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President: Mr. Bálek (Czechia)

Contents

Agenda item 10: Technical assistance and capacity-building (*continued*)

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

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The meeting was called to order at 3.35 p.m.

Agenda item 10: Technical assistance and capacity-building *(continued)*
(A/HRC/53/L.25/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.25/Rev.1: Enhancement of technical cooperation and capacity-building in the field of human rights in Colombia to implement the recommendations of the Commission for the Clarification of Truth, Coexistence and Non-Repetition (continued)

2. **The President** invited the members of the Council to make statements in explanation of vote on the oral amendment proposed by the delegation of Pakistan on behalf of the Organization of Islamic Cooperation (OIC) at the previous meeting.

Statements made in explanation of vote before the voting

3. **Ms. Duncan Villalobos** (Costa Rica) said that her delegation strongly opposed the proposed amendment and was surprised that it had been presented. The Council had before it a draft resolution presented by the country concerned, Colombia, which called for the Office of the United Nations High Commissioner for Human Rights (OHCHR) to cooperate with it in addressing the country's needs and priorities in the field of human rights. The text was perfectly in line with the decisions of the Council and its language was based on the principle of non-discrimination and the country's own legal framework. The draft resolution took note of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia, who had noted that people were affected by violence on the basis of their sexual orientation or gender identity. That merely reflected the reality in the country. The Colombian delegation had shown flexibility in reformulating the text and had used language recognized in resolutions of the Council and the General Assembly.

4. The content of the proposed amendment was hostile and at variance with the frequent calls within the Council for resolutions to avoid interference in the internal affairs of States and to be acceptable to the countries concerned. The current wording of the draft resolution had absolutely no bearing on any country other than Colombia. Her delegation therefore called on OIC to withdraw the proposed amendment. If not, Costa Rica would vote against the proposed amendment and urged all members to do the same.

5. **Ms. Méndez Escobar** (Mexico) said that her delegation rejected the amendment proposed at the last minute by Pakistan on behalf of the OIC countries. The late submission of the proposal had precluded any possibility for constructive negotiation. The nature of the proposed amendment was hostile, as it attacked the sovereignty of Colombia to define its own interests, priorities and challenges at the national level, including in relation to technical cooperation with OHCHR. The draft resolution had been written by Colombia, for Colombia, and no country was better placed than Colombia, as a sovereign State, to know that country's needs for capacity-building in human rights. Mexico would vote against the proposed amendment and urged all members to do likewise.

6. **Ms. Taylor** (United States of America) said that her delegation strongly supported the draft resolution as drafted by Colombia and rejected the proposed amendment, which sought to instruct the Colombian Government as to how it should assess valid human rights challenges in its own country. Colombia alone was best placed to express its specific needs, without pressure to censor its views. The proposed amendment was a cynical attempt to roll back progress made by the Council in recognizing legitimate human rights needs. All members should reject that hostile proposal, which ran counter to the spirit and purpose of agenda item 10.

7. **Ms. Nuila Herrmannsdorfer** (Honduras) said that the draft resolution had been put forward by Colombia in exercise of its full sovereignty, with a view to consolidating lasting peace through technical cooperation and capacity-building. Her delegation regretted that the proposed amendment had been introduced so late, with no possibility to discuss the text.

Amendments should be presented in a constructive spirit, taking into account the views of the country concerned. The delegation of Honduras supported the draft resolution as proposed by Colombia and rejected any attempt to modify the references to the country's context and realities that had led to its preparation. The countries of Latin America and the Caribbean had worked together in solidarity, including with an outstanding effort by Cuba, to achieve lasting peace in Colombia.

8. **Mr. Bonnafont** (France) said that his delegation would vote against the amendment proposed by Pakistan on behalf of OIC. The proposal of an amendment to a draft resolution just a few hours prior to its scheduled adoption was regrettable for a number of reasons. It was a disservice to the country presenting the draft resolution, which had drawn up the text in language that it considered appropriate; to the people of Colombia, who awaited the consolidation of peace and implementation of the recommendations of the Commission for Truth, Coexistence and Non-Repetition that would benefit from the draft resolution's adoption by consensus; and to OHCHR, which, in its report to the Council's fifty-second session, had specifically cited the LGBTIQ+ community among the victims of violence perpetrated by armed actors.

9. OHCHR worked to protect people against violence and discrimination, which meant any form of discrimination, including when it was based on gender identity or sexual orientation. That certainly applied to the killing of people for who they were. Seeking to eliminate references to sexual orientation and gender identity from human rights texts was an attempt to deny a human reality that the Council had a duty to protect. The French delegation called upon all members of the Council to vote against the proposed amendment.

10. **Mr. Manley** (United Kingdom) said that the amendment had been proposed at the last minute and with malice. His delegation wholeheartedly supported the draft resolution in its original wording and the wish of the country concerned to seek the support of the international community in its endeavours. The Council all too regularly heard debates about the importance of country resolutions having the support of the country concerned. In the case at hand, a laudable initiative had been taken by Colombia to receive the very assistance envisaged under agenda item 10. Yet the amendment had been proposed to break the consensus and to challenge the country's own national priorities and its own sense of its needs.

11. The draft resolution in its initial wording merely listed the different groups and communities that had been disproportionately affected by the decades-long conflict, as identified by OHCHR and by the Government of Colombia. He urged members of the Council not to call into question the efforts made by the Government to protect the human rights of all the country's population, including persons who were most vulnerable because of their sexual orientation. His delegation would vote against the proposed amendment.

12. **Mr. Villegas** (Argentina) said that among the world population, millions of people suffered from discrimination owing to their sexual orientation or gender identity. The removal from a resolution of a reference to those people would not make them disappear; they would continue to exist and would continue to suffer from violence and discrimination. Colombia had presented a draft resolution requesting technical assistance from OHCHR in order to ensure that the Colombian people would not suffer in the future as they had for so many years in the past. For the Colombian people, it was vital for such technical assistance to address the situation of persons in the groups in question. It was a question of international solidarity. His delegation would vote against the proposed amendment and would support the adoption of the draft resolution in its original wording.

13. **Ms. Stasch** (Germany) said that, as a sponsor of the draft resolution, her delegation could not accept the proposed amendment, which had been presented only minutes prior to the scheduled adoption of the draft resolution. The fact that the draft resolution had been initiated and designed solely by the country concerned in itself called for the respect of all Council members, particularly as it had been submitted under agenda item 10, which addressed technical cooperation. The Council should bear in mind the arguments put forward in similar circumstances about the need to respect the position of the country calling for the adoption of a resolution.

14. Colombia had made great efforts to achieve peace and was asking the Council for its support. The Council owed it to Colombia to adopt the draft resolution as presented. Her delegation fully supported the draft resolution as originally worded and strongly rejected the proposed amendment. It would vote against it and called upon all members to do likewise.

15. *At the request of the representative of Chile, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, Cameroon, China, Côte d'Ivoire, Eritrea, Gabon, Gambia, Kazakhstan, Kyrgyzstan, Malaysia, Maldives, Morocco, Pakistan, Qatar, Senegal, Somalia, Sudan, United Arab Emirates, Uzbekistan

Against:

Argentina, Belgium, Bolivia (Plurinational State of), Chile, Costa Rica, Czechia, Finland, France, Georgia, Germany, Honduras, Lithuania, Luxembourg, Mexico, Montenegro, Nepal, Paraguay, Romania, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Benin, India, Malawi, Viet Nam.

16. *The amendment proposed orally by the delegation of Pakistan was rejected by 22 votes to 20, with 4 abstentions.*

17. **The President** invited the Council to take action on draft resolution [A/HRC/53/L.25/Rev.1](#).

Statements made in explanation of vote before the voting

18. **Mr. Mehdi** (Pakistan) said that the proposal of the oral amendment by his delegation on behalf of OIC had been a constructive attempt to ensure that the draft resolution would receive the broadest possible support, which it deserved. His delegation fully supported the provision of technical assistance to Colombia and stood in full solidarity with the people of Colombia and the Group of Latin American and Caribbean States. It did not consider the insertion of a controversial and non-consensual term as central to the objective of the draft resolution. The proposal had been made a week before the consideration of the draft resolution. It thus could not be labelled as a last-minute, cynical attempt.

19. Many member States, including those of the Organization of Islamic Cooperation, had consistently argued that resolutions and documents referring to technical cooperation and budgetary documents should not be instrumentalized to normalize a controversial term that was unacceptable to a large body of United Nations Member States, as amply demonstrated by the vote on the proposed amendment. His delegation's pattern of consistent objection to the use of such terms was public and well known. He had thus been surprised to see such a reference maliciously introduced into the draft, as its only effect had been to jeopardize solidarity and cooperation and to instigate polarizing conversations. The use of such terms in the documents of the United Nations and other intergovernmental bodies had a misleading normative impact and their consistent use could be exploited to falsely justify their universality. That position had been reiterated on numerous occasions and in many forums. The failure of the proposed amendment left his delegation in no position to join a consensus on the draft resolution, and he therefore called for a vote. The OIC member States would abstain from voting.

20. **The President** said that it was his understanding that Chile had withdrawn its sponsorship of the draft resolution and had asked to make a statement in explanation of vote before the voting.

21. **Ms. Fuentes Julio** (Chile) said that her delegation regretted that the initiative would require a vote. Colombia required the support of the international community to advance in its efforts to ensure truth and non-repetition, which were crucial elements for the consolidation of peace. The content of the draft resolution was in line with the report submitted by OHCHR in respect of the situation of vulnerable groups, and the corresponding wording was specific to Colombia. Colombia had recognized the particular challenges faced

by the groups in question. The draft resolution focused on the continuation of the country's many years of cooperation with OHCHR and placed the needs of such groups at the heart of the process of transitional justice.

22. The draft resolution was an example of what many States had wished to achieve when the Council had been established. Chile had first-hand knowledge of the serious efforts required to overcome a history of violence and human rights violations. The support of the international community had been vital to its democratic transition. Her delegation thus had the responsibility to support Colombia as it sought reconciliation, truth and justice. She therefore called upon the members of the Council to vote in favour of the draft resolution.

23. *At the request of the representative of Pakistan, a recorded vote was taken.*

In favour:

Argentina, Belgium, Benin, Bolivia (Plurinational State of), Chile, Costa Rica, Cuba, Czechia, Eritrea, Finland, France, Georgia, Germany, Honduras, India, Lithuania, Luxembourg, Malawi, Mexico, Montenegro, Nepal, Paraguay, Romania, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam.

Against:

None.

Abstaining:

Algeria, Bangladesh, Cameroon, China, Côte d'Ivoire, Gabon, Gambia, Kazakhstan, Kyrgyzstan, Malaysia, Maldives, Morocco, Pakistan, Qatar, Senegal, Somalia, Sudan, United Arab Emirates, Uzbekistan.

24. *Draft resolution [A/HRC/53/L.25/Rev.1](#) was adopted by 28 votes to none, with 19 abstentions.*

Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development (*continued*)
([A/HRC/53/L.3/Rev.1](#), [A/HRC/53/L.12](#), [A/HRC/53/L.15](#), [A/HRC/53/L.19](#), [A/HRC/53/L.42](#), [A/HRC/53/L.45](#) and [A/HRC/53/L.18](#) as orally revised)

Draft resolution [A/HRC/53/L.3/Rev.1](#): Child, early and forced marriage: ending and preventing forced marriage

25. **Mr. Bekkers** (Observer for the Kingdom of the Netherlands), introducing the draft resolution on behalf of the main sponsors, namely Argentina, Canada, Honduras, Italy, Montenegro, Poland, Sierra Leone, Switzerland, Thailand, the United Kingdom, Uruguay and his own delegation, said that the number of forced marriages had increased by some 7 million between 2016 and 2021. In that period, two or three persons had been forced into marriage every minute. By the end of the process for the adoption of the draft resolution, 150 more children would have been forced into marriage.

26. To address the causes of forced marriage, it was necessary for all States to hold themselves and each other accountable for their commitments regarding the right to education, the goal of gender equality, poverty reduction, the promotion of the economic empowerment of women and the safeguarding of the right to health, including the right to sexual and reproductive health. The draft resolution reaffirmed the right to enter into marriage with full, free and informed consent and to decide freely on matters related to sexuality. Such rights were of particular importance in the context of child, early and forced marriage and had been agreed upon since 1979, in the Convention on the Elimination of All Forms of Discrimination against Women. The text was aimed at defending the rights of women and girls and at protecting them from sexual violence, rape and adolescent pregnancy. It was closely aligned with the principles of the Committee on the Rights of the Child and it protected children's rights. However, he noted that some of the proposed amendments would be harmful to children's rights.

27. **Mr. Moerzinger Pagani** (Observer for Uruguay), continuing the introduction of the draft resolution, said that there were currently 650 million women in the world who had been married off as children, and thus robbed of their childhood and prevented from having a

prosperous future. All Member States should uphold their commitment to end child, early and forced marriage by 2030.

28. The main sponsors had engaged extensively with all delegations to achieve a consensus, with informal consultations and multiple bilateral meetings, and had also revised the text to accommodate delegations' concerns. The resulting text was well balanced and addressed the urgent need to prevent forced marriage – a form of sexual and gender-based violence. It had garnered the support of 71 sponsors from all regional groups. The main sponsors therefore regretted that proposed amendments had been presented and did not support them. He called on members of the Council to vote against them.

29. **The President** said that the proposed amendment contained in [A/HRC/53/L.46](#) had been withdrawn. He invited the representative of Nigeria to introduce the proposed amendment contained in document [A/HRC/53/L.31](#).

30. **Ms. Oduwaiye** (Observer for Nigeria), introducing the proposed amendment contained in document [A/HRC/53/L.31](#) on behalf of Saudi Arabia and her own delegation, said that the aim of the proposed amendment was to include the formulation agreed by the General Assembly regarding sexual and reproductive health information and the education of children. The amendment would insert the words “with appropriate direction and direction from their parents or legal guardians, with the best interests of the child as their basic concern”, after the phrase “consistent with their evolving capacities”, in paragraph 4 (b) of the draft.

31. The proposed language had been drawn from General Assembly resolution 77/193 on intensification of efforts to prevent and eliminate all forms of violence against women and girls, which was cited by the main sponsors as the source of paragraph 4 (b). It was also found in General Assembly resolution 77/202 on child, early and forced marriage. The wording on the education of children regarding sexual and reproductive health had been mainstreamed into all General Assembly resolutions since 2017 relating to girls, including those on child, early and forced marriage, violence against women and girls, the girl child and the rights of the child.

32. Regrettably, the main sponsors had not accommodated her delegation's proposals and had instead chosen to deviate from the existing consensus by refusing to include the agreed language, despite several requests for them to do so. The proposed amendment would ensure that the paragraph properly reflected its source. The consensus language used by the General Assembly reflected a shared recognition of the importance of children's access to accurate, age-appropriate information on sexual and reproductive health, with due regard for the primary responsibility of parents and legal guardians for children's upbringing and development, particularly with respect to education on very sensitive matters. She called on all members of the Council to uphold the international standard by voting in favour of the amendment.

33. **The President** invited the representative of the Russian Federation to introduce the proposed amendment contained in document [A/HRC/53/L.32](#).

34. **Ms. Sukacheva** (Observer for the Russian Federation) said that her delegation found it regrettable that the draft resolution was overloaded with non-consensual terminology and references to concepts that threatened the rights of the child. The draft resolution equated children with adults in their ability to participate in all spheres of life and take decisions. It proposed to ensure children's right to bodily autonomy and their right to take independent decisions regarding their sexuality. It used both old and recently invented variations of the controversial term “gender”, including “gender-responsive” and “gender-biased”, and included a number of references to “gender-based violence”. If the Council adopted the draft resolution, the Russian Federation would disassociate itself from all the paragraphs containing those terms.

35. The sponsors of the proposed amendments to the draft resolution were serious about ensuring the rights of young women and girls and creating favourable conditions for their development. They believed that the draft resolution should use agreed language and refer only to documents arising from intergovernmental agreements. Unfortunately, the sponsors of the draft resolution had ignored the request made by a number of States to amend the

preambular paragraph that referred to the Beijing Declaration and Platform for Action, and the outcome documents of various review conferences, without referring to the General Assembly. The draft resolution was proposing to legitimize documents containing ambiguous concepts that had not been recognized at the international level. The proposed amendment was intended to address that problem. If it was not adopted by the Council, the Russian delegation would not consider the draft resolution to be consensual and would not support its adoption. She called on all members of the Council to support the proposed amendment contained in document [A/HRC/53/L.32](#).

36. **The President** invited the representative of Egypt to introduce the proposed amendments contained in documents [A/HRC/53/L.41](#) and [A/HRC/53/L.42](#).

37. **Mr. Rabie** (Observer for Egypt) said that one in five girls around the world entered into marriage when they were still children. His delegation was concerned to have heard expressions of support for the normalization of child marriage during the informal negotiations. United Nations agencies and the donor community had been calling for the prevention of child marriage for decades, and national laws around the world were being amended accordingly. Egypt was proud that its parliament was currently discussing a comprehensive law on the prevention of child marriage. Unfortunately, the draft resolution reflected the views of those who took a permissive view of child marriage. By reason of their physical and mental immaturity, children required special safeguards and care, including appropriate legal protection, and should never be rushed into marriage. Amendments had therefore been proposed to paragraphs that directly or indirectly advocated the practice.

38. It was regrettable that the language used in the draft resolution to refer to inheritance law deviated from consensual language. In various OIC member States, laws on marriage, divorce, and inheritance provided for financial arrangements that differed from those in the West. His delegation would be grateful if the Council would respect such differences by supporting the proposed amendment.

39. With regard to the amendment proposed in [A/HRC/53/L.41](#), Egypt was against all forms of violence either before, within or after marriage. The term “intimate partner violence” was alien to the culture, legal system and data collection mechanisms of Egypt. The proposed amendment was intended to address differences in national laws and was not intended to condone any form of violence. If the proposed amendments were not adopted, Egypt would dissociate itself from all the paragraphs of the draft resolution that were referenced in the amendments.

40. **The President** invited the representative of Iraq to introduce the proposed amendment contained in document [A/HRC/53/L.45](#).

41. **Mr. Hashim Mostafa** (Observer for Iraq), speaking on behalf of his delegation and that of Saudi Arabia, said that he was concerned to note that the draft resolution contained non-consensual language that did not appear in any legally binding international treaties. The aim of the proposed amendment was to replace that language with terms that strengthened protection against child and forced marriage. It was therefore proposed that the term “sexual and reproductive rights” should be replaced with the phrase “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”, which appeared in article 12 of the International Covenant on Economic, Social and Cultural Rights.

42. His delegation was opposed to the term “reproductive rights” because it did not appear in any international treaty and because it could be understood to include the right to abortion on demand, which was not recognized in the national laws of a number of countries. The amendment also proposed that the term “bodily autonomy” should be replaced with the term “personal autonomy” as the former term did not appear in any binding international convention or treaty. Furthermore, the term “personal autonomy” would cover both the mental and physical safety of children subjected to early and forced marriage. He called on the members of the Council to vote in favour of the proposed amendment contained in document [A/HRC/53/L.45](#) in order to ensure that national and regional contexts, and religious beliefs, were respected.

43. **Mr. Villegas** (Argentina), speaking on behalf of the sponsors of the draft resolution, said that they did not accept any of the proposed amendments, which sought to undermine

the content and objectives of the draft resolution. He requested an individual vote on each of the amendments and called on all members of the Council to vote against them.

44. **The President** announced that 10 States had joined the sponsors of the draft resolution. He invited the members of the Council to make general statements on the draft resolution and all the proposed amendments.

General statements made before the voting

45. **Ms. Fuentes Julio** (Chile) said that her delegation welcomed the fact that the draft resolution was being proposed by a cross-regional group of countries. The diversity of the main sponsors, who represented different regions of the world, would ensure that all the voices within the Council were taken into account. The draft resolution emphasized the importance of full and free consent as a basic condition for contracting marriage. Forced marriage not only undermined the autonomy and rights of victims but also paved the way for other forms of abuse, such as physical, psychological, economic and sexual violence, which were also covered by the draft resolution.

46. The draft resolution addressed the stigma surrounding premarital sex, which was a factor in forced marriage, and the role of men and boys in ending misogyny and sexism and moving towards positive forms of masculinity. Chile had recently adopted a feminist foreign policy that reflected the importance that it attached to the promotion and protection of the rights of women and girls in all their diversity. Her delegation therefore welcomed the fact that the draft resolution promoted the right of all persons, including women and girls, to decide whether and whom to marry and to take decisions on matters relating to their sexuality, including their sexual and reproductive health. The draft resolution would ensure full respect for the dignity, integrity and bodily autonomy of all persons. She therefore called on all members of the Council to support its adoption.

47. **Ms. Stasch** (Germany) said that forced marriage, including child marriage, was a grave violation of human rights that predominantly affected women and girls. It was an affront to the principles of dignity, equality and autonomy that robbed countless women and girls of their childhood, education and dreams. The draft resolution rightly emphasized the importance of educational and economic opportunities for girls and young women. It was a balanced text that reflected the input provided by all delegations. In incorporating substantive revisions, the main sponsors had shown their willingness to continue working with all delegations until the last possible moment. The resolution was a step towards eliminating child, early and forced marriages by 2030, in line with the 2030 Agenda for Sustainable Development. Her delegation supported the adoption of the draft resolution and would vote against the proposed amendments.

48. **Ms. Duncan Villalobos** (Costa Rica) said that child, early and forced marriage was a serious human rights violation and a form of sexual and gender-based violence that led to other forms of violence, particularly against women and girls. It was imperative that a human rights approach should be taken to the issue of forced marriage, which undermined the dignity of persons, negated the concept of consent and involved the use of coercion and violence. When deciding whether to marry, human beings had the right to take the decision freely, without being subjected to coercion, discrimination or violence. The rights to autonomy, dignity and bodily integrity were fundamental human rights and pillars of gender equality. The draft resolution would shed additional light on the problem of forced marriage, which resulted from structural discrimination, gender inequality and gender stereotypes, all of which had an adverse impact on women and girls' enjoyment of human rights.

49. Child, early and forced marriage led to lower social, economic, cultural and political participation and hindered the social and economic development of societies. It resulted in higher school dropout rates, particularly for women and girls, and constituted a major impediment to their economic empowerment and access to equal opportunities. Costa Rica called on Latin American and Caribbean countries to step up their efforts to reduce rates of child marriage, which had not fallen in the region in the last 25 years. She urged all members of the Council to adopt the draft resolution by consensus and to reject all the proposed amendments.

50. **Mr. Maisuradze** (Georgia) said that child, early and forced marriage was a harmful practice and a violation of human rights that disproportionately affected women and girls. Every three seconds, a person was married off somewhere in the world, making it impossible to attain target 5.3 of the Sustainable Development Goals. When the issue of child, early and forced marriage was discussed, forced marriage was often overlooked, despite the fact that, according to the International Labour Organization, an estimated 22 million people had been living in a forced marriage on any given day in 2021.

51. His delegation welcomed the emphasis that the draft resolution placed on ensuring that the parties to a marriage gave their full, free and informed consent to it. Child, early and forced marriages were caused by a range of interrelated factors. Eliminating the practice would require a holistic and multisectoral approach across the spheres of human rights, education, economic empowerment and health. The draft resolution reflected the need for such an approach. For those reasons, his delegation urged all members of the Council to support its adoption.

52. **Ms. Taylor** (United States of America) said that the Council should emphasize the need to empower women and girls in all their diversity as a growing proportion of the global population, leaders in their communities and a powerful force for the advancement of gender equality. Forced marriage made women and girls more vulnerable to abuse, restricted their access to education and health care, put them at increased risk of pregnancy-related morbidity and mortality and stopped them from reaching their full potential, generating adverse consequences that stymied social and economic development. While all forced marriages were abhorrent, those involving children were especially so. Developing girls were the most vulnerable to all the adverse ramifications of forced marriage. Her delegation strongly supported the draft resolution and would vote against all the proposed amendments. She urged the other members of the Council to do likewise.

53. **Ms. Urbutytė-Pranckevičienė** (Lithuania) said that States had a common responsibility to end the harmful practice of forced marriage, which constituted a flagrant violation of human rights. No person should ever have to dedicate their life to someone else against their will. Children and adolescents were at particular risk when forced into marriage, as the practice had a negative impact on their health and development and could result in sexual and gender-based violence or other forms of violence against them. Her delegation believed that the action-oriented guidelines envisaged in the draft resolution would be especially valuable as they had been developed by OHCHR to prevent and eliminate child, early and forced marriage. Her delegation supported the draft resolution as presented by the main sponsors and rejected all the proposed amendments.

54. **Mr. Bonnafont** (France) said that his country, which pursued a feminist foreign policy, wished to thank the main sponsors of the draft resolution for the inclusive and transparent way in which they had conducted consultations and for the well-balanced text they had produced, which included a range of different views. The draft resolution concerned one of the most serious and irreversible of human rights violations, of which women and girls were the principal victims. Forced marriage was a denial of their fundamental rights and a threat to their lives, health, well-being and future. Obligated to live with a spouse they had not chosen, women and girls in forced marriages faced lifelong discrimination and were exposed to sexual, physical and moral violence. Often, they were forced to abandon their education and hindered in the exercise of their economic, political and social rights. Over the coming decade, more than 100 million girls would be married before reaching adulthood, and the phenomenon of child marriage risked being aggravated by the socioeconomic consequences of the coronavirus disease (COVID-19) pandemic. It was the duty of the Council to address and put an end to those grave violations.

55. The draft resolution was a message of hope addressed to women and girls at risk of forced or early marriage. It addressed gender stereotypes and discriminatory laws and practices, particularly with regard to property and inheritance, and it recognized full bodily autonomy. His delegation supported the adoption of the draft resolution by consensus and would vote against all the proposed amendments which, contrary to the claims of their sponsors, would weaken the Council's engagement on the topic and impede progress towards freedom of choice, autonomy and security for women and girls.

56. **Ms. Méndez Escobar** (Mexico) said that she wished to thank the main sponsors for having held broad consultations, which had led to an objective and well-balanced text that took account of differing viewpoints. Early and forced marriage was a human rights violation and a harmful practice that, unfortunately, continued to have a disproportionate effect on women and girls. Two thirds of victims of forced marriage were women and girls.

57. Mexico had prohibited child marriage in March 2019 and, subsequently, enacted legislation to penalize persons who promoted such marriages. The reform process had taken several decades and had required legislators to address the cultural and social paradigms that lay behind the phenomenon and to raise awareness in society about how forced marriage undermined human rights and well-being. The international community must continue its efforts to ensure that all persons were able to express their full, free and informed consent before contracting marriage. To that end, it was important to create conditions wherein persons could enter into marriage without coercion of any kind, including family, cultural or economic pressures.

58. Child and forced marriage led to unwanted pregnancies and premature births, which caused above-average rates of maternal mortality. Persons forced into marriage, moreover, were at greater risk of sexual exploitation, violence and forced labour, both inside and outside the home. Mexico believed that greater efforts had to be made to eliminate such a harmful phenomenon, which hindered development and prevented people from fully enjoying their human rights. By supporting the draft resolution, States would demonstrate their will to advance in that direction.

59. **Mr. Chen Hongtao** (China) said that China believed that all countries should commit to promoting sustainable development, addressing poverty and promoting education for women and girls in order to prevent and eradicate early and forced marriage. His delegation had actively participated in the consultations on the draft resolution and welcomed the fact that the sponsors had taken on board the amendment proposed by China. Other countries had also put forward amendments although, in its current form, the text retained certain controversial provisions on matters such child sexual education, sexual and reproductive health and domestic violence. Nonetheless, in order to be constructive, China would join the consensus on the draft resolution.

60. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/53/L.31](#).

Statements made in explanation of vote before the voting

61. **Ms. Milačić** (Montenegro) said that, since its first consensual adoption by the Council, the resolution on child, early and forced marriage had served as a crucial tool to raise awareness, mobilize action and advocate for the rights of persons at risk. Education had a vital role to play in breaking the cycle of child marriage, as it equipped children and young people with knowledge, attitudes and values that empowered them to make informed choices about their lives, to protect their own health, well-being and dignity, and to develop respectful social and sexual relationships.

62. The draft resolution addressed the issue of access to quality education, also recognizing the role of parents and caregivers in that process. Parents and legal guardians did not generally possess specific knowledge relating to human rights and development, consent, gender equality or sexual and reproductive health. Therefore, as they prepared children for the world, they needed to work in collaboration with experts who could support them with information that parents themselves often lacked or were uncomfortable discussing. Evidence demonstrated that parent advocacy groups that worked closely with providers of sexual and reproductive health education were grateful for evidence-based information that prepared young people for healthy relationships later on in life.

63. Her country therefore believed that the current wording of paragraph 4 (b) was more appropriate than that being put forward in the proposed amendment. It was important to recall, moreover, that the wording in question was also contained in Council resolution 47/5, which had been adopted without a vote at the forty-seventh session and which had been sponsored by 97 States, including some of the sponsors of the present amendment. Her

delegation would vote against the amendment and invited other members of the Council to do likewise.

64. **Ms. Fuentes Julio** (Chile) said that her delegation was of the view that the amendment served no purpose, as the existing wording already referred to “full partnership” with parents, legal guardians and others responsible for raising children. In that sense, the provision of appropriate guidance in an educational setting did not compromise the ability of families to transmit important cultural or religious values to their children. The purpose of the draft resolution was to ensure that children and adolescents received adequate information, with a human rights perspective, that would enable them to take informed decisions when they became adults.

65. Often, unfortunately, it was parents and guardians who perpetuated child, early and forced marriages; therefore, extreme care had to be taken with any language referring to their role in educating their children about fundamental rights and freedoms. For that reason, the current language was more appropriate than that being suggested in the proposed amendment. In the context of early and forced marriage, education was a tool that helped to address the underlying cause and driver of inequality; i.e., gender-based discrimination. Chile would vote against the proposed amendment and urged all members of the Council to do the same.

66. *At the request of the representative of Argentina, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, Benin, Gabon, Gambia, India, Malaysia, Morocco, Pakistan, Qatar, Somalia, Sudan, United Arab Emirates, Uzbekistan, Viet Nam.

Against:

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

Abstaining:

Bolivia (Plurinational State of), Cameroon, China, Côte d’Ivoire, Eritrea, Kazakhstan, Kyrgyzstan, Malawi, Maldives, Senegal.

67. *The proposed amendment contained in document [A/HRC/53/L.31](#) was rejected by 21 votes to 15, with 10 abstentions.*

68. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/53/L.32](#).

Statements made in explanation of vote before the voting

69. **Mr. Manley** (United Kingdom) said that the main sponsors of the draft resolution had aimed for a consensual text on what was an issue of grave importance to the Council. He therefore regretted the Russian delegation’s decision to submit amendments and strongly rejected the proposed amendment set forth in document [A/HRC/53/L.32](#). Significant advances had been made since the International Conference on Population and Development and the Beijing Declaration and Platform for Action, and subsequent review conferences had ensured progress towards achieving gender equality and protecting women’s and girls’ agency, autonomy and empowerment. The proposed amendment sought to renege on the Council’s commitment to the rights of women and girls, and in particular to their sexual and reproductive health and rights. For 10 years, the resolution on child, early and forced marriage had consistently and by consensus referred to the outcome documents of those review conferences, and to now include only outcome documents “as adopted by the General Assembly” would exclude regional agreements and frameworks for action. He urged Council members not to waver in their fundamental commitment that no woman or girl should be forced into marriage and to vote against the amendment.

70. **Ms. Brodská** (Czechia) said that her country supported the draft resolution as it stood and could not accept the proposed amendment, which aimed to change the long-standing consensual language of the international community, widely used in the Council, the General

Assembly and other United Nations forums. In numerous resolutions, the Council had repeatedly reaffirmed its support for the Programme of Action of the International Conference on Population and Development and for the Beijing Declaration and Platform for Action. Heads of State and Government had done likewise in the 2030 Agenda for Sustainable Development, adopted by the General Assembly.

71. References to the outcome documents of the review conferences had rightly been made consistently and without qualification. If States now endorsed the qualification in the proposed amendment, they would be disregarding fundamental intergovernmental agreements and frameworks made at the regional level on actions to ensure that women and girls were able to enjoy all their human rights. Such documents, which reflected the deliberations of States and the progress made in that context over the past three decades, were critical tools for the realization of the 2030 Agenda. The formulation proposed in the amendment would represent a real regression in that process. Her delegation would vote against the proposal and urged all Council members to do the same.

72. *At the request of the representative of Argentina, a recorded vote was taken.*

In favour:

Algeria, Eritrea, India, Morocco, Pakistan, Qatar, Somalia, Sudan, United Arab Emirates, Viet Nam.

Against:

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

Abstaining:

Bangladesh, Benin, Cameroon, China, Côte d'Ivoire, Gabon, Gambia, Kazakhstan, Kyrgyzstan, Malawi, Malaysia, Maldives, Senegal, Uzbekistan.

73. *The proposed amendment contained in document [A/HRC/53/L.32](#) was rejected by 21 votes to 10, with 14 abstentions.*

74. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/53/L.41](#).

Statements made in explanation of vote before the voting

75. **Mr. Scappini Ricciardi** (Paraguay) said that it was important to maintain the reference to intimate partner violence as it stood in the draft resolution. According to the World Health Organization (WHO), intimate partner violence was a significant public health problem and a violation of human rights. It was also one of the most frequent forms of violence that women suffered, a fact that had become evident during the lockdowns provoked by the COVID-19 pandemic. Global estimates indicated that around one woman in three had suffered physical and/or sexual violence at the hands of an intimate partner. At the global level, 38 per cent of murders of which women were victims were committed by an intimate male partner. Moreover, the nature of forced marriage was such that women and girls in such unions were at particular risk. For those reasons, his delegation would vote against the amendment and urged other States to do likewise.

76. **Mr. Manley** (United Kingdom) said that the proposed amendment ignored the reality of violence faced by women and girls. Evidence clearly demonstrated that the greater the age difference between the girl or young woman and her husband, the more likely she was to experience intimate partner violence. According to WHO, in fact, one in four adolescent girls had already experienced such violence. On the basis of that evidence, it was vital to ensure that the draft resolution included explicit reference to intimate partner violence. Women and girls in forced marriages were at a heightened risk of intimate partner violence, particularly rape and sexual violence, due to the forced nature of the union. Therefore, while States might have different legal definitions, the term "intimate partner violence" had been agreed and was used both in the Council and at the General Assembly. He wished to call upon other States to join his delegation in voting against the proposed amendment.

77. *At the request of the representative of Argentina, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, Eritrea, India, Malaysia, Maldives, Morocco, Pakistan, Qatar, Somalia, Sudan, United Arab Emirates, Viet Nam.

Against:

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

Abstaining:

Benin, Cameroon, China, Côte d'Ivoire, Gabon, Gambia, Kazakhstan, Kyrgyzstan, Malawi, Senegal, Uzbekistan.

78. *The proposed amendment contained in document [A/HRC/53/L.41](#) was rejected by 21 votes to 13, with 11 abstentions.*

79. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/53/L.42](#).

Statements made in explanation of vote before the voting

80. **Mr. Villegas** (Argentina), referring to the proposed changes to the seventh preambular paragraph and paragraph 3 (c), said that the language concerning control over sexuality in those paragraphs, with the explicit recognition that it applied to women and girls in particular and to all in general, had been agreed for more than a decade and had its origin in the Beijing Declaration and Platform for Action, adopted almost 30 years before. Girls had been explicitly included in agreed language in several previous Council and General Assembly resolutions on the matter.

81. It was essential for all people, but especially for women and girls in the context of forced marriage, to be free to make decisions about their bodies, their health and their lives, free from coercion, discrimination and violence. The difficulties and challenges for girls in that regard were different from those faced by women and should be specifically mentioned throughout the text. If only adults had the right to say no to sex or to freely make decisions about their health, then forced marriage, sexual violence, discrimination and violence would never end, especially against children and adolescents.

82. Accepting the proposed amendment would severely weaken the agreed language and set a negative precedent that would be a step backwards compared to the resolutions on the topic adopted at previous sessions. His delegation would therefore vote against it and called on all members of the Council to do the same.

83. **Mr. Bichler** (Luxembourg) said that the series of changes in the proposed amendment ran contrary to the agreed language and very purpose of the draft resolution under consideration. With respect to the changes proposed to the twelfth preambular paragraph and paragraphs 5 (a) and 7, the deletion of the references to the human rights of women and girls to freely choose a spouse and enter into marriage with their free, full and informed consent missed the very essence of the draft resolution, which aimed to put an end to all situations in which women or girls were coerced into marriage. The legal authority of guardians to give their consent to marriage on behalf of women and girls contributed to the perpetuation of forced marriages. For more than a quarter of a century, the United Nations had clearly recognized that all persons, including girls, had the right to choose whether or not to marry, free of any form of violence, coercion or discrimination.

84. The proposal to add a reference to spouses of "adult age" in paragraph 7 also ran contrary to the agreed language, as that term had never been associated with the right to enter into marriage with free and full consent. Experience in various countries around the world had shown that restricting marriage to adulthood did not lead to the eradication of the practice of forced marriages. The proposal to delete the reference to equal rights for all women and girls with regard to the acquisition of property and inheritance in paragraph 5 (a) was

inherently discriminatory and at variance with the right to equal treatment before the law and the principle of non-discrimination.

85. His delegation was resolutely opposed to the Council reversing decades of social and legal progress made in international forums. It would therefore vote against the proposed amendment.

86. *At the request of the delegation of Argentina, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, Gambia, Maldives, Morocco, Pakistan, Qatar, Somalia, Sudan, United Arab Emirates.

Against:

Argentina, Belgium, Bolivia (Plurinational State of), Chile, Costa Rica, Czechia, Finland, France, Georgia, Germany, Honduras, Lithuania, Luxembourg, Mexico, Montenegro, Nepal, Paraguay, Romania, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Benin, Cameroon, China, Côte d'Ivoire, Eritrea, Gabon, India, Kazakhstan, Kyrgyzstan, Malawi, Malaysia, Senegal, Uzbekistan, Viet Nam.

87. *The proposed amendment contained in document [A/HRC/53/L.42](#) was rejected by 22 votes to 10, with 14 abstentions.*

88. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/53/L.45](#).

Statements made in explanation of vote before the voting

89. **Mr. Villegas** (Argentina) said that the changes in the proposed amendment, aimed at modifying or deleting long-standing consensual language on the right to sexual and reproductive health, were contrary to the objectives of the text under consideration. The recognition of reproductive rights as human rights for women and girls enjoyed a strong global consensus. It had been explicitly endorsed almost 30 years earlier in the Programme of Action of the International Conference on Population and Development and reaffirmed in the Beijing Declaration and Platform for Action. It had also been reaffirmed in numerous intergovernmental bodies, including the Council and the General Assembly. In addition, the term "the right to sexual and reproductive health" was agreed language in numerous Council resolutions adopted by consensus in recent years.

90. Reproductive rights included the right to life, the right to marry and found a family, the right to privacy, the right to the highest attainable standard of health and the right to physical integrity. Reproductive rights also necessarily included the right to sexual and reproductive health.

91. Lastly, the proposed addition of the phrase "but not limited to" after "including" in paragraphs 1 and 6 was redundant, as "including" meant precisely that the list was not exhaustive. His delegation saw no justification for amending those paragraphs. It would therefore vote against the proposed amendment and called on all members to do the same.

92. **Ms. Kauppi** (Finland) said that statistics showed that the harmful practices and forces driving child, early and forced marriage still remained, subjugating women and girls and violating their rights and dignity. Globally, one in every five girls was married or in an informal union before the age of 18. The proposed amendment sought to weaken elements of the draft resolution concerning bodily autonomy and integrity. The international community had made commitments to respect for the integrity and bodily autonomy of women and girls in the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, the outcome documents of their review conferences and numerous Council resolutions. The phrase "personal autonomy" had never appeared in Council resolutions. "Bodily autonomy" involved the protection of everyone's capacity to make decisions over their own bodies. It concerned the possibility of making informed choices for one's own health and well-being;

it was not about imposing choices on others. The realization of bodily autonomy required collective action: the international community must come together to break from harmful norms and practices that deprived individuals of autonomy. Bodily autonomy also meant freedom from violence and access to information, services and care. It was the foundation of gender equality and, above all, a fundamental right for all. Her delegation could not, therefore, support the proposed amendment.

93. *At the request of the delegation of Argentina, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, Malaysia, Maldives, Morocco, Pakistan, Qatar, Senegal, Somalia, Sudan, United Arab Emirates.

Against:

Argentina, Belgium, Bolivia (Plurinational State of), Chile, Costa Rica, Czechia, Finland, France, Georgia, Germany, Honduras, Lithuania, Luxembourg, Malawi, Mexico, Montenegro, Nepal, Paraguay, Romania, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Benin, Cameroon, China, Côte d'Ivoire, Eritrea, Gabon, Gambia, India, Kazakhstan, Kyrgyzstan, Uzbekistan, Viet Nam.

94. *The proposed amendment contained in document [A/HRC/53/L.45](#) was rejected by 23 votes to 11, with 12 abstentions.*

95. **The President** invited the Council to take action on draft resolution [A/HRC/53/L.3/Rev.1](#).

Statements made in explanation of position before the decision

96. **Mr. Shaikh** (Pakistan) said that child, early and forced marriage was a clear violation of human rights disproportionately affecting women and girls. The promotion and protection of the rights of women and girls as well as the elimination of all forms of discrimination, violence and harmful practices continued to be a priority for Pakistan. Pakistan remained dedicated to ensuring that women's fundamental rights were enjoyed without any discrimination and that socioeconomic challenges were addressed in a meaningful way. It was implementing numerous legislative and institutional measures aimed at promoting the welfare and development of children, including the prohibition and criminalization of underage and forced marriage.

97. Throughout the negotiating process, his delegation had made several recommendations aimed at streamlining the text of the draft resolution. Those recommendations had focused on respect for different historical, cultural and religious backgrounds. However, the text still contained a number of concepts that, in his delegation's view, required further consultation. His delegation's aim was to ensure that the text to be adopted took into account social and cultural particularities and remained a relevant document for everyone. His delegation appreciated that some of its concerns had been taken into account, but regretted that others had not been included in the text. In the light of his country's national legal framework, his delegation disassociated itself with the seventh, seventeenth and eighteenth preambular paragraphs and paragraphs 1, 3 (c) and (d), 6 and 7 of the text. However, given the draft resolution's significance, his delegation would join the consensus.

98. **Mr. Jaakik** (Morocco) said that it bore repeating that child marriage was a violation of human rights. It had negative repercussions on the health of individuals, particularly women and girls, and on the social structure in general. The fight against child and forced marriage was a top priority for Morocco, as had been reflected over the years in the adoption of national legislation, the ratification of international conventions and the implementation of public policies aimed at eradicating such harmful practices. His delegation therefore supported the draft resolution and interpreted its provisions in accordance with the country's national laws and the international obligations it had assumed.

99. *Draft resolution A/HRC/53/L.3/Rev.1 was adopted.*

Draft resolution A/53/L.18, as orally revised: Human rights of migrants: prevention and accountability for human rights violations in transit

100. **Ms. Méndez Escobar** (Mexico), introducing the draft resolution, said that migration was a complex phenomenon, and only through multilateralism and international cooperation would the international community move towards safe, orderly, humane and regular migration. The draft resolution focused on the protection of the human rights of migrants in transit situations, with an emphasis on prevention and accountability. Migrants continued to use precarious and unsafe migration routes, where they faced dangers, abuses and violations of their human rights. The draft resolution reaffirmed that all migrants were subjects of human rights, regardless of their migration status. It expressed great concern about human rights violations and abuses along migration corridors and international borders, which often resulted in deaths, disappearances, violence and discrimination against migrants. The draft resolution called on all States to promote a human rights-based response to migration. It also requested OHCHR to organize an intersessional panel discussion on avenues to prevent and address violations of the rights of migrants in transit.

101. **The President** said that the proposed amendment contained in document [A/HRC/53/L.36](#) had been withdrawn. Ten States had joined the sponsors of the draft resolution.

General statements made before the decision

102. **Ms. Urbutytė-Pranckevičienė** (Lithuania) said that her Government remained convinced that humane and orderly migration was the only effective way to guarantee human rights protection to migrants. Her country's experience had shown the need to clearly distinguish between regular, irregular and instrumentalized migration. Lithuania was concerned about the sharp increase in irregular and instrumentalized migration, and its inherent risks. It deplored the high number of criminals, migrant smugglers and human traffickers who were abusing people on the move, and condemned the use of migrants as tools to exert political pressure.

103. As such practices were on the rise and led to human rights violations, it would be useful to include a reference to them in future resolutions on migrants' human rights. Lithuania remained committed to working with all stakeholders to prevent human rights violations and abuses against migrants in transit. It would continue to promote legal migration, fight smugglers and traffickers, provide protection to those in need, address the root causes of migration and reduce irregular migration.

104. **Ms. Taylor** (United States of America) said that the goal of the draft resolution was more important than ever before, particularly as the number of international migrants had increased over the previous five decades, to more than 280 million worldwide. The draft resolution rightly aimed to enhance the promotion, protection and respect of the human rights and fundamental freedoms of all migrants without discrimination. The United States welcomed the first International Migration Review Forum and looked forward to working with regional and international partners to advance safe, orderly, regular and humane migration management that respected migrants' human rights in accordance with the vision laid out in the Global Compact for Safe, Orderly and Regular Migration. Her Government was expanding access to protection and other lawful pathways to the United States, including through refugee resettlement, family reunification and labour programmes that allowed eligible migrants to apply for entry without making a dangerous journey to the United States border. Her delegation urged all others to support the draft resolution.

105. *Draft resolution A/HRC/53/L.18, as orally revised, was adopted.*

The meeting rose at 5.20 p.m.