



# General Assembly

Distr.: General  
16 August 2023

Original: English

---

## Human Rights Council Fifty-third session

### Summary record (partial)\* of the 34th meeting\*\*

Held at the Palais des Nations, Geneva, on Wednesday, 12 July 2023, at 3 p.m.

*President:* Mr. Bálek ..... (Czechia)

## Contents

Agenda item 2: Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

---

\* No summary record was prepared for the rest of the meeting.  
\*\* No summary records were issued for the 1st to 33rd meetings.

---

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Council at this session will be reissued for technical reasons after the end of the session.



*The discussion covered in the summary record began at 4.10 p.m.*

**Agenda item 2: Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General (A/HRC/53/L.21 and A/HRC/53/L.24/Rev.1)**

1. **The President** said that the programme budget implications for all of the draft resolutions under consideration at the current meeting had been published on the Council's extranet.

*Draft resolution A/HRC/53/L.21: Situation of human rights in Eritrea*

2. **Ms. Díaz-Rato Revuelta** (Observer for Spain), introducing the draft resolution on behalf of the European Union, said that the text sought to renew the mandate of the Special Rapporteur on the situation of human rights in Eritrea for another year, as the human rights situation in that country remained very dire. As mentioned by the Special Rapporteur earlier in the current session, every aspect of life in Eritrea was being monitored and strictly controlled. Eritreans of all walks of life were being subjected to grave human rights violations, including enforced disappearance, torture and prolonged arbitrary detention in inhuman or degrading conditions. Their families continued to live in a state of permanent fear and unresolved grief, in many cases for years or decades after their disappearance. National service remained one of the main tools of social control imposed by the Eritrean Government and continued to negatively affect economic, social and cultural rights in Eritrea. It had generated a climate of fear and destroyed the Eritrean social fabric.

3. Against that background of deep suffering, the Council had a clear responsibility to speak up and continue its monitoring. The principle of sovereignty did not free States from their obligations under international human rights law and international humanitarian law. The European Union reiterated its call on Eritrea to abandon its policy of limited cooperation and to work together with the Special Rapporteur and other international and regional human rights mechanisms. Concerned that the domestic conflicts of Eritrea were increasingly spreading to other countries, it also called on Eritrea to peacefully resolve those tensions.

4. Her delegation had hoped to be able to engage with the country concerned, but its repeated invitations over the past weeks had all remained unanswered. The European Union remained open to cooperation nevertheless, as it continued to hope for progress. Her delegation hoped that the draft resolution would be adopted by consensus.

5. **The President** announced that six States had joined the sponsors of the draft resolution.

*General statements made before the voting*

6. **Ms. Salah** (Somalia) said that her delegation wished to reiterate its strong commitment to the cause of human rights and advocated the full implementation of human rights principles and values around the globe, through dialogue and cooperation.

7. The draft resolution under consideration continued to minimize the achievements of Eritrea in the area of human rights and its contributions to the prospects for peace and development in the Horn of Africa. Instead of encouraging the positive developments in Eritrea by assisting the country with relevant development projects, the draft resolution sought to extend a mandate that had brought no dividends for over a decade and missed the essence of international cooperation. Such cooperation required full respect for the principles of sovereignty, universality, objectivity, impartiality and non-selectivity.

8. Her delegation greatly regretted the unproductive approach adopted, which had disregarded the numerous calls made by various countries, including Somalia, to reconsider the proposal. For the above-mentioned reasons, it wished to call for a vote on the draft resolution and would vote against it and invited other members of the Council to do the same.

9. **Mr. Bonnafont** (France) said that his delegation would like to respond to the often repeated argument that country-specific resolutions should not be adopted without the consent of the country concerned. Consent was, of course, desirable, as had been shown in the case of Colombia at the current session and Haiti at the previous one, both of which had

sought enhanced cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the special procedures. Such cooperation, which held the promise of effective action and tangible improvements on the ground for the people's benefit, must be a common objective.

10. However, the question arose as to what was to be done with countries that refused to cooperate, especially in the face of regular reports by OHCHR and regional organizations of a deteriorating human rights situation and serious abuses, as in the case of Eritrea. The Council could not stand idly by as it waited for the authorities concerned to improve the situation. While it had a responsibility to promote dialogue, it also had a responsibility to act. It must not leave millions of people to fend for themselves with the sole justification that cooperation from the authorities responsible for the abuses was not forthcoming. His delegation would therefore vote in favour of the draft resolution, which simply offered Eritrea a special partner for dialogue with the Council through the Special Rapporteur. His delegation called on all States to vote in favour of the draft resolution.

11. **The President** invited the State concerned by the draft resolution to make a statement.

12. **The representative of Eritrea** said that he did not wish to make a statement.

*Statements made in explanation of vote before the voting*

13. **Mr. Chen Hongtao** (China) said that the Council's work should be guided by the principles of universality, impartiality, objectivity and non-selectivity. China had always been an advocate of constructive dialogue and cooperation as a means of settling differences over human rights. It was opposed to politicizing human rights and bringing pressure to bear on countries.

14. The draft resolution disregarded the progress made by the Eritrean Government in promoting and protecting human rights and the repeated, explicit requests for the Council to terminate the Special Rapporteur's mandate. His delegation was deeply concerned that, instead, the proposal sought to renew the mandate and thereby interfere in the country's internal affairs. His delegation therefore supported the call for a vote on the draft resolution and would vote against it and called on all other members of the Council to do the same.

15. **Mr. Díaz Menéndez** (Cuba) said that Cuba reaffirmed that dialogue and respectful exchange between countries was the most effective way forward for the promotion and protection of human rights. The Council had once again refused to hold a constructive and genuine dialogue with Eritrea and, instead, had taken a selective and discriminatory approach. The draft resolution showed disregard for the position of the countries of the region concerned and ran contrary to the principles by which the Council should be governed. It was yet another example of the politicization and double standards that prevailed in the Council. Such proposals were directed only at developing countries and did nothing to improve the human rights situation on the ground. He was not aware of a single mechanism of the kind provided for under the draft resolution that had brought about greater protection of human rights. The Council urgently needed more cooperation and fewer punitive measures. Unfortunately, the draft resolution did not further that objective. His delegation would therefore vote against it.

16. *At the request of the representative of Somalia, a recorded vote was taken.*

*In favour:*

Argentina, Belgium, Chile, Costa Rica, Czechia, Finland, France, Germany, Honduras, Lithuania, Luxembourg, Mexico, Montenegro, Paraguay, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:*

China, Cuba, Eritrea, India, Pakistan, Somalia, Sudan.

*Abstaining:*

Algeria, Bangladesh, Benin, Bolivia (Plurinational State of), Cameroon, Côte d'Ivoire, Gabon, Georgia, Kazakhstan, Kyrgyzstan, Malawi, Malaysia,

Maldives, Morocco, Nepal, Qatar, Senegal, South Africa, United Arab Emirates, Uzbekistan, Viet Nam.

17. *Draft resolution A/HRC/53/L.21 was adopted by 18 votes to 7, with 21 abstentions.*

*Draft resolution A/HRC/53/L.24/Rev.1: Implementation of Human Rights Council resolution 31/36*

18. **The President** said that draft resolution [A/HRC/53/L.24/Rev.1](#) would be introduced once the programme budget implications had been clarified.

**Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**  
([A/HRC/53/L.2](#), [A/HRC/53/L.4](#), [A/HRC/53/L.7](#), [A/HRC/53/L.9](#), [A/HRC/53/L.10](#), [A/HRC/53/L.11](#), [A/HRC/53/L.12](#), [A/HRC/53/L.15](#) and [A/HRC/53/L.19](#))

*A/HRC/53/L.2: Business and human rights*

19. **Mr. Villegas** (Argentina), introducing the draft resolution, said that Argentina had been supporting and promoting the initiative undertaken in the draft text since the adoption of Commission on Human Rights resolution 2005/69 of 20 April 2005. The Council, States, civil society and other stakeholders had been working together since then towards the progressive development of human rights standards on corporate responsibility. No one could dispute that companies had a responsibility to respect human rights and that, when abuses occurred, victims must have access to effective remedies through judicial and non-judicial mechanisms.

20. The draft resolution sought to extend the mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises, to see to it that OHCHR continued work in the area of business and human rights, including with respect to accountability and remedies, and to ensure the Working Group would continue to guide the work of the Forum on Business and Human Rights. He called on all delegations to support the draft resolution so that it was adopted by consensus.

21. **The President** announced that seven delegations had joined the sponsors of the draft resolution.

*General statements made before the decision*

22. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the European Union, said that the European Union had been a staunch supporter of the Working Group on business and human rights and the OHCHR Accountability and Remedy Project, both of which played an essential role for the implementation of the Guiding Principles on Business and Human Rights. The European Union remained committed to actively promoting and supporting the global implementation of the Guiding Principles both in its internal and external actions. Outside the European Union, it supported the efforts of partner countries by funding technical assistance projects in Asia and Latin America, with a focus on developing national action plans on business and human rights.

23. His delegation commended Argentina on its open and constructive approach and appreciated in particular the decision to renew the Working Group's mandate every three years and to maintain hybrid modalities at the Forum on Business and Human Rights. For those reasons, his delegation supported the draft resolution and would join the consensus. Its adoption without a vote would reaffirm a global consensus and commitment to advancing the Guiding Principles.

24. **Ms. Fuentes Julio** (Chile) said that her delegation welcomed the renewal of the Working Group's mandate and its role in guiding the work of the Forum. States had an obligation to protect against human rights violations committed on their territory by third parties, including companies. Regulating the conduct of companies and adopting appropriate measures for due diligence made it possible for States to fulfil their international obligations and face contemporary challenges, by involving various actors in finding adequate solutions. The endorsement of the Guiding Principles on Business and Human Rights by the Council

in its resolution 17/4 had established an authoritative framework to prevent and address adverse human rights impacts from business activities, based on the three pillars of the United Nations “Protect, Respect and Remedy” framework. Her delegation therefore appreciated the reference in the draft text to Council resolution 44/15, and hoped that the language agreed therein would be reflected in future versions of the draft resolution under consideration. For those reasons, her delegation would join the consensus.

25. **Ms. French** (United Kingdom) said that her delegation was pleased to join the consensus on the draft resolution. The United Kingdom had been the first country to produce a national action plan to implement the Guiding Principles on Business and Human Rights. The Guiding Principles were a leading international framework for both States and business in upholding human rights for all, particularly in ensuring access to remedy for victims of business-related human rights abuses. Her Government’s commitment to the Principles remained steadfast. She looked forward to a more substantive resolution that highlighted the importance of the responsibility of States and businesses in promoting respect for human rights in the future.

26. **Ms. Méndez Escobar** (Mexico), noting with great interest that OHCHR continued to analyse and promote accountability and remedies for human rights violations and abuses stemming from business activity, said that she welcomed the Working Group’s work and its annual consultations on challenges and good practices in the implementation of the Guiding Principles, particularly with respect to new technologies and the mining sector. There was a need to strengthen support and capacity-building programmes, with priority given to training for the parties concerned. Her delegation therefore appreciated the Working Group’s efforts to implement the “Protect, Respect and Remedy” framework. It reaffirmed its commitment to the Working Group’s mandate and considered its renewal to be essential.

27. **Mr. Bonnafont** (France) said that his delegation fully supported the work of the Working Group on business and human rights and its mandate to promote, disseminate and implement the Guiding Principles, which had informed the debates in France leading to the adoption of pioneering legislation on the duty of care of parent and subcontracting companies. They were also a reference for the current discussions on a relevant European directive. France also welcomed the fact that the draft resolution would enable OHCHR to renew its work under the Accountability and Remedy Project. Accountability and the right to a remedy lay at the heart of the international human rights system. His delegation therefore hoped that the draft resolution would be adopted by consensus.

28. The establishment of international standards on business and human rights could improve compliance with human rights by all businesses. France was therefore following with great interest the work being done in the Council to develop a legally binding instrument on business and human rights and supported that process as a member of the friends of the Chair of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights.

29. *Draft resolution A/HRC/53/L.2 was adopted.*

*Draft resolution A/HRC/53/L.4: Mandate of Special Rapporteur on extrajudicial, summary or arbitrary executions*

30. **Ms. Kauppi** (Finland), introducing the draft resolution on behalf of Sweden and her own delegation, said that the draft resolution would extend the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions for three years. The text had been updated primarily to reflect the Revised United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions and to bring it into line with General Assembly resolution 77/218 on extrajudicial, summary or arbitrary executions. The draft resolution would allow the Special Rapporteur to continue annual reporting and to draw the attention of the General Assembly, the Council and the United Nations High Commissioner for Human Rights to serious situations of extrajudicial, summary or arbitrary executions that warranted immediate attention or where early action might prevent further deterioration. She called upon all members of the Council to join in a consensus in adopting the draft resolution.

31. **The President** announced that six States had joined the sponsors of the draft resolution.

32. **Mr. Chen Hongtao** (China), making a general statement before the decision, said that the sponsors had engaged with all delegations and that during the consultations his delegation had proposed constructive amendments, all of which had been taken on board. His delegation would therefore join in the consensus for the adoption of the draft resolution. It hoped that the Special Rapporteur would continue to abide by the mandate of the Council and the Code of Conduct for Special Procedure Mandate Holders and would carry out his duties faithfully and objectively.

33. *Draft resolution A/HRC/53/L.4 was adopted.*

*Draft resolution A/HRC/53/L.7: Mandate of Independent Expert on human rights and international solidarity*

34. **Mr. Díaz Menéndez** (Cuba), introducing the draft resolution, said that international solidarity should serve as the basis for the efforts of all nations to promote and protect all human rights. To ensure coordinated and effective action in facing current crises, it was imperative for the international order to be fair and demonstrate solidarity. The extension for three years of the mandate of the Independent Expert on human rights and international solidarity would make it possible for him to work on the need to recognize international solidarity as a human right and to make progress toward the drafting of an international declaration on that subject.

35. The draft resolution contained no new substantive language and was the result of informal consultations with numerous delegations. It reflected the political will to continue strengthening international solidarity. Consistent with his delegation's positions of principle, instead of adopting a punitive or selective approach, the text focused on the promotion of constructive dialogue, cooperation and solidarity in support of human rights. On behalf of the sponsors, he called on the members of the Council to vote in favour of the draft resolution and to thus demonstrate their commitment to international solidarity as a key component of the promotion and protection of human rights for all, without discrimination.

36. **The President** announced that three States had joined the sponsors of the draft resolution.

*Statements made in explanation of vote before the voting*

37. **Ms. Taylor** (United States of America) said that the ill-defined issue of international solidarity diverted the Council's attention and resources from the many other issues and global challenges that were relevant to its mandate. Her delegation was concerned about language pertaining to international solidarity that would assert a new principle of international law, a principle that lacked support or recognition in any international human rights instrument or in international law more generally. Her delegation called for a vote on the draft resolution and would vote against its adoption.

38. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that international solidarity was at the heart of the external action of the European Union and its member States, which together were the largest providers of official development assistance, amounting to half of global aid, and which were continuing to increase their support for partner countries throughout the world. The European Union had been at the frontline in the fight against the coronavirus disease (COVID-19) pandemic and in supporting partners as they coped with food insecurity, which had been significantly aggravated by the Russian war of aggression against Ukraine.

39. Regarding the draft resolution, the position of the European Union remained the same as in previous years. The issues addressed in the text were outside the mandate of the Council, and the right of peoples and individuals to international solidarity had no basis in international law. For that reason, the European Union could not support the adoption of the draft resolution, which attempted to make international solidarity a founding principle of international law.

40. **Ms. Fuentes Julio** (Chile) said that, in line with her country's commitment to international solidarity, her delegation would vote in favour of the draft resolution. However, she called for a cautious approach with respect to the revised draft declaration on human rights and solidarity, as referred to in the draft resolution. While the Independent Expert's work in revising the draft declaration was welcome, particularly in clarifying certain concepts, the matter would require further consideration and debate within the Council. Questions remained as to whether international solidarity was a right, who held such a right and the extent of its scope, and any declaration adopted should be the subject of an open debate and consensus in the Council. The draft declaration and future draft resolutions on the subject should thus be the subject of a constructive dialogue between States to broaden support.

41. **Ms. Méndez Escobar** (Mexico) said that her delegation would abstain from voting on the draft resolution. Mexico recognized the importance of international solidarity as a key factor in meeting international challenges, in overcoming historic inequalities among countries with different levels of development and in strengthening cooperation and understanding among States. However, there was no legally agreed definition of international solidarity in international instruments. The draft resolution mentioned individual and collective rights to international solidarity and made such rights a central part of the mandate of the Independent Expert, but the Government of Mexico had doubts regarding the recognition, scope, holders and justiciability of those rights. The text also mentioned the revised draft declaration on human rights and international solidarity prepared by the Independent Expert, but her delegation did not believe the conditions were in place to start negotiations on such a draft. Her delegation recognized that international solidarity could contribute to the promotion and protection of human rights for all, but it must not be seen as a prerequisite.

42. *At the request of the representative of the United States of America, a recorded vote was taken.*

*In favour:*

Algeria, Argentina, Bangladesh, Benin, Bolivia (Plurinational State of), Cameroon, Chile, China, Costa Rica, Côte d'Ivoire, Cuba, Eritrea, Gabon, Gambia, Honduras, India, Kazakhstan, Kyrgyzstan, Malawi, Malaysia, Maldives, Nepal, Pakistan, Paraguay, Qatar, Senegal, South Africa, Sudan, United Arab Emirates, Uzbekistan, Viet Nam.

*Against:*

Belgium, Czechia, Finland, France, Georgia, Germany, Lithuania, Luxembourg, Montenegro, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:*

Mexico, Morocco, Somalia.

43. *Draft resolution A/HRC/53/L.7 was adopted by 31 votes to 13, with 3 abstentions.*

*Draft resolution A/HRC/53/L.9: Human rights and climate change*

44. **Mr. Sorreta** (Observer for the Philippines), introducing the draft resolution on behalf of the main sponsors, namely Bangladesh, Viet Nam and his own delegation, said that no global challenge adversely affected the enjoyment of human rights more profoundly and more disproportionately than climate change. Since 2008, Council resolutions on that subject had consistently aimed to shed light on the complex nexus between human rights and climate change in order to contribute to global discussions on the development of just, humane and equitable climate solutions.

45. The draft resolution, noting the most recent scientific consensus on climate change, missed targets and worsening impacts, called for deep, rapid cuts in global emissions and scaled-up adaptation actions on the basis of equity and climate justice. It called for the expeditious operationalization of funding arrangements to allow countries to avert, minimize and address loss and damage, pursuant to the landmark decisions taken during the twenty-seventh session of the Conference of the Parties to the United Nations Framework

Convention on Climate Change and other decisions taken under the Framework Convention and the Paris Agreement. It recognized the link between climate change, the erosion of livelihoods and human mobility and highlighted the need to address human rights protection gaps for people on the move, especially women and girls. It also called for States and businesses to uphold the corporate responsibility to respect human rights, including the responsibility to avoid causing or contributing to adverse human rights impacts through activities harmful to the environment and the climate system. The text recognized the role of women and civil society in policy and decision-making processes related to climate change. Civil society had helped to advance the climate agenda, and continued safe and meaningful engagement was necessary. He called on all members of the Council to adopt the draft resolution by consensus.

46. **The President** announced that 18 States had joined the sponsors of the draft resolution.

*General statements made before the decision*

47. **Ms. Duncan Villalobos** (Costa Rica) said that her country was one of the initiators of the Geneva Pledge for Human Rights and Climate Action, which established that human rights obligations had the potential to inform and strengthen national and international climate change policies. In 2021, Costa Rica had been among the main sponsors of Council resolution 52/23, recognizing the human right to a clean, healthy and sustainable environment.

48. Her delegation considered that the draft resolution under consideration lacked a human rights-based approach, and it had made proposals to include such an approach and to bring the text into line with the Paris Agreement. Important references to Council resolutions mentioning the right to a clean, healthy and sustainable environment and to the Paris Agreement had regrettably been left out of the draft. A recommendation to include a call for capacity-building at OHCHR in order to address States' needs for technical assistance for climate action had similarly been omitted.

49. Some of the text's language was not in line with human rights principles. For example, a reference to common but differentiated responsibility ran contrary to the universality and interdependence of human rights. While it had supported a similar mention in the Paris Agreement, her country rejected attempts to apply such considerations in respect of States' human rights obligations, which would be inappropriate. Her delegation could therefore not support the adoption of the draft resolution. It would be important in future resolutions on the subject to take into account the human rights-based approach.

50. **Ms. Pujani** (India) said that it was the nations that had contributed the least to the climate crisis that were suffering the most. Recent reports by the Intergovernmental Panel on Climate Change had established that India, with more than 17 per cent of the world's population, had contributed only about 4 per cent of global cumulative greenhouse gas emissions produced between 1850 and 2019. Despite her country's huge developmental challenges, it was second to none in respect of climate action and climate justice. In August 2022 the country had updated its nationally determined contribution, enhancing its target to reduce emissions by 45 per cent from its 2005 levels and achieving 50 per cent cumulative electric power installed capacity from non-fossil-fuel energy resources by 2030. In November 2022, India had submitted a long-term low-carbon development strategy. The country had also launched international coalitions to enhance cooperation on climate issues, including the International Solar Alliance, the Coalition for Disaster Resilient Infrastructure and the Infrastructure for Resilient Island States.

51. The principles of equity and common but differentiated responsibilities and respective capabilities were the cornerstone of discourse on climate change. The Conference of the Parties to the United Nations Framework Convention on Climate Change, where the voice of the world's most climate-vulnerable nations carried an equal weight to that of the world's greatest emitters, was and should remain the principal multilateral forum for addressing climate change issues. For that reason, her delegation had not supported the establishment by the Council of a separate mandate on climate change. Her delegation was concerned about discussions on climate change in the Council and attempts that appeared to be motivated by



a desire to undermine the United Nations Framework Convention on Climate Change framework and divert attention from unwillingness to deliver results.

52. Climate change demanded transformative mitigation and adaptation, but the scientific evidence overwhelmingly indicated that current global financial flows were insufficient, especially in developing countries. The focus of the draft resolution on loss and damage was thus timely, as the related issues had been neglected for far too long in climate change negotiations. The first demand for loss and damage funding had been made by small island developing States some 30 years previously. The agreement reached at the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change to establish a long-awaited loss and damage fund had thus been historic.

53. Her delegation appreciated the references in the draft resolution to the principles of equity and common but differentiated responsibilities and respective capabilities; such principles must be operationalized in loss and damage negotiations in order to achieve climate justice for all. It also appreciated the mention of the work of the Transitional Committee and the operationalization of the Santiago Network for averting, minimizing and addressing loss and damage. Her delegation would thus join in the consensus in support of the draft resolution.

54. **Ms. Fuentes Julio** (Chile) said that climate change represented an existential threat for humanity, as evidenced by decades of scientific research. Her delegation welcomed the fact that the draft resolution adopted language reflecting the huge challenges that humankind faced globally. The text recognized the important role of various civil society groups in climate action, which strengthened more just and equitable governance. Civil society often developed creative sustainable solutions to address climate challenges at the local level. The draft resolution also took up agreed-upon language developed in multilateral climate action forums, including a reference to mitigation and adaptation measures based on the principle of common but differentiated responsibilities according to respective capabilities. Her delegation was pleased that the text mentioned the principle of corporate responsibility, in line with the Guiding Principles on Business and Human Rights. She urged all members of the Council to join in the consensus and to adopt the draft resolution.

55. **Ms. Méndez Escobar** (Mexico) said that her delegation welcomed the fact that the draft resolution referred to General Assembly resolution 76/300, which recognized the right to a clean, healthy and sustainable environment. The emphasis that the draft resolution placed on the participation of civil society in climate action was also welcome. Climate change negotiation processes must be open, transparent and inclusive and must be conducted in a manner that respected freedom of expression and of association and safeguarded the integrity, dignity and security of all participants, including civil society actors, Indigenous Peoples and human rights defenders. Her delegation was pleased to note that the draft resolution called on private companies to meet their responsibility to respect human rights in the conduct of their activities, particularly where those activities might harm the environment. States had an obligation to protect human rights against corporate abuses, including in the context of climate change.

56. **Mr. Chen Hongtao** (China) said that climate change posed a threat to the future of humanity. The conferences of the parties to the United Nations Framework Convention on Climate Change and the Paris Agreement were the most authoritative platforms for addressing the problem. The principles of common but differentiated responsibilities, equity, and respective capabilities were the bedrock of global climate governance. China attached great importance to low-carbon green development as a means of mitigating climate change. It would make efforts to achieve carbon peaking by 2030 and carbon neutrality by 2060. His delegation called on all countries to fully implement the Paris Agreement. Developed countries should increase their support for developing countries, especially small island countries. His delegation thus supported the adoption of the draft resolution.

57. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that addressing the adverse impact of climate change on human rights had been a long-standing priority for the European Union and its 27 member States. Although all countries were vulnerable to climate change, the cardinal principle of the universality, indivisibility and interdependence of human rights

must be universally respected, irrespective of a country's economic circumstances. It was therefore imperative to stress that the principle of common but differentiated responsibilities and respective capabilities could not be applied to, or conflated with, human rights. It was because that principle was referenced in the Paris Agreement that the European Union did not oppose the inclusion of a reference to it in the draft resolution. The European Union found it regrettable that the wording of paragraphs 5 and 7 of the draft resolution did not reflect the suggestions that it had made during the informal discussions. In particular, the language used in paragraph 5, which concerned the loss and damage associated with the adverse effects of climate change, did not provide a basis for future discussion in forums on the issue. Despite those objections, and because the issue of climate change and human rights was a priority for the European Union, it supported the adoption of the draft resolution.

58. **The President** invited the Council to take action on draft resolution [A/HRC/52/L.9](#).

59. **Ms. Taylor** (United States of America), speaking in explanation of position before the decision, said that the United States acknowledged that climate change posed a range of direct and indirect threats to the effective enjoyment of human rights and was taking action to tackle the most catastrophic effects of the climate crisis at home and abroad. For example, it was making efforts to reduce carbon emissions by between 50 and 52 per cent by 2030 and to build global resilience through the PREPARE Action Plan, which would help more than half a billion people in developing countries to adapt to and manage the effects of climate change.

60. Her delegation was concerned to note that much of the draft resolution focused on matters addressed under the United Nations Framework Convention on Climate Change and the Paris Agreement and that it selectively incorporated language that was not in line with decisions taken in connection with those instruments. In particular, the draft resolution inaccurately described the decision on loss and damage funding arrangements taken at the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change. It also misrepresented the Paris Agreement, the United Nations Framework Convention on Climate Change and the relationship between those two instruments. Human Rights Council resolutions should not be used as a proxy for negotiations in other forums. When drafting future resolutions on the human rights ramifications of climate change, the Council should focus on its core area of expertise in that sphere.

61. *Draft resolution [A/HRC/53/L.9](#) was adopted.*

*Draft resolution [A/HRC/53/L.10](#): The right to education*

62. **Mr. Macieira** (Observer for Portugal), introducing the draft resolution, said that the draft resolution urged all States to comply with their obligations to respect, protect and fulfil the right to education without discrimination of any kind, including by making education a priority in their national budgets and providing sufficient State-funded early childhood care and education. The draft resolution called on States to ensure affordable, inclusive, equitable and non-discriminatory quality education for all, at all levels, and to promote lifelong learning opportunities for all. It also encouraged States to ensure the justiciability of the right to education and called on them to consider implementing the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict. The draft resolution strongly condemned the military use of educational facilities and recognized the negative impact of climate change on the right to education and the role of digital education in facilitating that right, while highlighting its potential negative consequences. It also provided for the extension of the mandate of the Special Rapporteur on the right to education for a further three years.

63. **The President** announced that 16 States had joined the sponsors of the draft resolution.

64. **Ms. Kauppi** (Finland), making a general statement before the decision, said that, as stated in general comment No. 13 (1999) of the Committee on Economic, Social and Cultural Rights, education was both a human right in itself and an indispensable means of realizing other human rights. Her delegation welcomed the draft resolution's emphasis on lifelong learning and on the role that reliable information and digital technologies played in ensuring

the right to education. It was gratifying to note that the draft resolution recognized the need to address discrimination against women and girls in education and the barriers to access faced by persons with disabilities. Her delegation also welcomed the fact that the draft text addressed the right of Indigenous Peoples to education, which was established in the United Nations Declaration on the Rights of Indigenous Peoples.

65. Her delegation fully supported the mandate of the Special Rapporteur on the right to education, who had done much to promote understanding of that right and the obligations that it entailed. She was pleased to note that the resolution encouraged the Special Rapporteur to take into account the gender, age and disability perspectives in relation to education. Non-discrimination, equality, accessibility and inclusion were essential to ensuring the right to education for all. For those reasons, her delegation supported the adoption of the draft resolution.

66. **Ms. Fuentes Julio** (Chile), making a general statement before the decision, said that the new version of the draft resolution contained significant additions, such as references to the importance of reliable and affordable information and communication technologies. Her delegation welcomed the renewal of the mandate of the Special Rapporteur on the right to education. Over the past 25 years, successive mandate holders had helped to establish a growing consensus on the importance of learning spaces in promoting the protection, inclusion, health, nutrition and overall well-being and development of children, their families and communities. The renewal of the Special Rapporteur's mandate would respond to the needs of around 222 million children and adolescents who required educational support and 773 million adults who were still illiterate. She encouraged all States to support the adoption of the draft resolution by consensus.

67. **Ms. French** (United Kingdom), speaking in explanation of position before the decision, said that the United Kingdom attached great importance to the mandate of the Special Rapporteur on the right to education and fully supported its renewal. Her delegation welcomed the fact that the draft resolution addressed early childhood care and the effect of gender-based discrimination on the right to education. The United Kingdom was committed to establishing the conditions for the right to education, building strong foundations for every child and setting all children up for success. Her Government continued to work towards achieving Sustainable Development Goal 4. The global education programmes of the United Kingdom reached the poorest and most marginalized communities, especially those affected by emergencies and protracted crises. In addition to supporting bilateral education programmes in 19 countries, the United Kingdom was a major founding donor of the Global Partnership for Education and Education Cannot Wait and remained committed to fulfilling its obligations under the International Covenant on Economic, Social and Cultural Rights.

68. The obligation to progressively realize economic, social and cultural rights, which included preventing non-State actors from interfering with the enjoyment of them, lay with States. Her delegation did not consider it useful for the draft resolution to refer to abuses of the right to education. Notwithstanding those clarifications, her delegation fully supported the adoption of the draft resolution.

69. *Draft resolution A/HRC/53/L.10 was adopted.*

*Draft resolution A/HRC/53/L.11: Elimination of discrimination against persons affected by leprosy (Hansen's disease) and their family members*

70. **Mr. Yamazaki** (Observer for Japan), introducing the draft resolution on behalf of the main sponsors, namely Brazil, Ecuador, Ethiopia, Fiji, India, Kyrgyzstan, Morocco, Portugal and his own delegation, said that the text provided for the extension of the mandate of the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members for a further three years. The current Special Rapporteur, Ms. Alice Cruz, had vigorously discharged her mandate during her tenure, despite the difficulties arising from the COVID-19 pandemic. She had visited Brazil, Japan, Angola and Bangladesh, held dialogues with various stakeholders, and presented in-depth reports to the Council and the General Assembly. In considering the observations and recommendations made by the Special Rapporteur in her latest report, the main sponsors had decided to use the term "Hansen's disease" alongside the term "leprosy" in the draft resolution.

71. The Special Rapporteur's work had revealed that leprosy, or Hansen's disease, continued to affect large numbers of people, who were subjected to discrimination and stigmatization owing to a lack of understanding of the condition. Women, children and older persons were particularly vulnerable and faced multi-layered discrimination. Campaigns to raise awareness of Hansen's disease should be conducted as a means of eliminating discrimination against persons affected by it and enhancing their social inclusion. His delegation called on the members of the Council to adopt the draft resolution by consensus.

72. **The President** announced that 15 States had joined the sponsors of the draft resolution.

73. **Ms. Pujani** (India), making a general statement before the decision, said that India fully supported the renewal of the mandate of the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members. The draft resolution rightly recognized that persons affected by leprosy and their family members continued to face stigmatization and discrimination around the world. The text made reference to the Towards zero leprosy: global leprosy (Hansen's disease) strategy 2021–2030 of the World Health Organization, which provided for the complete elimination of both leprosy and the stigmatization and discrimination faced by persons living with it.

74. As a leprosy-endemic country, India had consistently taken measures to eliminate the disease. Many national and state-level laws had either been repealed or amended because they had contained provisions that were potentially discriminatory against persons affected by leprosy. The Rights of Persons with Disabilities Act, 2016, granted rights and entitlements to persons affected by leprosy in the areas of social security, health, rehabilitation, employment and skills development in order to promote their empowerment and inclusion. The Government of India had recently launched the National Strategic Plan and Roadmap for Leprosy 2023–2027 with a view to completely eliminating the transmission of leprosy by 2027. Given the importance of the subject, her delegation called on the members of the Council to adopt the draft resolution by consensus.

75. *Draft resolution A/HRC/53/L.11 was adopted.*

*Draft resolution A/HRC/53/L.12: Trafficking in persons, especially women and children*

76. **Mr. Sorreta** (Observer for the Philippines), introducing the draft resolution on behalf of the main sponsors, namely Argentina, Germany, Jordan and his own delegation, said that the draft resolution sought to renew the mandate of the Special Rapporteur on trafficking in persons, especially women and children. The Special Rapporteur had done much to highlight key issues and challenges in the sphere of trafficking in persons, including the nexus between displacement, climate change, agriculture and terrorism. The draft resolution highlighted how States and stakeholders could promote human rights by preventing and combating trafficking in persons. Efforts had been made to link the draft resolution with the Special Rapporteur's report on trafficking in persons in the agriculture sector (A/HRC/50/33), which was a high-risk sector for women and girls in rural and remote areas as well as agricultural workers undertaking seasonal work. The draft resolution incorporated as many views as possible while maintaining a focus on the prevention of, and fight against, trafficking in persons. It addressed risk factors during migration cycles, challenges associated with technological platforms, the need to address all forms of discrimination and the importance of robust labour policies, partnerships, coordination and comprehensive data. His delegation called on the members of the Council to adopt the draft resolution by consensus.

77. **The President** announced that 14 States had joined the sponsors of the draft resolution.

*General statements made before the decision*

78. **Ms. Duncan Villalobos** (Costa Rica) said that her delegation was acutely aware of the risks faced by migrants, particularly women and children, of falling victims to exploitation. Costa Rica was a champion of the Global Compact for Safe, Orderly and Regular Migration and recognized the close correlation that existed between irregular migration and trafficking in persons. It was therefore vital that the Council should continue to discuss such an important topic. States had an obligation to combat human trafficking, not

merely from the standpoint of security but also from a human rights perspective. It was important, therefore, not only to tackle trafficking as a crime but also to recognize and address the needs of victims and members of their families.

79. The draft resolution recognized the situation faced by persons in certain rural areas, who not only suffered violations of their rights but were the first to feel the adverse effects of climate change. Action to improve quality of life for persons in such areas would help to reduce the risk of them becoming victims of trafficking. States could use international human rights instruments to that end and should dedicate particular efforts to economic development and the creation of job opportunities. The text also drew attention to new recruitment methods being used by traffickers via the Internet and social media. Her delegation supported the draft resolution, which she hoped would be adopted by consensus.

80. **Mr. Villegas** (Argentina) said that his delegation supported the draft resolution. The mandate of the Special Rapporteur on trafficking in persons, especially women and children, constituted the only international mechanism exclusively dedicated to combating human trafficking. Since the creation of the mandate in 2004, the Special Rapporteur had undertaken a profound analysis of the causes of trafficking and made key recommendations to prevent and combat the phenomenon, which constituted a violation of almost every human right. In line with one of those recommendations, the text focused on persons in rural areas who, due to the high rate of informal labour in the agricultural sector and the lack of vigilance and protection, were particularly vulnerable to the risks of trafficking. By adopting the draft resolution, the Council would send a clear signal to States and encourage them to take urgent steps to respect and protect the human rights of trafficking victims.

81. In 2024, the mandate of the Special Rapporteur would mark its twentieth anniversary, and although much had been achieved by successive mandate holders in those two decades, it was important to consider future challenges because, unfortunately, the causes that had led to the creation of the mandate still persisted. The Council, then, needed to redouble its efforts to prevent, combat and eradicate trafficking in persons. He hoped that the important mandate enshrined in the text could be renewed by a consensual adoption of the draft resolution.

82. **Ms. Stasch** (Germany) said that her country believed that human beings should never be put up for sale, traded like a commodity or stripped of their dignity and fundamental rights. Germany was therefore proud to sponsor the resolution, which aimed to restore the rights and dignity of trafficking victims and to fight the criminal networks that sought to turn persons into merchandise. The constructive involvement of many States and the backing of the more than 60 countries that had sponsored the resolution demonstrated the universal agreement that trafficking in persons constituted a grave violation of human rights and needed to be treated as such. Germany would continue to work towards a world free of trafficking, both by backing the present draft resolution and in other ways.

83. **The President** invited the Council to take action on draft resolution [A/HRC/53/L.12](#).

84. **Ms. French** (United Kingdom), speaking in explanation of position before the decision, said that modern slavery was an international scourge that required an international response. Human trafficking was an abhorrent practice that destroyed lives and communities. The United Kingdom strongly supported the objective of the draft resolution and remained committed to eradicating all forms of modern slavery, forced labour and human trafficking with a view to achieving target 8.7 of the Sustainable Development Goal 8 by 2030. To that end it recognized, as set out in the draft resolution, the need to strengthen anti-trafficking efforts and the importance of measures to protect vulnerable individuals and promote the human rights of trafficking victims. In particular, the United Kingdom was committed to reducing the risk of trafficking for persons who were disproportionately vulnerable to exploitation, including women, children and migrant workers in high-risk sectors, such as agriculture. However, her delegation believed that the text could have been improved by acknowledging countries' respective immigration laws and systems and, although States might decide to conclude bespoke bilateral labour migration agreements, the United Kingdom did not consider that States should commit to do so under the draft resolution. Despite those concerns, the United Kingdom recognized the importance of the issue and was pleased to join the consensus on the draft resolution.

85. *Draft resolution [A/HRC/53/L.12](#) was adopted.*

*Draft resolution A/HRC/53/L.15: Extreme poverty and human rights*

86. **Mr. Bonnafont** (France), introducing the draft resolution on behalf of the main sponsors, namely Albania, Belgium, Chile, Morocco, Peru, the Philippines, Romania and his own delegation, said that the text, which envisaged renewing the mandate of the Special Rapporteur on extreme poverty and human rights for a further three years, included new provisions that had emerged from the Special Rapporteur's most recent work, notably concerning social protection floors and the impact of the non-take-up of rights. The draft resolution was the fruit of open and constructive consultations, and he thanked all the delegations that had participated in the discussions, which had shown that support for the initiative was unanimous. He wished to express his support for the current mandate holder, Mr. Olivier de Schutter. The mandate was essential so that the most marginalized members of society could continue to make their voices heard and exercise their most fundamental human rights. More than ever, the Council had to redouble its efforts to achieve the Sustainable Development Goals by 2030, notably Goal 1, to "end poverty in all its forms everywhere". He called upon members of the Council to adopt the draft resolution by consensus.

87. **The President** announced that 16 States had joined the sponsors of the draft resolution.

88. **Ms. Méndez Escobar** (Mexico), making a general statement before the decision, said that her country believed that extreme poverty was a global challenge that had to be met from a human rights perspective. The Special Rapporteur had contributed significantly to ensuring that poverty was addressed as a multidimensional phenomenon and had made vital recommendations to guide States towards its eradication. Her delegation welcomed the comprehensive approach taken in the draft resolution, which highlighted the importance of establishing and/or developing social protection floors in compliance with the principles of non-discrimination, gender equality and the inclusion of persons with disabilities.

89. She wished to thank the main sponsors for the transparency they had shown and the consideration they had given to the concerns raised by other delegations. She particularly welcomed the fact that the text recognized the disproportionate impact of the COVID-19 pandemic on women's and girls' enjoyment of civil, political, social, economic and cultural rights. Post-pandemic, it was vital that women and girls should be involved in recovery and capacity-building so as to ensure that such processes responded adequately to their needs. Mexico hoped that all States would continue to collaborate actively with the Special Rapporteur, whose mandate was a vital part of the human rights agenda.

90. *Draft resolution A/HRC/53/L.15 was adopted.*

*Draft resolution A/HRC/53/L.19: Enhancement of international cooperation in the field of human rights*

91. **Mr. Seyfullayev** (Observer for Azerbaijan), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that the Movement was committed to strengthening international cooperation on the basis of unity and solidarity among States as they addressed global political, economic, social, cultural and humanitarian challenges. The Non-Aligned Movement strove to make a constructive contribution towards a new pattern of international relations based on the principles of peaceful coexistence, cooperation among nations and the right to equality of all States. The draft resolution highlighted the need for joint efforts to achieve international cooperation and reaffirmed the duty of States to cooperate with one another in accordance with the Charter of the United Nations in the promotion of universal respect for and observance of human rights and fundamental freedoms. The text also stressed the importance of dialogue among and within cultures and civilizations in order to promote tolerance and respect for diversity.

92. The draft resolution included an explicit request to the United Nations High Commissioner for Human Rights to organize regional seminars, one for each of the five geographical regions, on the contribution of North-South, South-South and triangular cooperation to the enjoyment of all human rights, including the right to development. The seminars would provide a platform for different stakeholders to identify challenges and gaps as well as to present best practices in North-South, South-South and triangular cooperation

and their contribution to the promotion and protection of human rights. He urged all members of the Council to support the draft resolution.

*Statements made in explanation of vote before the voting*

93. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that international cooperation was an essential element of the external relations of the European Union, which remained determined to promote an international system based on strong multilateral cooperation and good global governance. He wished to thank the main sponsors for taking on board some of the suggestions made by the European Union; however, several elements in the draft resolution remained problematic. For example, the concept of a “new international economic order” was not endorsed by all States Members of the United Nations. Moreover, the European Union regretted the fact that the language on terrorism remained unbalanced and that it failed to include respect for human rights, international humanitarian law and international refugee law as the framework within which the fight against terrorism had to take place.

94. The European Union wished to recall that the primary responsibility for protecting and promoting human rights lay with States. International cooperation, therefore, had to be seen in the context of States’ obligations to protect and promote human rights. Moreover, only individuals were holders of human rights. The European Union also regretted that the resolution used biased language on so-called “unilateral coercive measures”, despite the availability of consensual language on the matter. The position of the European Union on the use of restrictive measures was well known. He also had persistent concerns about what added value the proposed regional seminars could have and about their possible budget implications. In the light of those concerns the European Union could not support the draft resolution and called for a vote. States members of the European Union that were members of the Council would vote against the draft resolution. For future sessions, the European Union would continue dialogue with the Non-Aligned Movement in order to bring the issue of international cooperation back to the consensual approach it deserved.

95. **Ms. Méndez Escobar** (Mexico) said that her delegation would abstain from voting on the draft resolution. Mexico reaffirmed the importance of international cooperation, in accordance with the Charter of the United Nations, in the promotion of universal respect for and observance of human rights. Greater international cooperation in the field of human rights was necessary in order to meet common challenges. Nonetheless, Mexico could not support the approach taken in the draft resolution. The primary responsibility for protecting and upholding human rights lay with States, and such responsibility could not be made conditional upon any factor, including international cooperation. The text, moreover, took an unbalanced approach to the prevention of terrorism, as it did not clearly state that any measures taken in that regard had to respect international law, including international human rights law, international humanitarian law and international refugee law. Mexico also had misgivings about the proposed regional seminars, which might risk the duplication of mandates or create excessive financial burdens.

96. **Ms. Taylor** (United States of America) said that the draft resolution before the Council did not adequately address the means necessary to protect and promote human rights through multilateral efforts in international forums. She wished to reiterate her country’s long-standing concern with controversial elements, including the reference to a declaration that many members of the Council could not endorse. Likewise, the reference to “unilateral coercive measures” was inappropriate; it did not have an agreed international definition and seemed to suggest that States bore responsibility for the human rights obligations of other States.

97. Her delegation understood that references to the dissemination and transfer of technology, or access to technology, referred to voluntary transfers on mutually agreed terms and that all references to access to information and/or knowledge were to information and knowledge that was made available with the authorization of the legitimate holder. The language concerning technology transfer in the text did not serve as a precedent for future negotiated documents. Her country’s concerns on the existence of a “right to development” were long-standing and well known. Nonetheless, the United States was committed to

supporting development globally, and it incorporated respect for human rights into its development strategies so as to promote the inclusion and dignity of all persons. Her delegation would vote against the draft resolution, and she urged other States to do likewise.

98. **Mr. Chen Hongtao** (China) said that consultation and cooperation at the international level were more necessary than ever in a world facing a multitude of challenges and crises. Such multilateralism would help to preserve international justice, overcome global challenges, promote peace and development and achieve the goal of universal human rights. China therefore welcomed the draft resolution, which reaffirmed the principles of universality, objectivity, impartiality and non-selectivity. While expressing concern at the negative impact of unilateral coercive measures, his country called on all parties to pursue cooperation and dialogue in the field of human rights across the world. China would be voting in favour of the draft resolution.

99. *At the request of the representative of Belgium, a recorded vote was taken.*

*In favour:*

Algeria, Argentina, Bangladesh, Benin, Bolivia (Plurinational State of), Cameroon, Chile, China, Costa Rica, Côte d'Ivoire, Cuba, Eritrea, Gabon, Gambia, Honduras, India, Kazakhstan, Kyrgyzstan, Malawi, Malaysia, Maldives, Morocco, Nepal, Pakistan, Paraguay, Qatar, Senegal, Somalia, South Africa, Sudan, United Arab Emirates, Uzbekistan, Viet Nam.

*Against:*

Belgium, Czechia, Finland, France, Georgia, Germany, Lithuania, Luxembourg, Montenegro, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:*

Mexico.

100. *Draft resolution [A/HRC/53/L.19](#) was adopted by 33 votes to 13, with 1 abstention.*

*The meeting rose at 6.05 p.m.*