affects the enjoyment of human rights in debtor States, and calls upon States to consider implementing legal frameworks to curtail predatory vulture fund activities within their jurisdictions;

3. *Encourages* all States to participate in the negotiations aimed at establishing a multilateral legal framework for sovereign debt restructuring processes, as referred to in General Assembly resolution 68/304, and invites States participating in the negotiations to ensure that such a multilateral legal framework will be compatible with existing international human rights obligations and standards;

4. *Requests* the Advisory Committee to prepare a research-based report on the activities of vulture funds and the impact on human rights, and to present a progress report of that research to the Human Rights Council at its thirty-first session for its consideration;

5. *Also requests* the Advisory Committee to seek the views and inputs of Member States, United Nations agencies, relevant international and regional organizations, the Office of the United Nations High Commissioner for Human Rights and relevant special procedures, including the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, as well as national human rights institutions and non-governmental organizations, in the preparation of the above-mentioned research-based report.

*41st meeting  
26 September 2014*

[Adopted by a recorded vote of 33 to 5, with 9 abstentions. The voting was as follows:

*In favour:*

Algeria, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Ethiopia, Gabon, India, Indonesia, Kazakhstan, Kenya, Kuwait, Maldives, Mexico, Morocco, Namibia, Pakistan,

<sup>73</sup> See A/HRC/AC/13/2.

Peru, Philippines, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

*Against:*

Czech Republic, Germany, Japan, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Austria, Estonia, France, Ireland, Italy, Montenegro, Republic of Korea, Romania, the former Yugoslav Republic of Macedonia]

## **27/31**

### **Civil society space**

*The Human Rights Council,*

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

*Guided also by the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action, the International Covenants on Human Rights and all other relevant instruments,*

*Recalling the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,*

*Recalling also all Human Rights Council resolutions relevant to creating and maintaining civil society space, inter alia, resolutions 12/16 of 2 October 2009, on freedom of opinion and expression, 21/16 of 27 September 2012, on the rights to freedom of peaceful assembly and of association, 22/6 of 21 March 2013, on protecting human rights defenders, 24/8 of 26 September 2013, on equal political participation, 24/21 of 27 September 2013, on civil society space: creating and maintaining, in law and in practice, a safe and enabling environment, 24/24 of 27 September 2013, on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, 25/38 of 28 March 2014, on the promotion and protection of human rights in the context of peaceful protests, and 26/13 of 26 June 2014, on the promotion, protection and enjoyment of human rights on the Internet,*

*Recognizing the important role of civil society at the local, national, regional and international levels, and that civil society facilitates the achievement of the purposes and principles of the United Nations,*

*Mindful that domestic legal and administrative provisions and their application should facilitate, promote and protect an independent, diverse and pluralistic civil society, and in this regard strongly rejecting all threats, attacks, reprisals and acts of intimidation against civil society actors, and underscoring that States should investigate any such alleged acts, ensure accountability and effective remedies, and take steps to prevent any further such threats, attacks, reprisals or acts of intimidation,*

*Underscoring that the legal framework within which civil society operates is that of national legislation consistent with the Charter of the United Nations and international human rights law,*

*Deeply concerned that, in some instances, domestic legal and administrative provisions, such as national security and counter-terrorism legislation, and other measures, such as provisions on funding to civil society, have sought to or have been misused to hinder the work and endanger the safety of civil society in a manner contrary to*



international law, and recognizing the urgent need to prevent and stop the use of such provisions, and to review and, where necessary, amend any relevant provisions in order to ensure compliance with international human rights law and, as appropriate, international humanitarian law,

*Reaffirming* that special emphasis should be given to measures to assist in the strengthening of a pluralistic civil society, including through the strengthening of the rule of law, social and economic development, the promotion of the right to freedom of expression, online and offline, including artistic expression and creativity, access to information, the rights of peaceful assembly and freedom of association, including soliciting, receiving and utilizing resources, and the administration of justice, and to the real and effective participation of the people in the decision-making processes,

*Recognizing* the crucial importance of the active involvement of civil society, at all levels, in processes of governance and in promoting good governance, including through transparency and accountability, at all levels, which is indispensable for building peaceful, prosperous and democratic societies,

*Recognizing also* that creating and maintaining a safe and enabling environment in which civil society can operate free from hindrance and insecurity assists States in fulfilling their existing international human rights obligations and commitments, without which equality, accountability and the rule of law are severely weakened,

*Welcoming* the recent enactment by some States of national legislation and policies to facilitate, promote and protect civil society space consistent with international human rights law, and looking forward to their effective implementation,

1. *Welcomes* the holding on 11 March 2014 of the panel discussion on the importance of the promotion and protection of civil society space and the summary report thereof;<sup>74</sup>

2. *Reminds* States of their obligation to respect and fully protect the civil, political, economic, social and cultural rights of all individuals, inter alia, the rights to freedom of expression and opinion and to assemble peacefully and associate freely, online as well as offline, including for persons espousing minority or dissenting views or beliefs, and that respect for all such rights, in relation to civil society, contributes to addressing and resolving challenges and issues that are important to society, such as addressing financial and economic crises, responding to public health crises, responding to humanitarian crises, including in the context of armed conflict, promoting the rule of law and accountability, achieving transitional justice goals, protecting the environment, realizing the right to development, empowering persons belonging to minorities and vulnerable groups, combating racism and racial discrimination, supporting crime prevention, countering corruption, promoting corporate social responsibility and accountability, combating human trafficking, empowering women and youth, advancing social justice and consumer protection, and the realization of all human rights;

3. *Urges* States to create and maintain, in law and in practice, a safe and enabling environment in which civil society can operate free from hindrance and insecurity;

4. *Emphasizes* the importance of civil society space for empowering persons belonging to minorities and vulnerable groups, as well as persons espousing minority or dissenting views or beliefs, and in that regard calls upon States to ensure that legislation, policies and practices do not undermine the enjoyment of their human rights or the activities of civil society in defending their rights;

<sup>74</sup> A/HRC/27/33.

5. *Also emphasizes* the important role of artistic expression and creativity in the development of society and, accordingly, the importance of a safe and enabling environment for civil society in that regard, in line with article 19 of the International Covenant on Civil and Political Rights;
6. *Urges* States to acknowledge publicly the important and legitimate role of civil society in the promotion of human rights, democracy and the rule of law;
7. *Also urges* States to engage with civil society to enable it to participate in the public debate on decisions that would contribute to the promotion and protection of human rights and the rule of law, and of any other relevant decisions;
8. *Stresses in particular* the valuable contribution of civil society in providing input to States on the potential implications of legislation, when such legislation is being developed, debated, implemented or reviewed;
9. *Urges* States to ensure access to justice, accountability and end impunity for human rights violations and abuses against civil society actors, including by putting in place, and where necessary reviewing and amending, relevant laws, policies, institutions and mechanisms to create and maintain a safe and enabling environment in which civil society can operate free from hindrance and insecurity;
10. *Calls upon* States to ensure that domestic provisions on funding to civil society actors are in compliance with their international human rights obligations and commitments and are not misused to hinder the work or endanger the safety of civil society actors, and underlines the importance of the ability to solicit, receive and utilize resources for their work;
11. *Urges* all non-State actors to respect all human rights and not to undermine the capacity of civil society to operate free from hindrance and insecurity;
12. *Emphasizes* the essential role of civil society in subregional, regional and international organizations, including in support of the organizations' work, and in sharing experience and expertise through effective participation in meetings in accordance with relevant rules and modalities, and in this regard reaffirms the right of everyone, individually and in association with others, to unhindered access to and communication with subregional, regional and international bodies, in particular the United Nations, its representatives and mechanisms;
13. *Recognizes* the valuable contribution of national, subregional, regional and international human rights mechanisms and bodies, including the universal periodic review and special procedures of the Human Rights Council, the treaty bodies and national human rights institutions, to the promotion and protection of civil society space, and encourages these mechanisms in the framework of their existing mandates to continue to address relevant aspects of civil society space;
14. *Welcomes* the work of the Office of the United Nations High Commissioner for Human Rights to promote and protect civil society space, including its work on widening the democratic space, and invites it to continue efforts in this regard;
15. *Requests* the High Commissioner to prepare a compilation of practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practices and lessons learned, and in this regard to continue to engage with and seek the views of States, the special procedures of the Human Rights Council, the treaty bodies, relevant United Nations bodies and agencies, regional human rights mechanisms, national human rights institutions, civil society and other stakeholders, and to submit the compilation to the Human Rights Council at its thirty-second session;

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

41st meeting  
26 September 2014

[Adopted without a vote.]

**27/32**

**Human rights, sexual orientation and gender identity**

*The Human Rights Council,*

*Recalling* the universality, interdependence, indivisibility and interrelatedness of human rights as enshrined in the Universal Declaration of Human Rights and consequently elaborated in other human rights instruments, such as the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant core human rights instruments,

*Recalling also* that the Universal Declaration of Human Rights affirms that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in the Declaration, 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,

*Recalling further* that the Vienna Declaration and Programme of Action affirms that all human rights are universal, indivisible, interdependent and interrelated, 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 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,

*Recalling* General Assembly resolution 60/251 of 15 March 2006, in which the Assembly stated that the Human Rights Council should be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner,

*Recalling also* all relevant Human Rights Council and General Assembly resolutions on combating all forms of discrimination and violence exercised due to discrimination of any kind, particularly Council resolution 17/19 of 17 June 2011,

*Expressing grave concern* at acts of violence and discrimination, in all regions of the world, committed against individuals because of their sexual orientation and gender identity,

*Welcoming* positive developments at the international, regional and national levels in the fight against violence and discrimination based on sexual orientation and gender identity,

*Welcoming also* the efforts of the Office of the United Nations High Commissioner for Human Rights in the fight against violence and discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

1. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights entitled “Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity” (A/HRC/19/41) and of the panel discussion held at the nineteenth session of the Human Rights Council;

2. *Requests* the High Commissioner to update the report (A/HRC/19/41) with a view to sharing good practices and ways to overcome violence and discrimination, in application of existing international human rights law and standards, and to present it to the Human Rights Council at its twenty-ninth session;

3. *Decides* to remain seized of this issue.

*42nd meeting  
26 September 2014*

[Adopted by a recorded vote of 25 to 14, with 7 abstentions.\* The voting was as follows:

*In favour:*

Argentina, Austria, Brazil, Chile, Costa Rica, Cuba, Czech Republic, Estonia, France, Germany, Ireland, Italy, Japan, Mexico, Montenegro, Peru, Philippines, Republic of Korea, Romania, South Africa, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela (Bolivarian Republic of), Viet Nam

*Against:*

Algeria, Botswana, Côte d'Ivoire, Ethiopia, Gabon, Indonesia, Kenya, Kuwait, Maldives, Morocco, Pakistan, Russian Federation, Saudi Arabia, United Arab Emirates

*Abstaining:*

Burkina Faso, China, Congo, India, Kazakhstan, Namibia, Sierra Leone]

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\* One delegation did not cast a vote.

## B. Decisions

### 27/101

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

*The Human Rights Council,*

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

*Having conducted* the review of Norway on 28 April 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Norway, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/3), the views of Norway concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/3/Add.1 and A/HRC/27/2, chap. VI).

*22nd meeting  
18 September 2014*

[Adopted without a vote.]

### 27/102

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

*The Human Rights Council,*

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

*Having conducted* the review of Albania on 28 April 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Albania, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/4), the views of Albania concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/4/Add.1 and A/HRC/27/2, chap. VI).

*22nd meeting  
18 September 2014*

[Adopted without a vote.]

**27/103****Outcome of the universal periodic review: Democratic Republic of the Congo**

*The Human Rights Council,*

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

*Having conducted* the review of the Democratic Republic of the Congo on 29 April 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of the Democratic Republic of the Congo, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/5), the views of the Democratic Republic of the Congo concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/2, chap. VI).

*22nd meeting  
18 September 2014*

[Adopted without a vote.]

**27/104****Outcome of the universal periodic review: Côte d'Ivoire**

*The Human Rights Council,*

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

*Having conducted* the review of Côte d'Ivoire on 29 April 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Côte d'Ivoire, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/6), the views of Côte d'Ivoire concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/6/Add.1 and A/HRC/27/2, chap. VI).

*24th meeting  
18 September 2014*

[Adopted without a vote.]

**27/105****Outcome of the universal periodic review: Portugal**

*The Human Rights Council,*

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

*Having conducted* the review of Portugal on 30 April 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Portugal, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/7), the views of Portugal concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/7/Add.1 and A/HRC/27/2, chap. VI).

*24th meeting  
18 September 2014*

[Adopted without a vote.]

**27/106****Outcome of the universal periodic review: Bhutan**

*The Human Rights Council,*

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

*Having conducted* the review of Bhutan on 30 April 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Bhutan, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/8), the views of Bhutan concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/8/Add.1 and A/HRC/27/2, chap. VI).

*24th meeting  
18 September 2014*

[Adopted without a vote.]

**27/107****Outcome of the universal periodic review: Dominica**

*The Human Rights Council,*

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

*Having conducted* the review of Dominica on 1 May 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Dominica, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/9), the views of Dominica concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/2, chap. VI).

*25th meeting  
19 September 2014*

[Adopted without a vote.]

**27/108****Outcome of the universal periodic review: Democratic People's Republic of Korea**

*The Human Rights Council,*

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

*Having conducted* the review of the Democratic People's Republic of Korea on 1 May 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of the Democratic People's Republic of Korea, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/10), the views of the Democratic People's Republic of Korea concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/10/Add.1 and A/HRC/27/2, chap. VI).

*25th meeting  
19 September 2014*

[Adopted without a vote.]



**27/109****Outcome of the universal periodic review: Brunei Darussalam**

*The Human Rights Council,*

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

*Having conducted* the review of Brunei Darussalam on 2 May 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Brunei Darussalam, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/11), the views of Brunei Darussalam concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/11/Add.1 and A/HRC/27/2, chap. VI).

*25th meeting  
19 September 2014*

[Adopted without a vote.]

**27/110****Outcome of the universal periodic review: Costa Rica**

*The Human Rights Council,*

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

*Having conducted* the review of Costa Rica on 5 May 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Costa Rica, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/12), the views of Costa Rica concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/12/Add.1 and A/HRC/27/2, chap. VI).

*26th meeting  
19 September 2014*

[Adopted without a vote.]

**27/111****Outcome of the universal periodic review: Equatorial Guinea**

*The Human Rights Council,*

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

*Having conducted* the review of Equatorial Guinea on 5 May 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Equatorial Guinea, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/13 and Corr.1), the views of Equatorial Guinea concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/13/Add.1 and A/HRC/27/2, chap. VI).

*26th meeting  
19 September 2014*

[Adopted without a vote.]

**27/112****Outcome of the universal periodic review: Ethiopia**

*The Human Rights Council,*

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

*Having conducted* the review of Ethiopia on 6 May 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Ethiopia, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/14), the views of Ethiopia concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/14/Add.1 and A/HRC/27/2, chap. VI).

*26th meeting  
19 September 2014*

[Adopted without a vote.]

**27/113****Outcome of the universal periodic review: Qatar**

*The Human Rights Council,*

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

*Having conducted* the review of Qatar on 7 May 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Qatar, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/15), the views of Qatar concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/15/Add.1 and A/HRC/27/2, chap. VI).

*27th meeting  
19 September 2014*

[Adopted without a vote.]

**27/114****Outcome of the universal periodic review: Nicaragua**

*The Human Rights Council,*

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

*Having conducted* the review of Nicaragua on 7 May 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Nicaragua, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/27/16), the views of Nicaragua concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/27/16/Add.1 and A/HRC/27/2, chap. VI).

*27th meeting  
19 September 2014*

[Adopted without a vote.]

## C. President's statements

### **PRST 27/1**

#### **Twenty-fifth anniversary of the adoption of the Convention on the Rights of the Child**

At the 42nd meeting, on 26 September 2014, the President of the Human Rights Council made the statement below:

“The Human Rights Council:

1. Reaffirms the obligations and commitments of States to promote and protect the rights, dignity and well-being of every child;
2. Emphasizes that the Convention on the Rights of the Child constitutes the standard in the promotion and protection of the rights of the child;
3. Recalls that the Convention on the Rights of the Child enjoys near universal ratification;
4. Notes with appreciation the work of the Committee on the Rights of the Child;
5. Welcomes the efforts made by all countries to effectively promote and protect the rights of the child, and calls upon all States to increase such efforts;
6. Urges States that have not yet become parties to the Convention on the Rights of the Child to consider doing so;
7. Recalls in this context the forthcoming twenty-fifth anniversary of the adoption of the Convention on Rights of the Child by the General Assembly, and welcomes the unprecedented level of support given by States Members of the United Nations.”

### **PRST 27/2**

#### **Reports of the Advisory Committee**

At the 42nd meeting, on 26 September 2014, the President of the Human Rights Council made the statement below:

“The Human Rights Council takes note of the reports of the Advisory Committee on its twelfth and thirteenth sessions,<sup>75</sup> and that the Advisory Committee has made certain research proposals.”

### **PRST 27/3**

#### **Protection of the human rights of migrants at sea**

At the 42nd meeting, on 26 September 2014, the President of the Human Rights Council made the statement below:

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<sup>75</sup> A/HRC/AC/12/2 and A/HRC/AC/13/2.

“The Human Rights Council,

Recognizing that migrants often undertake dangerous journeys, including in crowded and unsafe boats, and deeply concerned at the frequent recurrence of tragic events at sea,

Alarmed at the reports of the sinking of boats, that has resulted in the death of hundreds of people, deeply concerned at the persistent vulnerability of migrants, and expressing grave concern at the inhuman exploitation suffered by migrants at the hands of organized criminal groups,

Concerned that the protection of the human rights of migrants at sea continues to pose a serious challenge and requires a holistic analysis and assessment, as well as a concerted international response through genuine multilateral cooperation among countries of origin, transit and destination,

Underlining the important role of the Human Rights Council in the promotion and protection of human rights and fundamental freedoms, including for migrants,

1. Expresses deep sorrow at the massive loss of innocent lives of migrants, including at sea;
2. Calls upon States to take further steps, in accordance with their international obligations, to provide persons in distress at sea with assistance;
3. Urges States, individually and collectively, to protect the human rights of migrants and to address the root causes that drive persons to make such dangerous journeys;
4. Calls upon the United Nations High Commissioner for Human Rights, the Special Rapporteur on the human rights of migrants and other relevant special procedures of the Council, within their respective mandates, to pay particular attention to the protection of the human rights of migrants at sea.”

## **PRST 27/4**

### **The Ebola epidemic**

At the 42nd meeting, on 26 September 2014, the President of the Human Rights Council made the statement below:

“The Human Rights Council:

1. Deplores the fact that the Ebola virus has claimed, and continues to claim, the lives of so many people in West Africa, including health workers, and is deeply concerned at the horrifying loss of life and the impact that the spread of the disease has on life and health, as well as on the enjoyment of all human rights by persons in the States concerned, in particular the rights to the enjoyment of the highest attainable standard of health and to an adequate standard of living;
2. Calls upon all States to respect, protect and promote all human rights on the basis of equality while combating the epidemic on the ground;
3. Expresses concern at the panic caused in reaction to misinformation and inadequate communication about the Ebola virus, with the consequence of worsening the situation and undermining the right of persons to the enjoyment of the highest attainable standard of health;

4. Expresses grave concern at the negative impact of Ebola on the enjoyment of rights by individuals in the countries affected, and on trade and food security, the disruption to mining, agriculture, domestic and cross-border trade, air travel, investments as well as the diversion of public funds to fight the epidemic;

5. Notes that the Ebola outbreak has been declared a public health emergency of international concern by the World Health Organization;

6. Welcomes the tireless work of Governments of the States affected by the Ebola crisis, the World Health Organization, Médecins Sans Frontières and the International Federation of Red Cross and Red Crescent Societies to ensure that adequate treatment is provided to victims, support is provided to their families and international organizations are given access to work freely and unhindered within their territories;

7. Commends the work of all individuals and organizations around the world committed to preventing the spread of Ebola, as well as the work of those providing treatment to persons affected by the disease;

8. Commends all States, organizations, including non-governmental organizations, other entities and individuals that have provided assistance in cash and in kind, including the large number of medical professionals, in response to the emergency, and urges the international community to increase and escalate its assistance to ensure the containment of the virus;

9. Calls upon health service providers to ensure that health workers are provided with adequate training and the protective gear necessary to minimize their risk of infection by the disease;

10. Calls upon Governments of the States affected to provide adequate security to protect all health workers from violence;

11. Acknowledges the steps being taken by the Economic Community of West African States and the African Union to halt and fight the spread of the Ebola virus, and urges urgent action on their plans;

12. Urges States to be mindful of the human rights and fundamental freedoms of citizens of the States affected when implementing measures to limit the spread of the virus and of the negative effects of inappropriate actions that could result in the stigmatization of victims, including not only those directly affected by the current epidemic but also the families of infected persons, the communities in which they live and the citizens of the States and regions most affected by the disease, as such inappropriate actions that lead to stigmatization will only deepen the negative impact of the Ebola crisis on the enjoyment of human rights;

13. Requests States and international organizations to take all the steps necessary to support the rapid establishment of an African centre for disease control and prevention, including the enhancement of the early warning systems to address, in a timely and effective manner, all health emergencies and the coordination and harmonization of domestic health regulations and interventions, as well as the exchange of information on good experiences and best practices;

14. Calls upon the international community, the special procedures mandate holders of the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights and relevant United Nations specialized agencies and regional and subregional organizations to make the greatest effort, within their specific mandates, to reverse the impact of the Ebola virus on the

enjoyment of human rights in affected countries by providing them with technical, material and financial assistance;

15. Calls upon Member States, relevant international and regional organizations, regional economic communities, partners of Africa, the public sector and other relevant actors on the ground, including the private sector, to work closely together to mobilize adequate resources to respond to the Ebola virus crisis, in the spirit of international solidarity and in a well-coordinated and transparent manner;

16. Calls upon States to implement the recommendations of the World Health Organization and international health regulations in taking measures of prevention and containment.”

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