



# General Assembly

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## Human Rights Council Fifty-fourth session

### Summary record of the 46th meeting\*

Held at the Palais des Nations, Geneva, on Wednesday, 11 October 2023, at 3 p.m.

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

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\* No summary records were issued for the 1st to 45th meetings.

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*The meeting was called to order at 3 p.m.*

**Agenda item 1: Organizational and procedural matters (A/HRC/54/L.5)**

1. **The President** said that statements of the programme budget implications of the draft resolutions under consideration at the current meeting had been published on the Council's extranet. Additional sponsors of draft resolutions were listed on the e-deleGATE portal.

*Draft statement by the President (A/HRC/54/L.5): Reports of the Advisory Committee*

2. **The President** said that the draft statement, which had no programme budget implications, had been prepared in consultation with all the parties concerned. He understood that it enjoyed the support of all States members of the Council.

3. *The draft statement by the President contained in document A/HRC/54/L.5 was adopted.*

**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/54/L.16 and A/HRC/54/L.18)**

*Draft resolution A/HRC/54/L.16: Situation of human rights in Afghanistan*

4. **Ms. Díaz-Rato Revuelta** (Observer for Spain), introducing the draft resolution on behalf of the European Union, said that Afghanistan was the only country in the world where women and girls were denied access to secondary and higher education and were erased from all spheres of public life. Women and girls deemed non-compliant with the misogynistic restrictions imposed on them faced arbitrary arrest and detention, harassment and physical violence, as did their male relatives. The major climate, mental health, humanitarian and food security crises in Afghanistan were exacerbated by the Taliban-imposed ban prohibiting women from working for non-governmental organizations and for the United Nations in Afghanistan and by the chronic underfunding of humanitarian aid. The Taliban severely curtailed the activities of the media and civil society. The discrimination and exclusion experienced by large segments of the population, including ethnic and religious minorities, could undermine the country's stability and chances for sustainable peace.

5. By adopting the draft resolution, the Council would call on the Taliban to reverse policies and practices that restricted human rights and to make them consistent with the country's international human rights obligations. It would also extend the mandate of the Special Rapporteur on the situation of human rights in Afghanistan and provide him with additional support. The Office of the United Nations High Commissioner for Human Rights (OHCHR) would continue to play a key role, particularly in connection with accountability options and processes. The draft enjoyed the support of the State concerned, which had given the Special Rapporteur access to its territory. She called on Council members to adopt the draft resolution by consensus.

*General statements made before the decision*

6. **Mr. Guillermet Fernández** (Costa Rica) said that the systematic violation of human rights in Afghanistan, especially those of women and girls, had grown worse in recent years and was intolerable. The indiscriminate, institutionalized gender-based violence against women and girls, which resulted in their exclusion from the public sphere, was contrary to the Universal Declaration of Human Rights and the country's international human rights obligations. The curtailment of freedom of expression; freedom of peaceful assembly and association; economic, social and cultural rights; and administration of justice undermined the Afghan people's well-being and advancement.

7. His delegation supported the one-year extension of the Special Rapporteur's mandate and the inclusion within it of a children's rights focus and the task of documenting and preserving information on human rights violations and abuses. Costa Rica was a sponsor of the draft resolution, which took a human rights-based approach aimed, in particular, at protecting the human dignity of women and girls in Afghanistan and restoring the rule of law.

8. **Ms. French** (United Kingdom) said that the Special Rapporteur's mandate was critical in light of the Taliban's continued campaign of repression and violence against the population. Afghan women and girls continued to face institutionalized, widespread and systematic oppression, which could amount to the crime against humanity of persecution on the grounds of gender. Girls could not attend school, and women could not work. They were confined to their homes and faced countless barriers in terms of access to basic services.

9. The Taliban's introduction of judicially and non-judicially sanctioned corporal punishments and death penalties demonstrated a total disrespect for human rights. The United Kingdom condemned the extrajudicial killings, arbitrary arrests and detentions and enforced disappearances being carried out in Afghanistan, as well as the torture and ill-treatment of individuals held in detention. It was vital for the Special Rapporteur's mandate to be renewed for another year.

10. **Ms. Taylor** (United States of America) said that women in Afghanistan were being erased by the Taliban through false narratives about their role in society. The United States stood resolutely with the Special Rapporteur's team and vowed to fortify endeavours to unearth and redress the harrowing human rights abuses unfolding daily in Afghanistan. If adopted by consensus, the resolution would embody a unified global stand against practices in Afghanistan that stripped its people of dignity and fundamental human rights. Such rights were vested in the individual, and the personal suffering caused when they were not respected must be borne in mind. The United States condemned the restrictions on Afghan women's and girls' access to education, employment opportunities, freedom of movement and freedom of expression. The United States was committed to promoting accountability for human rights abuses in Afghanistan, including those committed by the Taliban.

11. The United States noted that only States had obligations under international human rights law; references in the draft resolution to human rights violations committed by non-State actors should not be understood to imply that such actors bore those obligations. The United States did not agree with the use of international law terms of art to characterize certain acts or situations in the draft resolution. Non-State actors did, however, have a responsibility to respect human rights, and the United States was committed to promoting accountability for all malicious actors under the applicable law. Her delegation highly commended the Special Rapporteur's relentless commitment and eagerly awaited the insights that he would provide in his report.

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

13. **Mr. Andisha** (Observer for Afghanistan) said that, over the previous two years, the world had witnessed a surge in reprisal killings, summary executions, acts of torture, arbitrary detentions and other grave human rights violations in Afghanistan. The Taliban's repressive regulations had severely curtailed the fundamental rights of women and girls, including their freedom of movement and their opportunities for employment and political participation. That gender-based persecution constituted a crime against humanity and rose to the level of gender apartheid, the systematic discrimination at the heart of the Taliban's rule.

14. Afghanistan appreciated the mandate and efforts of the Special Rapporteur and his team. The Council should establish an investigative mechanism for Afghanistan – as it had done for the Syrian Arab Republic, Ukraine, Myanmar and the Islamic Republic of Iran – to demonstrate its commitment to accountability. The lack of accountability and justice mechanisms exacerbated grievances and impeded the peaceful resolution of the conflict in Afghanistan. If lasting peace was to be achieved, accountability could not be delayed. The draft resolution was a necessary, if insufficient, instrument for addressing the ongoing human rights crisis in Afghanistan. He asked Council members to adopt it by consensus.

*Statements made in explanation of position before the decision*

15. **Ms. Li Xiaomei** (China) said that Afghanistan was at a critical stage in the process of peaceful reconstruction. Over the previous two years, the interim authorities had taken measures to promote stability and economic development. The security situation was generally stable, violent incidents had decreased drastically and tax and export revenue had increased steadily. Those positive developments should be recognized and encouraged. At the same time, Afghanistan faced a challenging humanitarian situation and terrorist threats.

China hoped that the interim authorities would govern in an inclusive and moderate manner and protect the rights of ethnic minority groups and of women and girls. China called on the international community to provide humanitarian aid and economic and development assistance to the Afghan people.

16. Her delegation wished to thank the sponsors of the draft resolution for having engaged with all parties. It had participated in the informal consultations and had proposed constructive amendments intended to ensure accountability for current and past human rights violations and promote economic and social development. Regrettably, the sponsors had not accepted reasonable suggestions. China would therefore not join the consensus on the draft resolution.

17. **Mr. Mehdi** (Pakistan) said that protracted conflict and instability had been the drivers of the dire human rights and humanitarian situation in Afghanistan. The international community must continue to engage with Afghanistan. The security threat emanating from Afghan territory was also a source of concern. Greater international efforts were needed to create conditions conducive to the voluntary, honourable and dignified repatriation of Afghan refugees. Because of the economic and humanitarian crisis in Afghanistan, over 600,000 Afghans had left their country for Pakistan in the previous two years alone.

18. His delegation had constructively engaged with the main sponsors of the draft resolution and, while some of its concerns had been met, certain crucial elements remained unaddressed. First, the draft took a narrow view. It failed to address civil, political, economic, social and cultural rights, considering the mutually reinforcing and interconnected nature of all rights. Second, the draft was not balanced and did not discuss the underlying causes of the dire humanitarian and socioeconomic situation or how to address them. Third, the draft did not assess the human rights situation in terms of the protracted conflict. Fourth, it did not consider the impact of financial insolvency and the lack of governance capacity. Fifth, important language from the previous iteration of the resolution that related to sociocultural particularities had, unfortunately, been deleted. For nearly half a century, Afghans had had to face political turmoil, natural disasters and inconsistent engagement by the international community. However, the politicization of their suffering was the unkindest cut of all. For that reason, Pakistan would dissociate itself from the consensus on the draft resolution.

19. *Draft resolution A/HRC/54/L.16 was adopted.*

*Draft resolution A/HRC/54/L.18: Responding to the human rights and humanitarian crisis caused by the ongoing armed conflict in the Sudan*

20. **Mr. Manley** (United Kingdom), introducing the draft resolution on behalf of the main sponsors, namely Germany, Norway, the United States and his own delegation, said that the text provided for the establishment of an independent international fact-finding mission for the Sudan. Since the conflict had begun, six months earlier, the Council had received reports that laid bare its human cost. Some 5 million people had been displaced and 25 million were in dire need of humanitarian assistance. The Sudanese army had indiscriminately bombed civilian homes in Khartoum because members of the Rapid Support Forces had been hiding nearby, and horrific acts of violence had been committed against civilians by the Rapid Support Forces and their allies in Darfur. There was an urgent need for investigation and evidence-gathering in respect of human rights abuses and violations of international law, no matter where in the Sudan they were committed or by whom. That would be the task of the fact-finding mission and was something that no other United Nations mechanism currently working in the Sudan was equipped to do. The establishment of the fact-finding mission was a necessary and proportionate step in the Council's response to the deepening crisis.

*General statements made before the voting*

21. **Mr. Hassan** (Sudan) said that the same States that had sponsored the controversial Council resolution S-36/1 were, mere months later, putting forward another draft resolution on the Sudan that did not take account of the country's priorities; contained controversial paragraphs targeting the national army, which was simply fulfilling its constitutional obligation to counter rebel militias; unjustly attempted to equate the rebel militias with the Sudanese Armed Forces; and did not respect the sovereignty of the Sudan. Since the draft

resolution dealt with a country in conflict, it should prioritize the saving of lives, in line with the priority given to the right to life under the Universal Declaration of Human Rights. However, the sponsors had ignored that aspect of the Declaration, despite the reference to the instrument in the preamble to the draft. The sponsors had also ignored the need for an urgent response to meet humanitarian needs.

22. Throughout history, the borders of the Sudan had remained open to refugees from other States, and it was now the seventh-largest refugee-hosting country in Africa. However, less than 30 per cent of the response plan of the Office for the Coordination of Humanitarian Affairs had been funded. He wondered whether the creation of a new mechanism should be the priority in such a context and whether efforts should not instead be directed, first, to supporting regional efforts to silence the guns and, second, to responding to the humanitarian situation. For the reasons he had outlined, the Sudan rejected the draft resolution entirely.

23. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that the situation in the Sudan had deteriorated gravely since May 2023. It was imperative to stop the fighting, begin a political process and deliver direly needed humanitarian aid. The Council must also make sure that those who violated human rights were held accountable. The European Union remained concerned over reports of grave human rights violations and an escalation in sexual and gender-based violence, particularly sexual violence against children. The ongoing fighting in the Sudan had led to one of the worst human rights situations in the world.

24. Despite repeated promises by both sides to investigate the serious violations of human rights and international humanitarian law, the silence had been deafening. The European Union therefore supported the establishment of a fact-finding mission tasked with preserving the evidence of crimes committed by both warring factions. A clear signal must be sent to let the people suffering in the Sudan know that they were seen and to show the perpetrators that the international community would not remain silent. The European Union therefore supported the draft resolution.

25. **Ms. Salah** (Somalia) said that her delegation wished to reiterate its unwavering support for the sovereignty, political independence and territorial integrity of the Republic of the Sudan and to commend its Government for cooperating with the Council and various other bodies and mechanisms, including the United Nations High Commissioner for Human Rights and the designated Expert on human rights in the Sudan, the human rights unit of the United Nations Integrated Transition Assistance Mission in the Sudan and the Panel of Experts on the Sudan. That cooperation demonstrated the Government's commitment to improving its human rights record and establishing a rule-of-law culture across the country. The Council should recognize the Government's engagement and support its efforts to address the humanitarian needs of its people and peacefully resolve the ongoing conflict. The adoption of a country-specific resolution on the Sudan would be deeply regrettable, would not further the cause of human rights and would be emblematic of the Council's politicization. Her delegation wished to stress the importance of respecting the principles of universality, impartiality, objectivity and non-selectivity. For those reasons, Somalia opposed the draft resolution and requested a vote on it. Her delegation would vote against it and invited other Council members to do the same.

26. **Mr. Bichler** (Luxembourg) said that Luxembourg welcomed all regional and international efforts to find a political solution, ensure unhindered humanitarian access and bring about a lasting ceasefire. It regretted that the urgent calls made over the preceding six months for the belligerents to respect human rights and international humanitarian law had not been heeded. Instead, the human rights situation in the Sudan had worsened and grave human rights violations were being committed systematically, to the point where they potentially constituted crimes against humanity. Like Council resolution S-36/1, the draft resolution did not call into question the ongoing regional and international efforts to stop the fighting. Rather, it complemented the role of the Security Council and the efforts of the African Union, the Intergovernmental Authority on Development and others. By adopting the draft resolution, the Council would send a strong message to the people of the Sudan that they were not forgotten and that there would be an end to impunity. His delegation encouraged all Council members to vote in favour of the draft resolution, for the sake of the Sudanese people.

27. **Ms. Taylor** (United States of America) said that the situation in the Sudan had gone from grave to catastrophic in the six months since the beginning of the conflict, necessitating both a stronger response and a mechanism capable of discerning and documenting the truth. The United States was one of the main sponsors of the draft resolution because it firmly believed that the Council had a responsibility to address serious human rights situations whenever and wherever they occurred. The draft resolution would be a call to action for the warring parties to cease their atrocities and other abuses, lay down their weapons and allow safe, rapid and unhindered humanitarian access – priorities on which everyone agreed.

28. The United States continued to support the Sudanese people. In fiscal year 2023, it had contributed \$840 million to the Sudanese people and countries supporting Sudanese refugees. Its contributions accounted for more than half of all humanitarian contributions in the Sudan. It called on other donors to significantly increase their contributions.

29. The United States was also directly involved in seeking a peaceful resolution to the conflict. The Council played an indispensable complementary role in advancing justice and accountability as part of those peace efforts. The cycle of impunity must be broken. The international community could not place blind trust in the goodwill of generals who had shown utter disregard for the lives of civilians and the obligation to protect them. The Council must demand that they should fully respect international human rights law and international humanitarian law, take meaningful steps towards peace and allow dire humanitarian needs to be met. As the current situation had resulted from decades of impunity, the announcement by the Sudan that domestic investigations would focus solely on abuses committed by the Rapid Support Forces was unsatisfactory. Immediate steps must be taken to ensure transitional justice and accountability in the future.

30. **Mr. Andemichael** (Eritrea) said that the developments in the Sudan were troubling. Eritrea wished to express its full solidarity with the Sudan and its full support for the country's sovereignty, territorial integrity and political independence. The Council must take into account the consent of the State concerned when establishing new mechanisms or extending the mandate of existing ones. The Republic of the Sudan had remained fully engaged with United Nations human rights mechanisms and had facilitated their work, despite the multiplicity of human rights mechanisms with overlapping mandates operating in the Sudan. While the importance of establishing accountability mechanisms should not be underestimated, those mechanisms should be complementary to national institutions, which should be allowed to exercise their domestic jurisdiction.

31. The immediate priorities of the Sudan were the cessation of hostilities and the response to the dire humanitarian situation that had resulted from the ongoing conflict. The international community's efforts should be channelled towards finding a lasting solution to end the conflict and avoid further loss of life. The Council's treatment of country-specific situations was unjustified, and the creation of a new mandate in relation to the Sudan was unacceptable. Eritrea called on the Council to support efforts to build political consensus and enhance stability, which could lead to constructive national dialogue and reconciliation, rather than implementing divisive tools that did not address the critical, immediate needs of the Sudan.

32. **Mr. Sebefelo** (South Africa) said that his delegation was deeply concerned about the continuing escalation of the conflict in the Sudan and its devastating impact on civilians. His Government called on the parties to the conflict to agree on and adhere to an unconditional and indefinite ceasefire and establish humanitarian corridors. There could be no military solution to the conflict, which must be resolved in a peaceful manner on the basis of an inclusive, Sudanese-owned and Sudanese-led dialogue with a view to returning to the transition towards civilian-led, democratic government.

33. The agreement of a ceasefire was contingent on the success of regional initiatives aimed at ending the crisis, including the Jeddah process and efforts undertaken by the African Union, the Intergovernmental Authority on Development and neighbouring countries. Those regional efforts recognized that while there was a need to prioritize the security and humanitarian aspects of the conflict, the dire humanitarian and human rights situation could not be ignored. The Government of the Sudan had acknowledged that fact through its continued cooperation with OHCHR and the Expert on human rights in the Sudan.

34. The troubling human rights situation in the country was also highlighted in the resolution on the Sudan adopted by the African Commission on Human and Peoples' Rights on 4 August 2023, which referred to the need to establish a mechanism for monitoring, documenting and reporting violations of human rights and international humanitarian law. It was important to ensure that the decisions of the Council with regard to the situation in the Sudan served to bolster regional efforts. Regrettably, such a scenario was unlikely, given the deep divisions and entrenched positions on the issue within the Council. For those reasons, his delegation would abstain from voting on the draft resolution.

*Statements made in explanation of vote before the voting*

35. **Mr. Villegas** (Argentina) said that his Government reiterated its call upon all parties to the conflict in the Sudan to immediately cease hostilities, adhere to a ceasefire and return to the process of transition towards civilian-led government. The establishment of an independent international fact-finding mission would help the Council to gather the information it needed in order to help the Sudan to comply with its international humanitarian and human rights obligations. The mandate of the fact-finding mission should complement the work of OHCHR and the Expert on human rights in the Sudan, avoiding any duplication or undermining of their respective mandates. His delegation would vote in favour of the draft resolution.

36. **The President** announced that Lithuania had withdrawn its sponsorship of the draft resolution.

37. **Mr. Staniulis** (Lithuania) said that the situation in the Sudan was of deep concern, in view of the continuous grave human rights violations and abuses committed by belligerents on both sides of the conflict. The situation required decisive action by the Council to ensure that those who had committed violations were held accountable. There was a pressing need for an international, impartial and independent fact-finding mission to investigate all violations and abuses committed by all parties to the conflict and report its findings to the Council. Accountability should remain central to any solution to the crisis. For those reasons, his delegation would vote in favour of the draft resolution and urged other members of the Council to do the same.

38. **Mr. Chen Xu** (China) said that his Government called on the parties to the conflict in the Sudan to put the interests of the country and its people first by agreeing to a ceasefire, working towards the de-escalation of the situation and establishing favourable conditions for humanitarian relief and assistance. The Chinese Government firmly supported the sovereignty, independence and territorial integrity of the Sudan and trusted that the Sudanese people had the wisdom and ability to handle their internal affairs, put an end to the conflict and return to the path of peace, stability and national development.

39. The draft resolution paid no regard to the efforts and achievements of the Sudanese Government in promoting and protecting human rights. It ignored the will of the country concerned and the mediation efforts of neighbouring countries and regional organizations by establishing a country-specific mechanism. Such interference in the internal affairs of the Sudan would only further complicate the situation and undermine ongoing mediation efforts. For those reasons, his delegation requested a vote on the draft resolution and would vote against it.

40. *At the request of the representatives of China and Somalia, a recorded vote was taken.*

*In favour:*

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

*Against:*

Algeria, Bolivia (Plurinational State of), China, Côte d'Ivoire, Cuba, Eritrea, Malaysia, Maldives, Morocco, Pakistan, Qatar, Senegal, Somalia, Sudan, United Arab Emirates, Viet Nam.

*Abstaining:*

Bangladesh, Benin, Cameroon, Gabon, Gambia, India, Kazakhstan, Kyrgyzstan, Malawi, Nepal, South Africa, Uzbekistan.

41. *Draft resolution A/HRC/54/L.18 was adopted by 19 votes to 16, with 12 abstentions.*

42. **The President** invited delegations to make statements in explanation of vote or position or general statements on either of the draft resolutions considered under agenda item 2.

43. **Mr. Hassan** (Sudan) said that, once again, the Council had shown itself to be deeply divided about a resolution imposing coercive measures on his country. His delegation thanked those members of the Council that had voted against draft resolution [A/HRC/54/L.18](#); they had voted to uphold the Charter of the United Nations, the Universal Declaration of Human Rights and the principles of respect for national sovereignty, non-politicization, non-selectivity and the elimination of double standards, as set out in General Assembly resolution 60/251 on the Human Rights Council.

44. The Government of the Sudan was deeply committed to promoting and protecting human rights. Before the onset of the rebellion in his country, his Government had signed the Juba Peace Agreement, which called for transitional justice, accountability and redress. The Government had established various mechanisms to that end, including a mechanism to investigate the crimes of the Rapid Support Forces. It was unclear what fate awaited those mechanisms now that a new international mechanism was to be imposed on the country. His Government cooperated actively with all international mechanisms established with respect to the Sudan and had submitted reports to the Human Rights Council and the Security Council. The establishment of yet another international mechanism risked jeopardizing those cooperation efforts.

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

([A/HRC/54/L.2](#), [A/HRC/54/L.3](#), [A/HRC/54/L.4/Rev.1](#), [A/HRC/54/L.6/Rev.1](#), [A/HRC/54/L.7](#), [A/HRC/54/L.10](#), [A/HRC/54/L.11](#), [A/HRC/54/L.13](#), [A/HRC/54/L.15](#), [A/HRC/54/L.19](#), [A/HRC/54/L.20](#), [A/HRC/54/L.25](#) and [A/HRC/54/L.26](#))

*Draft resolution A/HRC/54/L.2: Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination*

45. **Mr. Quintanilla Román** (Cuba), introducing the draft resolution, said that mercenary activities in all their forms must be addressed by the Council, in view of the negative impact that the recruitment and use of mercenaries had on human rights throughout the world. In that context, concerns persisted about the relationship between the activities of mercenaries and those of private military and security companies.

46. Draft resolution [A/HRC/54/L.2](#) was the result of a process of consultation with numerous States. At the request of several delegations, modifications had been made to the first version of the draft, which demonstrated the willingness of his delegation to engage in constructive dialogue and ensure that the language used in the draft resolution was acceptable to all, while preserving the primary objective of the text and respecting the mandate of the existing Working Group on the issue.

47. It was important to continue to condemn the impunity with which those involved in mercenary activities operated. His Government called on all States to strengthen the regulation and monitoring of mercenary activities in their territories. By voting in favour of the draft resolution, States members of the Council would reiterate their collective commitment to taking the measures necessary to prevent and combat the actions of mercenaries and the related human rights violations.

48. **The President** said that the draft resolution had no programme budget implications.

*Statements made in explanation of vote before the voting*

49. **Ms. Taylor** (United States of America) said that the United States Government condemned the misuse of private military and security companies by some States, as well as



the grave threat that certain non-State armed actors continued to pose to the ability of States to promote and protect human rights and maintain order. However, her Government continued to draw a sharp contrast between irresponsible or destabilizing mercenary activities and the proper role that private military and security companies could play. Her delegation had engaged constructively with the sponsors and regretted that the text of the draft resolution as proposed did not reflect its concerns. Therefore, in line with the long-standing position of the United States on draft resolutions on the use of mercenaries, her delegation called for a vote on draft resolution [A/HRC/54/L.2](#) and would vote against it. She encouraged other members of the Council to do the same.

50. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said he was pleased to note that the draft resolution reflected some of the textual suggestions made by States members of the European Union, which were intended to clarify and strengthen the text. Unfortunately, the draft still left the long-standing concerns of the European Union unresolved. For example, it conflated the actions of mercenaries, which were clearly defined under international humanitarian law, with the legal activities of private military and security companies. Further, the mandate of the Working Group on the use of mercenaries continued to overlap with that of the open-ended intergovernmental working group to elaborate the content of an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies and with the work of several special procedure mandate holders, resulting in the inefficient allocation of already limited resources. Moreover, the draft resolution associated the use of mercenaries with a threat to the exercise of self-determination, which fell beyond the mandate of the Human Rights Council. For those reasons, the States members of the European Union that were members of the Council could not support the draft resolution and would vote against it.

51. **Ms. Fuentes Julio** (Chile) said there was no doubt that the use of mercenaries posed a threat to the human rights of persons living in situations of armed conflict and to the right of peoples to self-determination, as enshrined in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. However, her delegation was concerned about the approach taken in the draft resolution, the emphasis of which should be placed more firmly on human rights, rather than on State sovereignty and the protection of the institutional framework of States. With a view to achieving consensus within the Council, future draft resolutions on the issue should better address the impact of the use of mercenaries on the protection of rights such as the right to life and the right to personal integrity, as well as the threat that their use represented for especially vulnerable groups, such as children and adolescents, women and racial and ethnic minorities.

52. *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, 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, Morocco.

53. *Draft resolution [A/HRC/54/L.2](#) was adopted by 32 votes to 13, with 2 abstentions.*

*Draft resolution A/HRC/54/L.3: Mandate of Independent Expert on the promotion of a democratic and equitable international order*

54. **Mr. Quintanilla Román** (Cuba), introducing the draft resolution, said that in the current complex international situation, which was marked by a multidimensional crisis caused by the irrational and unsustainable production and consumption patterns of the capitalist system, there was a clear and urgent need to achieve a democratic and equitable international order to address current and future challenges and support national efforts to promote and protect human rights. It was often stated that a lack of development or the absence of a democratic international order could not be invoked to justify a failure to comply with human rights obligations. Yet it was undeniable that extreme poverty, food insecurity, unsustainable foreign debt, unilateral coercive measures, climate change, trade inequalities, a reluctance to transfer technology, the conditions imposed on international cooperation, the impossibility of gaining access to finance and many other factors severely disadvantaged the countries of the South.

55. Through draft resolution [A/HRC/54/L.3](#), the Council would renew the mandate of the Independent Expert on the promotion of a democratic and equitable international order for an additional three years. The text of the draft did not include any new substantive language and was the result of informal consultations and exchanges held with many delegations. In line with his country's position of principle, the draft resolution did not promote a punitive or selective approach, but rather promoted constructive dialogue and cooperation. His delegation invited all States members of the Council to vote in favour of the draft resolution, thereby supporting multilateralism and a democratic and equitable international order that facilitated the promotion and protection of human rights on an equal footing for all.

56. **Mr. Pecsteen de Buytswerve** (Belgium), speaking in explanation of vote before the voting on behalf of the States members of the European Union that were members of the Council, said that the European Union was committed to continuing to work towards a democratic and equitable international order. However, its long-standing concerns about resolutions on the topic at hand remained valid. Draft resolution [A/HRC/54/L.3](#) did not deal with the topic in a comprehensive manner and some of the elements of the mandate of the Independent Expert appeared to have been selected arbitrarily, were out of context and went beyond the scope of the Council. For the European Union, the mandate of the Independent Expert had exhausted its potential and there was no need to renew it. For those reasons, his delegation called for a vote on the draft resolution and the States members of the European Union that were members of the Council would vote against it.

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

*In favour:*

Algeria, Argentina, Bangladesh, Benin, Bolivia (Plurinational State of), Cameroon, China, 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:*

Chile, Costa Rica, Mexico.

58. *Draft resolution [A/HRC/54/L.3](#) was adopted by 31 votes to 13, with 3 abstentions.*

*Draft resolution [A/HRC/54/L.4/Rev.1](#): Ensuring quality education for peace and tolerance for every child*

59. **Mr. Alimbayev** (Kazakhstan), introducing the draft resolution on behalf of the main sponsors, namely Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan and his own delegation, said that draft resolution [A/HRC/54/L.4/Rev.1](#) was the first joint initiative of the Central Asian members of the Council. In view of the global rise of intolerance, discrimination and

hatred, which undermined social harmony and threatened peace and stability in all parts of the world, it was crucial to promote peaceful coexistence, tolerance and understanding among all individuals and communities, and especially among children. The draft resolution was intended to promote those values through the means of education.

60. The draft also highlighted the contribution of education to the recovery and reintegration of children in the most vulnerable situations, including those affected by armed conflict and those associated with armed groups or terrorist groups. In accordance with the 2030 Agenda for Sustainable Development, it was important to ensure inclusive and equitable quality education for every child, without discrimination of any kind, leaving no one behind and providing safe, non-violent and inclusive learning environments for all. The main sponsors had held three rounds of informal consultations, as well as bilateral meetings with other delegations, and had revised the draft in the light of the comments made. He called on all members of the Council to adopt the draft resolution by consensus.

*General statements made before the decision*

61. **Mr. Guillermet Fernández** (Costa Rica) said that his delegation welcomed the main sponsors' efforts to contextualize the right to education as a tool for comprehensive development, the protection and promotion of human rights, in particular the rights of children and adolescents, the implementation of the 2030 Agenda and peaceful coexistence. Crucially, the draft resolution reflected the disproportionate impact of discrimination and violence, in particular sexual and gender-based violence, on women and girls.

62. His Government joined in the call to guarantee safe access to education and recalled the primary responsibility of States to protect their populations from crimes defined under international humanitarian law, including the targeting of schools and educational facilities in situations of armed conflict. It also supported the draft resolution's condemnation of the recruitment, use or involvement of children in the activities of armed or terrorist groups, which were absolutely prohibited under international law. Such practices robbed millions of children of a dignified childhood, and in some cases their lives. His delegation called for the adoption of the draft resolution by consensus.

63. **Mr. Chen Xu** (China) said that the Chinese Government welcomed the attention paid by the Council to ensuring quality education for every child, with a view to promoting peace and tolerance. The draft resolution was balanced, objective and conducive to the promotion of favourable environments for quality education. He called for its adoption by consensus.

64. **Ms. Méndez Escobar** (Mexico) said her Government agreed that universal, free, accessible, equitable, inclusive and quality education, without discrimination of any kind, was crucial for the comprehensive development of children, which in turn promoted peace and tolerance. Her delegation welcomed the main sponsors' willingness to achieve a balanced text that adequately reflected the diverse views expressed during the informal discussions. It welcomed the explicit mention of the rights of girls and their specific needs, as well as the violence and discrimination that they faced to a disproportionate degree, in the form of exclusion from school, sexual and gender-based violence, forced marriage, gender stereotypes and patriarchal social norms. According to the World Bank, girls were 90 per cent less likely to attend secondary school if they lived in places affected by conflict and violence. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), women continued to make up almost two thirds of illiterate adults.

65. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that promoting quality education on peace, tolerance and respect was essential for a harmonious world. His delegation welcomed the draft resolution's emphasis on the importance of education in fostering human rights, sustainable development, gender equality and the prevention of violence, including sexual and gender-based violence, and on the values of cultural diversity and religious freedom. Significantly, the draft resolution underlined the importance of ensuring equal access to inclusive and equitable quality education for children affected by armed conflict or associated with armed groups or terrorist groups. That important subject should feature prominently on the agenda of the panel discussion to be convened at the fifty-seventh session of the Council. His delegation commended the main sponsors for their

constructive and inclusive approach throughout the informal consultations on the draft resolution. For those reasons, the States members of the European Union that were members of the Council supported the draft resolution and would join the consensus on it.

66. **Ms. Taylor** (United States of America) said that her Government was deeply committed to promoting access to education for all children not only as an end in itself, but also as a critical means of promoting human rights principles. It strongly supported efforts to increase the quality of education and wished to underscore the importance of the right of everyone to education. Her delegation understood the language of the draft resolution to be consistent with that right, as enshrined in article 13 of the International Covenant on Economic, Social and Cultural Rights.

67. **Mr. Staniulis** (Lithuania) said that quality education was one of the main empowerment tools for creating inclusive and prosperous societies. His delegation shared the view that human rights education and training contributed significantly to preventing conflict and human rights violations and abuses, promoting tolerance and non-discrimination and enhancing political freedom. It also welcomed the fact that the draft resolution highlighted the need to ensure that girls and children affected by armed conflict or associated with armed or terrorist groups had equal access to education. His delegation encouraged the members of the Council to adopt the draft resolution by consensus.

68. *Draft resolution A/HRC/54/L.4/Rev.1 was adopted.*

*Draft resolution A/HRC/54/L.6/Rev.1: Centrality of care and support from a human rights perspective*

69. **Mr. Villegas** (Argentina), introducing the draft resolution on behalf of the main sponsors, namely Iceland, Mexico, Spain and his own delegation, said that the adoption of the draft resolution, in which the importance of respecting, protecting and fulfilling the human rights of paid and unpaid caregivers and care and support recipients was recognized, would be a milestone. Deep concern was expressed in the draft at the unequal distribution and organization of care and support work and its impact on women's rights and gender equality.

70. Care work had never enjoyed the social recognition that it deserved. The providers of unpaid care and support, a disproportionately large share of whom were women and girls, accounted for a considerable share of countries' working populations, but they were largely invisible to the agencies responsible for producing labour-market and other statistics. Economic and social policies took no account of their experiences.

71. In the draft resolution, States were urged to implement all measures necessary to recognize and redistribute care work, increase investment in care and support policies and infrastructure and support research and surveys designed to produce relevant data. The ultimate aim was to promote cultural change with a view to ensuring the enjoyment of human rights by all.

72. **Ms. Méndez Escobar** (Mexico), continuing the introduction of the draft resolution, said that it would make a significant contribution to the recognition of care and support work. It touched on challenges that States, in coordination with individuals, families, local communities and the private sector, must address to enable all caregivers and recipients of care to exercise their human rights. Investment in policies and infrastructure for the care and support of children, persons with disabilities and older persons was indispensable. All workers should benefit from social protection and the right to parental leave. States should ensure that stereotypes and social norms in respect of care work did not limit the economic and other opportunities of women, girls, persons with disabilities and older persons. Recognizing the value of care and support work and distributing such work more equitably would make it possible to combat structural inequality and make strides towards gender equality.

*General statements made before the decision*

73. **Mr. Chen Xu** (China) said that his delegation recognized the importance of care and support for vulnerable groups such as older persons and persons with disabilities. It also

recognized the preponderant role played by women in providing care. The issues addressed in the draft resolution were of great relevance to social and economic progress. At the same time, specific national contexts should inform efforts to achieve gender equality and empower all women and girls, pursuant to Sustainable Development Goal 5. China was a firm supporter of gender equality and would continue taking practical measures to help alleviate the disproportionately large caregiving burden borne by women. It supported the adoption of the draft resolution by consensus.

74. **Mr. Mehdi** (Pakistan), noting that the coronavirus disease (COVID-19) pandemic had underscored the importance of care and support work, which was generally unpaid work done by women, said that there was a pressing need to develop robust infrastructure to ensure that everyone, regardless of his or her circumstances, had access to the care and support he or she needed. Although the due recognition and equitable distribution of unpaid care and support work were important, there was also a need to ensure that paid care work done by women was not stigmatized. Not all the human rights issues relating to paid care work had been covered in the draft resolution, but they would certainly be addressed as the conversation proceeded. His delegation looked forward to the expert workshop and the thematic study on the human rights dimension of care and support that were provided for in the text. It was pleased to join the consensus on the draft resolution.

75. **Ms. Fuentes Julio** (Chile), noting that caregiving had traditionally been the responsibility of women, said that the draft resolution, which referred to the promotion of shared responsibility, placed a welcome emphasis on the human rights dimension of care and support work. States should continue making efforts, including through intersectional and intercultural approaches, to protect and promote the human rights of all persons providing or receiving care and support. The unequal distribution of care work was closely bound up with the gender inequalities that kept women from enjoying their rights to the full. Her delegation therefore welcomed the gender dimension that informed the draft resolution and called on the Council to adopt it by consensus.

76. **Mr. Guillermet Fernández** (Costa Rica) said that, as the disproportionately large share of the caregiving burden historically borne by women had hindered their economic empowerment and denied them access to equality of opportunity, the draft resolution, with its focus on the gender and human rights dimensions of caregiving, should be adopted without delay. That focus would be critical for ensuring a transition to a care society, as called for by the Regional Conference on Women in Latin America and the Caribbean. His delegation hoped that the Council would adopt the draft resolution by consensus.

77. **Ms. Schroderus-Fox** (Finland) said that her Government welcomed the draft resolution. Gender equality would remain out of reach until the questions of care and support were understood from a human rights perspective. Care work was undervalued, a phenomenon that led to discrimination against women and girls and exacerbated the marginalization of older people. Care and support systems were critical for enabling persons with disabilities to exercise their rights, in particular to live independently and be included in the community. The rights of both providers and recipients of care and support needed recognition. In that respect, the draft resolution was a major step forward. Her delegation would welcome its adoption by consensus.

78. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that underscoring the centrality of care and support work was part and parcel of her country's daily struggle to dismantle the patriarchy and achieve a fairer and more equitable society. On average, women spent around seven hours a day, nearly twice as much as men, providing care and support. The negative impact on their rights to employment and education was considerable. Their contributions to the economy remained unquantified. Her delegation welcomed the novel approach to those problems that had been taken by the main sponsors of the draft resolution. It also welcomed the plans to put the issue of caregiving on the Council's agenda.

79. **Ms. Taylor** (United States of America), noting that the care and support obligations of women and girls could exacerbate inequality, said that States, as called for in the draft resolution, should adopt measures to recognize and value care work. Women, persons with disabilities and older persons should be empowered so that they could participate fully in decision-making in connection with care and support. Although the draft resolution contained

a number of inaccurate assertions in relation to purported rights and obligations that did not exist as a matter of international law, her delegation supported it in view of the importance of the issues it raised. Her delegation was proud to be part of the Council's efforts to acknowledge the critical role played by caregivers the world over.

80. *Draft resolution A/HRC/54/L.6/Rev.1 was adopted.*

*Draft resolution A/HRC/54/L.7: World Programme for Human Rights Education*

81. **Mr. Sorreta** (Observer for the Philippines), introducing the draft resolution on behalf of the main sponsors, namely Brazil, Costa Rica, Italy, Morocco, Senegal, Slovenia, Thailand and his own delegation, said that, as recognized in the draft resolution, human rights education fostered a culture of respect, equality and justice that helped prevent conflict and human rights abuses. It enhanced democratic processes and contributed to the fight against racism. Its ultimate aim was to ensure that all human beings were respected.

82. The World Programme for Human Rights Education, launched in 2015, had built on the progress made during the United Nations Decade for Human Rights Education. The fourth phase of the Programme, which was set to conclude in 2024, focused on human rights education for young people. The focus of the fifth phase would be broadened to include children. Special emphasis would be placed on human rights in relation to the critically important topics of digital technologies, the environment, climate change and gender equality.

83. In the draft resolution, OHCHR was requested to craft a plan of action for the implementation of the Programme's fifth phase. States and other relevant stakeholders were encouraged to strengthen efforts to advance the implementation of the Programme's four previous phases. He hoped that the Council would promote measures to harness the transformative power of education by adopting the draft resolution by consensus.

*General statements made before the decision*

84. **Mr. Guillermet Fernández** (Costa Rica) said that human rights education and training were core components of a process that culminated in the enjoyment of human rights by all. Comprehensive human rights education involving all relevant stakeholders would help to ensure that societies were founded on a culture of peace. The fifth phase of the World Programme for Human Rights Education would focus on children and other young people and explore issues of pressing global concern. He hoped that the international community would help make that new phase a reality.

85. **Ms. Taylor** (United States of America) said that the United States welcomed the draft resolution's focus on human rights in relation to digital technologies, the environment and gender equality. It also welcomed the emphasis on preventing conflict and human rights violations and abuses and enhancing participation and democratic processes. Human rights education was an excellent means of helping people exercise their rights. It could also foster respect for the human rights of all. Her delegation's sponsorship of the draft resolution underscored the considerable value it attached to human rights education and training.

86. *Draft resolution A/HRC/54/L.7 was adopted.*

*Draft resolution A/HRC/54/L.10: Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence*

87. **Mr. Lauber** (Observer for Switzerland), introducing the draft resolution on behalf of the main sponsors, namely Argentina, Morocco and his own delegation, said that its primary purpose was to renew the mandate of the Special Rapporteur. The only substantive change that had been made in relation to the Council's previous resolution on the Special Rapporteur's mandate was to bring the last preambular paragraph into line with Council resolution 51/23 on human rights and transitional justice.

88. The sponsorship of the draft resolution by countries in different regions was evidence of the relevance of the mandate of the Special Rapporteur, who helped combat impunity by making country visits and drawing up reports. The new mandate holder would need to be



appointed by the closure of the Council's fifty-fifth session. All persons qualified to apply for the position were encouraged to come forward.

*General statements made before the decision*

89. **Ms. Toudic** (France) said that no abuse, crime or violation of international law should be forgotten, as there could be no lasting peace without justice. The crimes committed by Russia in its war on Ukraine, for example, could not remain unpunished. Ensuring that the truth emerged and justice was served could be a long and laborious process, but victims of human rights violations were owed the effort. For that reason, her delegation called on the Council to adopt the draft resolution and thus renew the Special Rapporteur's mandate for an additional three years.

90. **Ms. Filipenko** (Ukraine) said that her Government attached great importance to the mandate of the Special Rapporteur, whose work was a core component of the efforts made by the United Nations to prevent genocide, war crimes and crimes against humanity. Truth, justice and reparation, the themes of the draft resolution, were the objectives underpinning her country's efforts to address the human rights challenges it faced as a result of the invasion by Russia.

91. While welcoming the call in the draft resolution for the Special Rapporteur to work in close coordination with OHCHR, other relevant entities of the United Nations Secretariat and other relevant actors, she was of the view that the mandate holder should also work closely with international mechanisms such as the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine maintained by the Council of Europe with a view to ensuring compensation for damage, loss or injury. At all events, her delegation was in favour of the draft resolution and called on the Council to adopt it by consensus.

92. **Ms. Fuentes Julio** (Chile) said that, on 11 September 2023, her country had observed the fiftieth anniversary of a coup d'état that had led to a 17-year military dictatorship. The renewal of the Special Rapporteur's mandate was thus of particular importance to Chile, which had taken a number of measures to fulfil its international obligations in respect of truth, justice, reparation and guarantees of non-recurrence. It also welcomed the opportunity to cooperate in that regard with international mechanisms, as such cooperation helped it to improve its domestic practices. She called on the Council to adopt the draft resolution by consensus. Without truth, justice, reparation and guarantees of non-recurrence, the words "never again" would have no meaning.

93. **Ms. Taylor** (United States of America) said that adopting the draft resolution would enable the Council and the international community as a whole to signal the importance of promoting truth, justice, reparation and guarantees of non-recurrence for creating lasting peace and preventing future horrors.

94. *Draft resolution A/HRC/54/L.10 was adopted.*

*Draft resolution A/HRC/54/L.11: Working Group on the rights of peasants and other people working in rural areas*

95. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia), introducing the draft resolution on behalf of the main sponsors, namely Cuba, the Gambia, Indonesia, Kyrgyzstan, Luxembourg, South Africa and her own delegation, said that, in 2018, the Council and the General Assembly had adopted the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, which recognized the essential contribution of campesino and rural communities to food security, economic development and environmental conservation and called for the protection and promotion of their human rights. Five years later, however, there were still major obstacles to their enjoyment of their rights.

96. The establishment of a working group on the rights of peasants and other people working in rural areas was the most appropriate means of ensuring the full implementation of the Declaration. To fulfil the promise of the 2030 Agenda to leave no one behind, efforts to close inequality gaps would have to be stepped up; the Declaration could be drawn on to facilitate those efforts. She trusted that all States would support action to combat inequality,

poverty, marginalization and discrimination and to improve the quality of life in rural areas. The States members of the Council were therefore called upon to support the draft resolution.

*General statements made before the voting*

97. **Ms. Stasch** (Germany) said that, in 2018, Germany had abstained from voting on the Human Rights Council and General Assembly resolutions on the adoption of the Declaration; since then, however, the German Government had focused more closely on the rights of peasants and other people working in rural areas. The key role played by farmers in combating food insecurity, hunger and malnutrition and in implementing the 2030 Agenda was clearer than ever. Increasingly, peasants were turning their backs on the hardships of rural life and migrating to urban areas. The establishment of a working group, as provided for in the draft resolution, which Germany supported, would make it possible to address that and other related issues.

98. **Mr. Guillermet Fernández** (Costa Rica) said that peasants and other people working in rural areas were at greater risk of multiple forms of discrimination and were often disproportionately affected by global crises, especially the triple planetary crisis. The working group on the rights of peasants and other people working in rural areas, which would have balanced geographical representation, would identify good practices and lessons learned, as well as challenges. It was vital to recognize the contributions of peasants and other people working in rural areas to the protection and promotion of the human right to a clean, healthy and sustainable environment and to food security. His delegation supported the draft resolution and called on all members of the Council to adopt it by consensus.

99. **Mr. Kah** (Gambia) said that the adoption of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas had marked a milestone in the recognition of the pivotal role played by rural communities in ensuring food security and preserving biodiversity and cultural heritage. His country firmly supported the draft resolution, based on its deep understanding of the challenges faced by peasants and rural workers, who, despite forming the backbone of food systems, often grappled with systemic vulnerabilities and were disproportionately affected by crises such as the COVID-19 pandemic, climate change and economic downturns. His delegation called on all members of the Council to vote in favour of the draft resolution as a testament to their collective commitment to a just, equitable and sustainable world.

100. **Mr. Sultanov** (Kyrgyzstan) said that rural areas formed the backbone of his country, not only because 66 per cent of the population lived there, but because that was where the spirit and culture of the nation were being preserved and renewed. The importance of rural areas extended far beyond the role they played in relation to biodiversity, climate change and food security. His delegation encouraged the members of the Council to vote in favour of the draft resolution.

101. **Mr. Bichler** (Luxembourg) said his delegation believed that the establishment of a cross-regional working group with the necessary diversity of expertise would contribute to the dissemination of, and advocacy for, the Declaration. Governments would be able to request tailored advice from the working group on the complex challenges facing peasants and other people living in rural areas. The mobilization of national and international civil society organizations, in particular La Via Campesina, FIAN International and SOS Faim, showed the extent to which the draft resolution was supported by the rights holders it addressed. The international community must make real progress towards achieving the Sustainable Development Goals and protecting and fulfilling the rights of all those who fed the world. His delegation encouraged others to vote in favour of the draft resolution, which would also contribute to the realization of the right to food and the right to a clean, healthy and sustainable environment.

102. **Mr. Eisa** (Sudan) said that people living and working in rural areas made up a significant portion of the population of many countries worldwide, yet faced considerable challenges in exercising their rights and had limited access to education, employment and other rights. The draft resolution would support the achievement of the Sustainable Development Goals, especially the right to food, and the right to a clean, healthy and



sustainable environment. As farmers and peasants made up the majority of its population, the Sudan fully supported the adoption of the draft resolution.

103. **Mr. Quintanilla Román** (Cuba), recalling the lengthy process that had culminated in the adoption of the Declaration, said that Cuba welcomed the draft resolution on the establishment of a working group to promote its implementation. He wished to highlight the important role played by civil society and the contributions made by hundreds of non-governmental organizations, primarily grass-roots organizations. His delegation hoped that the members of the Council would unite in supporting the draft resolution.

*Statements made in explanation of vote before the voting*

104. **Mr. Manley** (United Kingdom) said that the draft resolution was intended to promote the implementation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, an instrument about which the United Kingdom had consistently expressed concerns, both in the Council and in the General Assembly. One of its primary concerns was that the Declaration sought to establish new rights, including collective rights, for rural workers that others did not have. In that regard, it was important to recall the principle, enshrined in article 1 of the Universal Declaration of Human Rights, that all human beings were born free and equal in dignity and rights; that principle underpinned the entire body of international human rights law. The Vienna Declaration adopted at the 1993 World Conference on Human Rights reaffirmed that all human rights were universal, indivisible and interdependent and interrelated. Breaking from that foundational principle would be to the detriment of all. The United Kingdom was of the view that both the Declaration on the Rights of Peasants and Other People Working in Rural Areas and the draft resolution drew States' attention away from the significant gaps in the application of existing international law to rural workers and the need to step up efforts towards the progressive realization of existing economic and cultural rights. The United Kingdom was committed to translating the 2030 Agenda into action in a way that left no one behind, including rural workers. However, undermining the universality of human rights was not the way to achieve that goal. For those reasons, his delegation wished to request a vote on the draft resolution and would vote against it.

105. **Ms. Taylor** (United States of America) said that the United States was deeply concerned about the challenges faced by persons living and working in rural areas around the world and was committed to addressing those challenges. However, it was unable to support the creation of a resource-intensive new working group that was exclusively focused on promoting the implementation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas. The United States maintained its previously stated opposition to the Declaration, among other reasons because it purported to create collective rights for peasants and assumed the existence of rights for which there was no internationally accepted definition or recognition. Human rights were universal rights enjoyed by individuals regardless of their social class or the nature of their work. Any new special procedure on the rights of peasants should focus on promoting the protection of, and respect for, their individual human rights and fundamental freedoms under existing international human rights law. Her delegation would thus vote against the draft resolution.

106. **Ms. Toudic** (France) said that her delegation was grateful that some of its suggestions aimed at strengthening the gender perspective had been incorporated into the draft resolution. In the face of the twin crises of climate change and biodiversity loss, France recognized the essential role played by peasants and farmers and the environmental services they provided, such as combating soil erosion, maintaining forests and storing carbon. It attached particular importance to the concerns of all persons living in rural areas worldwide, who were often disproportionately affected by poverty, malnutrition and the impacts of climate change. The establishment of a mechanism to monitor the implementation of the Declaration would facilitate the exchange of good practices and the identification of specific solutions to those challenges. However, France remained committed to the universalist approach to human rights. In accordance with the fundamental principles of equality and non-discrimination, collective rights could not take precedence over individual rights. France did not recognize any specific rights that would apply only to the categories of persons covered by the

Declaration. In view of those reservations, her delegation would abstain from voting on the draft resolution.

107. **Ms. Voicu** (Romania) said that peasants and other people working in rural areas must enjoy the same rights and freedoms as other individuals, in accordance with the principles of equality and universality. Romania did not recognize collective rights for any group on the basis of community of origin, culture, language or any other factor, and opposed discrimination on any grounds. It could therefore not support any reference to the collective rights of peasants and other people working in rural areas.

108. **Mr. Jiang Han** (China) said that agriculture was a source of food and clothing and the foundation of subsistence and survival. The Chinese Government had always attached great importance to the rights and concerns of peasants and others working in rural areas. China welcomed the draft resolution and would vote in favour of it. It hoped that the working group would actively monitor the implementation of the Declaration and thus contribute to efforts to eliminate poverty and hunger, respond to climate change and preserve biodiversity.

109. **Ms. Schroderus-Fox** (Finland) said that her Government recognized the contribution of peasants and other people working in rural areas to the fight against hunger and the preservation and improvement of biodiversity. It shared the conviction that discrimination against peasants and other people working in rural areas must be eliminated. However, while acknowledging the safeguard contained in article 28 of the Declaration, it remained concerned about the possible overlap with the rights of Indigenous Peoples. Furthermore, considering the important work done by existing special procedures of the Council, the treaty bodies, the International Labour Organization and the Food and Agriculture Organization of the United Nations, among others, it remained uncertain of the added value that the working group would offer. Her delegation would therefore abstain from voting on the draft resolution.

110. *At the request of the representative of the United Kingdom, a recorded vote was taken.*

*In favour:*

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

*Against:*

United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:*

Czechia, Finland, France, Georgia, Lithuania, Montenegro, Romania.

111. *Draft resolution A/HRC/54/L.11 was adopted by 38 votes to 2, with 7 abstentions.*

*Draft resolution A/HRC/54/L.13: Mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes*

112. **Mr. Yao** (Côte d'Ivoire), introducing the draft resolution on behalf of the Group of African States, said that it would extend the mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes for a period of three years. The text was an updated version of Council resolution 45/17, adopted in October 2020. Under the draft resolution, the Council would welcome the work carried out by the Special Rapporteur in providing information to help States better fulfil their obligations. The management and disposal of hazardous substances and wastes was increasingly relevant in the current global context of climate change, natural disasters and widespread violations of the right to a healthy environment. The global objective of ensuring, by 2020, the sound management of chemicals and hazardous waste in ways that led to minimization of significant adverse effects on human health and the environment had not been achieved. Indeed, the trend was towards growth in

chemical-intensive industries. Furthermore, as highlighted by the Special Rapporteur in his report on the toxic impacts of some proposed climate change solutions (A/HRC/54/25), decarbonization technologies posed another challenge, as they might aggravate the toxic burden on people and the planet. Plastic pollution posed a threat to marine and human life and must be dealt with appropriately in order to protect human rights and the health of millions of people, including the most vulnerable.

113. Against that backdrop, the draft resolution included a request to the Special Rapporteur to participate in relevant United Nations and other international forums on issues relevant to the mandate. The issues addressed by the Special Rapporteur were of major concern to Africa, but also to other continents. It was thus important to renew the mandate of the Special Rapporteur to ensure the implementation and follow-up of the relevant Council resolutions. The concerns raised during the consultations on the draft had been taken into account insofar as possible in order to arrive at a consensual text that could be adopted without a vote.

114. **Mr. Guillermet Fernández** (Costa Rica), making a general statement before the decision, said that his delegation welcomed the updates that had been incorporated into the draft resolution. In view of the triple planetary crisis of climate change, biodiversity loss and environmental pollution, and its impact on human rights, the Special Rapporteur should be more deeply involved in relevant multilateral discussions and negotiation processes. The Costa Rican delegation therefore welcomed the inclusion of an explicit reference to the Special Rapporteur's participation in the sessions of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment. It also appreciated the references to Council resolution 48/13 and General Assembly resolution 76/300, recognizing the human right to a clean, healthy and sustainable environment, as it considered the recognition of that right to be one of the Council's most important achievements. The mainstreaming of a gender and age perspective in the mandate was also welcome, given the multiple and intersectional forms of discrimination experienced by millions of women, children and older adults with regard to their exposure to hazardous substances and wastes and the impact on their human rights. His delegation had participated actively and constructively in the informal consultations on the text, which it hoped would be adopted without a vote.

115. **Ms. Peters** (United States of America), speaking in explanation of position before the decision, said that the United States recognized the serious effects that improper management and disposal of hazardous substances and wastes could have on the effective enjoyment of human rights and was committed to the proper management of such substances and wastes. However, a number of her delegation's concerns had not been satisfactorily addressed during the consultations on the text. The United States therefore dissociated itself from the seventh and eleventh preambular paragraphs, as it believed that the critical issues raised in those paragraphs were more appropriately and comprehensively addressed in other relevant United Nations instruments and bodies.

116. The United States believed that environmental protection was a means of supporting the well-being and dignity of people around the world and the enjoyment of all human rights. However, a right to a clean, healthy and sustainable environment, including the content of any such right, had not been established in international law, and the adoption of non-binding resolutions in multilateral forums did not change that fact. The United States also strongly supported the right of everyone to enjoy the benefits of scientific progress and its applications, as that right was articulated in the International Covenant on Economic, Social and Cultural Rights. Nonetheless, a right to science had not been established in international law. The United States was also concerned about language in the draft resolution that appeared to widen the scope of the Special Rapporteur's already broad mandate. That mandate was strictly limited to the human rights implications of the management and disposal of hazardous substances and wastes. It was important to avoid overlap with the competence of experts and bodies outside the field of human rights. Lastly, the United States was concerned about the draft resolution's substantial budgetary implications and therefore wished to request that OHCHR should conduct a review of the costs associated with the mandate at the earliest opportunity.

117. *Draft resolution A/HRC/54/L.13 was adopted.*

*Draft resolution A/HRC/54/L.15: Mandate of the open-ended intergovernmental working group to elaborate the content of an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies*

118. **Mr. Yao** (Côte d'Ivoire), introducing the draft resolution on behalf of the Group of African States, said that it was intended to renew the mandate of the open-ended intergovernmental working group for a period of three years, with a mandate to continue to elaborate the content of an international regulatory framework, without prejudging the nature thereof, for protecting human rights and ensuring accountability for violations and abuses relating to the activities of private military and private security companies, while mainstreaming a victim-centred approach. During the consultations on the text, the Group of African States had noted that some States wished to modify the working group's mandate to focus on the elaboration of a non-binding instrument, while other States and civil society organizations were in favour of a binding instrument. Considerable progress had already been made and a revised second draft of the instrument had been produced, which provided a solid basis for the elaboration of the future instrument, whatever its form. The Group of African States believed that the many victims of the flagrant human rights violations committed by private military and security companies deserved better than the stalemate of the past 10 or 20 years. It hoped that member States would join forces to elaborate the international regulatory framework and would adopt the draft resolution by consensus.

119. **Ms. Taylor** (United States of America), speaking in explanation of position before the decision, said that the United States was fully committed to addressing the very significant human rights and other concerns raised in connection with the operations of private military and security contractors around the world and had participated actively in the recent meetings of the working group. The working group's progress had been significantly hampered by the lack of a decision on the nature of the instrument under consideration. At the April 2023 session of the working group, a procedural way forward had been adopted, but the United States had reserved its position because it did not believe that the mandate should continue in its current form. It was now time to move forward with the development of a robust non-binding instrument, which would be a milestone achievement that would lay the groundwork for further appropriate national and international action. In the spirit of constructive engagement, her delegation had supported, in the informal consultations on the draft resolution, a compromise proposal to seek the negotiation of a non-binding framework as a vital first step, prior to a decision on drafting a binding agreement. It regretted that that proposal, which had enjoyed broad support, had not been taken on board.

120. **Ms. French** (United Kingdom), speaking in explanation of position before the decision, said that the rapid growth of the private military and security industry and the degree of impunity with which some actors operated, including for wide-scale human rights abuses, highlighted the critical need for effective regulation, oversight and accountability. While the United Kingdom supported the renewal of the mandate of the open-ended intergovernmental working group, it was concerned about the lack of clarity on the nature of the draft instrument being developed. The ongoing ambiguity in that regard hampered much-needed progress in developing substantive elements of the framework. While recognizing the diverging views on the matter, the United Kingdom considered that a consensus should first be reached on a non-binding instrument that built on existing initiatives such as the Montreux Document on pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict. The United Kingdom was committed to working collaboratively on that process and looked forward to engaging constructively at the next session of the working group. Her delegation would join the consensus on the draft resolution.

121. *Draft resolution A/HRC/54/L.15 was adopted.*

*Draft resolution A/HRC/54/L.19: Human rights and Indigenous Peoples*

122. **Ms. Méndez Escobar** (Mexico), introducing the draft resolution on behalf of the main sponsors, namely Guatemala and her own delegation, said that, by adopting the draft, the Council would decide to continue to discuss ways of facilitating the participation of Indigenous Peoples in the work of the Council on the basis of articles 18 and 41 of the United Nations Declaration on the Rights of Indigenous Peoples. It would also request the

organization of two intersessional meetings to allow States, relevant United Nations agencies, funds and programmes, international organizations, Indigenous Peoples, national human rights institutions and civil society organizations to hold a dialogue on concrete ways to enhance the participation of Indigenous Peoples in the work of the Council.

123. The draft resolution also reflected important developments, including general recommendation No. 39 (2022) of the Committee on the Elimination of Discrimination against Women, which concerned the rights of Indigenous women and girls, and general comment No. 26 (2023) of the Committee on the Rights of the Child, which concerned children's rights and the environment, with a special focus on climate change. The draft referred to the rights of Indigenous Peoples to the conservation and protection of the environment and to adequate housing, as well as their right to establish media in their own languages. Under the draft resolution, the Council would decide that the theme of the annual half-day panel discussion on the rights of Indigenous Peoples, to be held during the fifty-seventh session of the Council, should be the laws, policies, judicial decisions and other measures that States had taken to achieve the ends of the Declaration. The consultations on the text had addressed the concerns expressed by all delegations and representatives of Indigenous Peoples. The main sponsors hoped that the draft resolution would be adopted by consensus.

*General statements made before the decision*

124. **Ms. Schroderus-Fox** (Finland) said that promoting and protecting the rights of Indigenous Peoples was a priority for Finland, both nationally and internationally. The draft resolution included many important points, not least on enhancing the participation of Indigenous Peoples' representatives and institutions duly established by themselves. Indigenous Peoples possessed vital traditional knowledge and expertise and could bring new perspectives to many relevant topics for upholding international human rights law. Her delegation particularly welcomed the decision to hold two intersessional meetings, which would provide the opportunity to pursue the discussions between States and Indigenous Peoples' representatives that had begun at the landmark expert workshop held in November 2022. Finland remained fully committed to ensuring that Indigenous Peoples' voices were heard in the Council and supported the adoption of the draft resolution.

125. **Ms. Filipenko** (Ukraine) said that the draft resolution would consolidate the international community's efforts to promote and protect the rights of Indigenous Peoples and would enhance their meaningful participation in the discussion of matters affecting their rights and interests. The Indigenous Peoples of Ukraine had suffered severely since the Russian Federation's attempted annexation of Crimea, firstly in 2014 and subsequently, and more extensively, in 2020. The widespread violations and systematic restrictions of their human rights and fundamental freedoms, including their right to peaceful assembly and association and their freedom of expression, opinion, religion and belief, had been widely documented by international monitoring mechanisms. Such violations, as well as arbitrary and incommunicado detentions, politically motivated sentencing and unlawful conscription into the army of the occupying Power, were the grim reality for the Indigenous Peoples of Ukraine, in particular the Crimean Tatar people living under Russian occupation. Ukraine remained committed to supporting and protecting the rights of Indigenous Peoples by all possible means, including those set out in the United Nations Declaration on the Rights of Indigenous Peoples and in the current draft resolution. Her delegation fully supported the draft resolution and called for its adoption by consensus.

126. **Ms. Taylor** (United States of America) said that her delegation wished to thank the main sponsors for their transparent consultations on the draft resolution. The participation of Indigenous Peoples brought new perspectives to the Council's work and strengthened its efforts to promote human rights and fundamental freedoms. Indigenous Peoples were not non-governmental organizations and deserved to be heard by the Council in their own capacity. Her delegation strongly supported the measures to enhance the participation of Indigenous Peoples that were envisaged in the draft resolution and looked forward to engaging constructively in the two intersessional meetings planned thereunder. It hoped that those meetings would attract the robust participation of all delegations so that together they could continue to move the initiative forward.

127. **Ms. Toudic** (France) said that France promoted cultural and linguistic diversity and stood in solidarity with Indigenous Peoples' fight for recognition of their equal dignity and their history. The Paris Agreement on climate change had highlighted not only the disproportionate impact of climate change on Indigenous Peoples but also the value of Indigenous knowledge for efforts to achieve far-reaching climate adaptations and ensure that human activity was compatible with sustainable environmental management. Her delegation welcomed the main sponsors' efforts to strengthen the paragraphs of the draft resolution in which the Council called for increased protection for Indigenous human rights defenders and condemned all forms of intimidation, harassment or reprisals against Indigenous Peoples. In furtherance of its efforts to that end, the Council should also encourage States to step up the fight against online hate speech targeting Indigenous Peoples.

128. Notwithstanding those considerations, her delegation wished to reaffirm that, by virtue of the indivisibility of the French Republic, the basic principle of equality and its corollary, the principle of non-discrimination, collective rights could not take precedence over individual rights, as noted in the statement made by the delegation of France following the adoption of the United Nations Declaration on the Rights of Indigenous Peoples. That position did not in any way detract from the respect accorded to the rights and dignity of Indigenous Peoples, including the inalienable individual rights of every person forming part of an Indigenous group.

129. **Ms. Zhang** Qiuruo (China) said that China attached great importance to the promotion and protection of Indigenous Peoples' rights. It had actively participated in the consultations on the draft resolution and had proposed constructive revisions concerning the impact of toxic waste emissions on the rights of Indigenous Peoples and specific modalities for Indigenous Peoples' participation in the Council's work. Her delegation was grateful to the sponsors for their flexibility and their extensive engagement with all parties and would join the consensus on the draft resolution.

130. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that Indigenous Peoples and respect for their rights were of great importance to the Plurinational State of Bolivia. It strongly supported the main sponsors' efforts to renew the commitment of member States and the international community to guaranteeing and protecting Indigenous Peoples' rights from a global perspective, in a spirit of cooperation, solidarity and ongoing dialogue, through the adoption of the draft resolution. Significant progress had been made in raising awareness of the particular vulnerability of Indigenous Peoples to the impact of the various ongoing crises. Her delegation welcomed the text's focus on ensuring the full and effective participation of Indigenous Peoples, especially women and girls, in multilateral forums; preserving Indigenous Peoples' languages and traditional knowledge and applying their traditional practices in ecosystem management; guaranteeing the right to adequate housing without discrimination; and coordinating the Council's efforts with those of other international organizations and mechanisms such as the World Health Organization (WHO) and the World Intellectual Property Organization (WIPO). Her delegation firmly supported the draft resolution.

131. **Mr. Idris** (Eritrea), speaking in explanation of position before the decision, said his Government believed that all ethnic groups living in Eritrea were equal and that their classification on the basis of indigeneity was inappropriate. While acknowledging and respecting other States' and communities' decision to adopt such classifications, it regretted that several special procedures and subsidiary bodies of the Council attempted to apply that classification to Eritrea by referring to the Afar and Kunama ethnic groups as Indigenous Peoples, for political reasons. His delegation would therefore not join the consensus and, should a vote on the draft resolution be requested, it would abstain.

132. *Draft resolution A/HRC/54/L.19 was adopted.*

*Draft resolution A/HRC/54/L.20: Human rights of older persons*

133. **Mr. Villegas** (Argentina), introducing the draft resolution on behalf of the main sponsors, namely Brazil, the Gambia, the Philippines, Slovenia and his own delegation, said that the draft focused on the violence, abuse and neglect suffered by older persons around the world. One in six older persons had experienced some form of violence, according to WHO

estimates, and the Independent Expert on the enjoyment of all human rights by older persons predicted that the figure would increase without action to address the problem, yet violence against older persons continued to be ignored. Accordingly, by adopting the draft resolution, the Council would request OHCHR to convene a meeting of human rights experts to discuss the obligations of States regarding violence against and abuse and neglect of older persons, particularly in view of the fragmentation and lacunae in international human rights law with regard to older persons. The draft resolution was of particular importance in a year that marked the seventy-fifth anniversary of the adoption of the Universal Declaration of Human Rights. The international human rights law that had developed since 1948 had addressed the particular needs of women, children and persons with disabilities; the time had come to ensure equal protection for older persons, for the benefit of all people, without exception.

*General statements made before the decision*

134. **Ms. Taylor** (United States of America) said that her delegation was proud to join the sponsors of the draft resolution, which addressed an issue of increasing importance: by 2050, the number of persons aged 65 years or over was projected to double, to approximately 1.5 billion, equivalent to one in six people worldwide. Her delegation strongly supported the draft resolution's focus on addressing the abuse, violence and discrimination faced by older persons, notably older women. It echoed the call for steps to be taken to raise awareness of the persistence and pervasiveness of that phenomenon and the concern expressed that older persons were thereby prevented from fully enjoying their human rights and fundamental freedoms and from participating fully in public life. It strongly supported programmes for facilitating access to health care, assistive technologies, education and justice for older persons and protecting them against violence, abuse, discrimination and inequality. All States Members of the United Nations should undertake efforts to that end for all persons, irrespective of their age. Her delegation looked forward to continuing the work to move those efforts forward.

135. **Ms. Méndez Escobar** (Mexico) said that the draft resolution addressed an extremely important topic that called for far-reaching awareness-raising efforts. Her delegation commended the main sponsors' efforts to ensure that the proposals and concerns raised during the consultations were accommodated in a balanced manner and that bold language was used to condemn the persistence of all forms of violence against and abuse and neglect of older persons. It welcomed the recognition that ageism was a prevalent and prejudicial attitude that significantly jeopardized the rights of older persons, even though ageing was a natural part of the human life cycle. Older persons continued to face physical, psychological, emotional, financial, material and other forms of violence, discrimination, neglect and abuse in family, community and institutional settings. Identifying the challenges was only the first step; to address them, comprehensive strategies under which older persons were seen as rights holders and active agents of development were essential. Having ratified the Inter-American Convention on Protecting the Human Rights of Older Persons, Mexico was convinced of the need to take all necessary measures to ensure that older persons fully enjoyed their human rights and that no one was left behind.

136. **Mr. Guillermet Fernández** (Costa Rica) said that abuse, neglect and violence against older persons were global phenomena that could occur in places generally considered to be safe, including home and institutional settings. Compounding that situation, the lack of relevant statistical data impeded the development of comprehensive strategies and public policies for preventing and addressing such abuses. States must therefore find effective ways to share their experiences and establish clear intersectional strategies for eliminating age discrimination. As highlighted in the draft resolution, ageism and age stereotypes were barriers that could cause multiple forms of discrimination and mistreatment. Recognizing older persons' contributions to society, their wisdom and their right to live in peace, his delegation supported the call for robust protection and guarantees of autonomy, care and a dignified life free from economic, physical and psychological violence for all older persons.

137. **Ms. Zhang Qiuruo** (China) said that, as the global population ageing process accelerated, the importance of protecting the human rights of older persons was becoming increasingly evident. Her delegation welcomed the draft resolution and had actively participated in the informal consultations. Since the beginning of 2023, in conjunction with



a number of countries, China had issued joint statements on the issues of older women, ageing and social security, with a focus on improving well-being. It had always attached great importance to the notion of “good ageing” and, to that end, had devised and implemented a national medium-term strategy and action plan that entailed an active response to population ageing, increased social participation by older persons and the construction of an age-friendly society. The focus of the national action plan was in line with the draft resolution’s emphasis on safeguarding the human rights of older persons, strengthening care and support, and according particular attention to older women. Her delegation would therefore join the consensus.

138. *Draft resolution A/HRC/54/L.20 was adopted.*

*Draft resolution A/HRC/54/L.25: Enforced or involuntary disappearances*

139. **Ms. Toudic** (France), introducing the draft resolution on behalf of the main sponsors, namely Argentina, Japan, Morocco and her own delegation, said that 60 States had already joined the sponsors of the draft resolution, which would extend the mandate of the Working Group on Enforced or Involuntary Disappearances for three years. Though often wrongly regarded as a thing of the past, or limited to certain regions, enforced disappearance was a global phenomenon that had devastating effects on the victims, their families and society as a whole. It was, moreover, a phenomenon that had been exacerbated by societal changes such as the increasing use of new technologies, which, as documented in the recent thematic reports prepared by the Working Group, was a major new challenge. The Working Group’s mandate involved, inter alia, assisting the families of the victims in their quest for justice and the truth about the fate and whereabouts of their loved ones, keeping essential records and helping States parties to the International Convention for the Protection of All Persons from Enforced Disappearance to meet their obligations thereunder. Because the prohibition of enforced disappearance was universal and absolute, France encouraged all States to ratify the Convention, implement it effectively and take part in the 2024 world congress to promote the ratification of the Convention. Her delegation called on the Council to adopt the draft resolution by consensus.

*General statements made before the decision*

140. **Ms. Fuentes Julio** (Chile), recalling that, 50 years previously, a coup d’état had marked the start of a bloody dictatorship in her country, said that her delegation wished to underscore once again the absolute nature of the prohibition of enforced disappearance. In a global context in which impunity was prevalent, the reiteration in the draft resolution that there was no circumstance whatsoever that justified such a heinous crime was especially timely. That absolute prohibition was one of the minimum standards underpinning international human rights law. Knowing first-hand the suffering and trauma that such crimes caused for individuals, families and entire societies, Chile highly valued the work of the Working Group on Enforced or Involuntary Disappearances and urged all States to support its activities and implement its recommendations. Accordingly, her delegation called for all States to support the draft resolution and to implement its provisions.

141. **Ms. Zhang Qiuruo** (China) said that enforced disappearance was an extreme violation of human rights that should be rigorously punished in all States. The Constitution and laws of China clearly stipulated that all citizens enjoyed personal freedom, which could not be unlawfully restricted by any organization or individual. However, the Working Group on Enforced or Involuntary Disappearances had published reports containing biased and inaccurate information on the situation in Xinjiang and Tibet. Her delegation urged the Working Group to stop spreading unsubstantiated information and to engage in constructive dialogue with member States. Despite those concerns, in view of the importance of the mechanism and the constructive attitude shown by the sponsors during the informal consultations on the draft, her delegation was willing to join the consensus.

142. **Ms. Kononenko** (Ukraine) said that her delegation supported the draft resolution, which was consistent with previous resolutions on the same subject that had been adopted by consensus. Ukraine shared the concern about the increase in enforced or involuntary disappearances, including arrest, detention and abduction when they were part of or amounted to enforced disappearances, especially in view of the enforced disappearances



perpetrated by Russia in Ukraine since 2014 and the war crimes that Russia had committed since the start of its full-scale invasion of Ukraine. Her delegation was thus firmly convinced of the critical importance of the activities of the Working Group on Enforced or Involuntary Disappearances and strongly supported the renewal of its mandate for a further three years. Her delegation called on all members of the Council to join the consensus on the draft resolution.

143. **Ms. Billingsley** (United States of America) said that her delegation strongly supported the draft resolution and stood in solidarity with all those affected by the crime of enforced disappearance. Such crimes constituted an egregious violation of human rights that was prohibited under international law yet continued to be used to silence dissent and attack civil society. The United States renewed its commitment to addressing enforced disappearance and called on Governments around the world to put an end to such practices, to hold those responsible to account, to reveal the fate and whereabouts of the victims and to respect the human rights and fundamental freedoms of all persons.

144. *Draft resolution A/HRC/54/L.25 was adopted.*

*Draft resolution A/HRC/54/L.26: Human rights and unilateral coercive measures*

145. **Ms. Akhundova-Mammadova** (Azerbaijan), introducing the draft resolution on behalf of the States Members of the United Nations that were members of the Movement of Non-Aligned Countries, said that the Movement had consistently expressed its firm position that unilateral coercive measures impeded the enjoyment of human rights by individuals in the States targeted by such measures. That position had been reiterated at the Movement's Eighteenth Summit of Heads of State and Government, held in Baku in 2019.

146. Draft resolution [A/HRC/54/L.26](#), which was based on Council resolution 45/5, adopted in 2020, extended the mandate of Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights for three years and was the outcome of broad consultations with States and other stakeholders. In the updated draft resolution, the Council expressed support for the launch of the sanctions research platform and welcomed the initiative of the Special Rapporteur to develop and launch a uniform and universal tool for monitoring and assessing the impact of unilateral coercive measures and overcompliance on human rights.

*Statements made in explanation of vote before the voting*

147. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that those States had been disappointed by the disregard shown in the informal consultations for proposals put forward by States that were not members of the Non-Aligned Movement. The European Union had serious concerns about the Council's initiatives on unilateral coercive measures, including the mandate of the Special Rapporteur. It rejected the fundamental underlying premise that unilateral coercive measures had a negative impact on the enjoyment of human rights.

148. The European Union and its member States were a leading donor of assistance, including to countries where sanctions were in place. Restrictive measures imposed by the European Union were always targeted, carefully calibrated and aimed at those responsible for the policies or actions that it wished to influence. The measures fully adhered to humanitarian principles and international humanitarian law and were implemented in a manner that precluded adverse consequences for food security in countries around the globe. Agricultural and food products, including grain and fertilizer, medicines and other emergency supplies were never targeted by European Union sanctions. Owing to the nature and content of the draft resolution, the European Union member States that were members of the Council would vote against its adoption and called on others to do the same.

149. **Ms. Billingsley** (United States of America) said that the draft resolution advanced neither respect for nor the protection of human rights. Rather, it advanced a peculiar mirror-image narrative in which the problem to be addressed was not the human rights abusers against whom sanctions were imposed, but the sanctions themselves. Sanctions were a legitimate, appropriate and effective tool for responding to harmful activity and addressing threats to peace and security. They could be used to promote accountability for human rights

violations and abuses, to respond to malign behaviour and to counter transnational crime, terrorism and the proliferation of weapons of mass destruction. The United States used sanctions in a manner consistent with international law. It was mindful of the potential unintended consequences of sanctions, but its efforts were intended to constrain the abuses committed by Governments, not to harm their people. The draft resolution challenged the ability of States to determine their economic relations and protect legitimate national interests. It also potentially undermined the international community's ability to respond to human rights violations and abuses.

150. The United States had been one of the main sponsors of Security Council resolution 2664 (2022), which had created a humanitarian carveout from Security Council sanctions regimes. That historic initiative had eased the delivery of humanitarian aid to those in need while helping to ensure that such aid was not diverted or abused by malicious actors. United States domestic sanctions programmes provided for numerous humanitarian exceptions, including through the issuance of general licences authorizing the provision of humanitarian support as a means of implementing and building upon Security Council resolution 2664 (2022). Effective targeting of sanctions was essential for achieving the intended goals, which included preventing the actors concerned from abusing the international financial system or undermining respect for human rights. It was no accident that many of the leaders who vociferously decried the use of sanctions were those whose repression of their people had attracted the Council's attention. In short, it was not sanctions that undermined respect for human rights but those who committed human rights violations and abuses. For those reasons, her delegation would vote against the draft resolution.

151. **Ms. Zhang Qiuruo** (China) said that unilateral coercive measures violated international law. They were hegemonic acts that reflected power politics and severely harmed the targeted States' economic and social development and their people's right to survival and development. They undermined the efforts of the international community and the countries living under sanctions to promote and protect human rights. The international community should unite in opposing such measures. Unfortunately, despite their severe humanitarian consequences, certain States continued to hinder the establishment of mechanisms to combat them. Her delegation urged those countries to put an end to such sanctions and to overcome differences through dialogue. If a vote on the draft resolution was requested, her delegation would vote in favour of it. In the interests of international justice and equity, it called on other States to do the same.

152. **Mr. Guillermet Fernández** (Costa Rica) said that promoting and protecting human rights and international law were the cornerstones of his Government's foreign policy. In accordance with those principles, his delegation had consistently spoken out against unilateral coercive measures imposed extraterritorially by one State against another for political, economic, military or other reasons. Measures of that type should be applied only with the authorization of the competent international bodies and in accordance with the Charter of the United Nations. That position was in line with his country's traditional practice of promoting friendly relations between States and their peoples through inclusion, dialogue and international cooperation.

153. Notwithstanding those considerations, his delegation found certain aspects of the draft resolution to be outside the context of the discussion. Regrettably, the draft resolution stated that unilateral coercive measures had a negative impact on the rule of law. His delegation disagreed with that statement, which implied that the rule of law either broke down or was adversely affected when such measures were imposed. States had an obligation to uphold the rule of law while also complying with their international human rights obligations and endeavouring to achieve the Sustainable Development Goals, in an environment that fostered accountability and the effective enjoyment of human rights by all. His delegation was also of the view that the consultations on the draft resolution could have been conducted more transparently so as to take account of the concerns raised at different stages of the negotiations. For those reasons, his delegation would abstain from voting on the draft resolution.

154. *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, 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:*

Costa Rica, Mexico.

155. *Draft resolution [A/HRC/54/L.26](#) was adopted by 32 votes to 13, with 2 abstentions.*

*The meeting rose at 6.55 p.m.*