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President: Mr. Bálek (Czechia)

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The meeting was called to order at 10.10 a.m.

Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development (*continued*)
([A/HRC/54/L.17/Rev.1](#), [A/HRC/54/L.24/Rev.1](#), [A/HRC/54/L.27](#), [A/HRC/54/L.37/Rev.1](#), [A/HRC/54/L.40](#), [A/HRC/54/L.41](#), [A/HRC/54/L.42](#), [A/HRC/54/L.43](#) and [A/HRC/54/L.47](#))

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 resolution [A/HRC/54/L.17/Rev.1](#): Preventable maternal mortality and morbidity and human rights

2. **Mr. Gallón** (Observer for Colombia), introducing the draft resolution on behalf of the main sponsors, namely Estonia, New Zealand and his own delegation, said that, like previous similar resolutions, the draft resolution encouraged States to apply a human rights-based approach in addressing two critical issues related to the health and rights of women and girls. The first was the high number of deaths among women and girls – approximately 800 per day – from preventable causes related to pregnancy and childbirth. The second was the fact that 20 to 30 times that number suffered from severe lifelong illnesses and conditions related to pregnancy and childbirth. Unfortunately, the coronavirus disease (COVID-19) pandemic had increased the risk of maternal mortality and morbidity, exposed and compounded gender inequality and diverted attention away from ensuring access to sexual, reproductive and maternal health services.

3. The draft resolution addressed the need for States to strengthen prevention and treatment measures in relation to preventable maternal mortality and morbidity, including in the context of health emergencies. It included a request to the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare an update to the technical guidance on the application of a human rights-based approach to the elimination of preventable maternal mortality and morbidity, informed by a global analysis from different regional perspectives of good practices, gaps and challenges and the main developments in that area and to submit the updated technical guidance in a report that was accessible to persons with disabilities.

4. The main sponsors highly appreciated the comments received during the informal consultations on the draft resolution and had worked diligently to incorporate a wide range of views and positions into the text, which they believed to be balanced and to reflect progressive human rights standards relating to women and girls. He hoped that the draft resolution could be adopted by consensus.

5. **Ms. Aldosari** (Observer for Bahrain), introducing the proposed amendment contained in document [A/HRC/54/L.40](#) on behalf of the sponsors, said that its aim was to ensure that the language of the draft resolution was balanced. The proposal, which had been raised with the main sponsors of the draft resolution during the informal consultations, did not diminish the obligation of States to ensure respect for women's right to health. Rather, it underscored the need to deal with the impact of unsafe abortion, as agreed in paragraph 8.25 of the Programme of Action of the International Conference on Population and Development, adopted in 1994, and to take appropriate steps to help women to avoid abortion, which should not be promoted as a method of family planning. At the Conference, States had adopted an agenda for achieving sustainable and equitable development with the aim of empowering women and guaranteeing access to public health services and to education, particularly for girls. Governments must therefore take immediate steps to translate into reality the vision set out in the Programme of Action almost 30 years previously, with a view to putting an end to cases of preventable maternal mortality and morbidity. She therefore wished to call on all members to vote in favour of the proposed amendment.

6. **Ms. Khusanova** (Observer for the Russian Federation), introducing the proposed amendments contained in documents [A/HRC/54/L.41](#), [A/HRC/54/L.42](#) and [A/HRC/54/L.43](#), said her delegation was convinced that the prevailing high rates of preventable maternal mortality and morbidity were best addressed by means of a comprehensive approach that

took account of all aspects of maternal health. A considerable number of States were of the view that the text of the draft resolution was one-sided and did not reflect the content of relevant international human rights instruments and sources of soft law as they pertained to the right of women to the enjoyment of the highest attainable standard of physical and mental health. It was disappointing that the concerns raised by States in that connection had been consistently ignored and that the main sponsors of the draft resolution had insisted on including in the text terms and concepts that had not been internationally agreed.

7. The proposed amendments contained in documents [A/HRC/54/L.41](#) and [A/HRC/54/L.42](#) were aimed at ensuring that the draft resolution properly reflected States' obligations under article 12 of the International Covenant on Economic, Social and Cultural Rights, which enshrined the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Neither international human rights law nor soft law referred to a separate right to sexual and reproductive health, which was essentially a component of the right enshrined in article 12 of the Covenant. The main sponsors had likewise failed to explain why they had decided to focus specifically on maternal mortality and morbidity, which could often be attributed to pre-existing problems, such as a lack of access to quality health services. While it was true that the Programme of Action of the International Conference on Population and Development and the Beijing Declaration and Platform for Action addressed reproductive health, those documents clearly stated that reproductive rights were not human rights and that States reserved the right to regulate reproductive health issues. The absence of a reference to those documents in the draft resolution could give rise to a broader interpretation of the concept of reproductive health and undermine the sovereign rights of States.

8. The proposed amendment contained in document [A/HRC/54/L.43](#) was intended to align the text of the draft resolution with that of the Programme of Action of the International Conference on Population and Development and the Beijing Declaration and Platform for Action. International human rights law did not refer to the concept of "bodily autonomy" as such, and certain elements of the text could have the effect of undermining the protection afforded to children by the Convention on the Rights of the Child. As it stood, the text implied that girls of any age had some form of bodily autonomy and that their autonomy in sexual health matters should be recognized. In accordance with the Convention, due account should be taken not only of the physical and mental maturity of children but also of the rights of parents in all decision-making processes. The Russian Federation could not countenance any watering down of the Convention's provisions. Her delegation wished to call on the members of the Council to abide by their obligations under international human rights law by supporting the proposed amendments.

9. **Ms. Oduwaiye** (Observer for Nigeria), introducing the proposed amendment contained in document [A/HRC/54/L.47](#) on behalf of the main sponsors, namely Pakistan, the Russian Federation and her own delegation, said that the Governments of those three countries were steadfastly committed to preventing maternal mortality and morbidity and recognized that ensuring the health and well-being of expectant mothers was a matter not just of health care but of fundamental human rights. While they acknowledged the importance of disseminating accurate information and providing proper education on sexual and reproductive health matters, they vehemently objected to the inclusion of the very contentious phrase "comprehensive sexuality education" in the draft resolution, despite proposals by several delegations for its removal from the text. The proposed amendment would delete such non-consensual language from the text.

10. The publication *International Technical Guidance on Sexuality Education*, which set out the curriculum for comprehensive sexuality education, was not the result of an intergovernmental process and had never been endorsed by States. Moreover, the majority of States had consistently rejected the use of the term at all meetings held under the auspices of the United Nations. Instead of protecting the physical and mental health of children by promoting abstinence and the postponement of sexual initiation, comprehensive sexuality education exposed children to inappropriate sexual content that normalized and promoted high-risk behaviours and other harmful sexual practices. In addition, the comprehensive sexuality education curriculum failed to acknowledge the importance of providing children with accurate and age-appropriate information on sexual and reproductive health. Her

delegation wished to call on the members of the Council to vote in favour of the proposed amendment, so as to ensure that the draft resolution used internationally agreed language and terminology.

11. **Ms. Fuentes Julio** (Chile) said that the sponsors of draft resolution [A/HRC/54/L.17/Rev.1](#) did not support any of the proposed amendments and wished to request a recorded vote on each of them.

12. **The President** invited members of the Council to make general statements on the draft resolution and the proposed amendments.

13. **Ms. Duncan Villalobos** (Costa Rica), welcoming the draft resolution as a key step towards addressing preventable maternal mortality and morbidity as a fundamental human rights issue, said that the text also highlighted the root causes of the issue, including in particular gender inequality, discrimination and socioeconomic factors such as a lack of infrastructure and of access to functioning health systems and services, especially in rural and remote areas and the poorest urban areas. Ensuring universal access to sexual and reproductive health, free from discrimination, coercion and violence, was essential for enabling women and girls to lead a dignified life. Her delegation therefore welcomed the call for States to facilitate access to telemedicine or telecommunications to support sexual and reproductive health services and to implement national health policies, strategies and programmes for all women and girls to enable them to enjoy all of their human rights, as well as the request to OHCHR to update the technical guidance on the application of a human rights-based approach to the elimination of preventable maternal mortality and morbidity. Her delegation called on the members of the Council to reject all the proposed amendments and to adopt the draft resolution by consensus.

14. **Ms. Schroderus-Fox** (Finland) said that her delegation wished to thank the main sponsors of the draft resolution for the balanced text they had produced. It was simply unacceptable that so many women and girls continued to die or to sustain injuries or develop infections or disabilities because of preventable causes related to pregnancy and childbirth. The draft resolution's focus on health emergencies was very timely, as was the request for OHCHR to update the technical guidance on the application of a human rights-based approach to the elimination of preventable maternal mortality and morbidity.

15. The COVID-19 pandemic had further restricted the access of women and girls to sexual and reproductive health services. The lessons learned from that experience would help to ensure the rights to life and health of mothers and newborns in any future health emergencies that might arise. Although her delegation had made proposals aimed at strengthening the draft resolution, many key references had regrettably been deemed controversial and had not been included in full. Greater emphasis on the importance of sexual and reproductive health and rights would have made for a stronger text. Nevertheless, her delegation firmly supported the draft resolution and hoped that it would be adopted by consensus.

16. **Ms. Fuentes Julio** (Chile) said that the main sponsors of the draft resolution were to be commended for their efforts to ensure that the need for States to play an active role in eliminating preventable maternal mortality and morbidity remained on the Council's agenda. The draft resolution reflected important advances in the recognition of the rights of all women and girls as human rights and emphasized that access to sexual and reproductive health services and reproductive rights affected all aspects of the lives of persons with the capacity to bear children. States had made national and international commitments to the reduction of maternal mortality and morbidity, which must include measures to strengthen health systems, address unsafe abortion and enhance related monitoring and evaluation mechanisms. Gender-based discrimination was an underlying factor contributing to maternal mortality and morbidity, as well as a form of gender-based violence. Chile strongly condemned all forms of discrimination and violence against women and girls and wished to call on the members of the Council to support the draft resolution.

17. **Mr. Wang Nian** (China) said that China was committed to promoting and protecting women's right to health and attached great importance to the health of mothers and infants, which it sought to safeguard by ensuring that high-quality gynaecology services were available. While his delegation agreed with the overriding aim of the draft resolution and

would join the consensus, it noted that the text still contained some controversial language. Several delegations had made constructive proposals in relation to the paragraphs dealing with unsafe abortion, comprehensive sexuality education, reproductive health and rights and bodily autonomy, which his delegation hoped would be reflected in the final text of the draft resolution.

18. **Mr. Alimbayev** (Kazakhstan) said that his delegation welcomed the focus of the draft resolution and the transparent and constructive nature of the informal consultations. Maternal health was a matter of human rights, in particular the rights to health and education. The draft resolution's emphasis on preventable maternal mortality and morbidity in the context of health emergencies and the request for OHCHR to update the technical guidance on the application of a human rights-based approach to the elimination of those phenomena were very timely and important for better protecting the rights of women and girls. In view of the complexity of the topic and delegations' diverging views on appropriate language and approaches to sexual and reproductive health and rights, his delegation appreciated the main sponsors' efforts to find a middle ground and achieve balance in the text. He wished to encourage the members of the Council to adopt the draft resolution by consensus.

19. **Ms. Filipenko** (Ukraine) said that Ukraine supported the revised version of the draft resolution, which was balanced and substantive. It was extremely relevant in the context of the Russian aggression against Ukraine, as the conflict continued to have a disproportionate impact on mothers and children. Since the beginning of the full-scale invasion of Ukraine by Russia, millions of women and children had fled the country as refugees or had been internally displaced. In the Ukrainian territories occupied by Russia, women and children were being kept in inhumane conditions, subjected to ill-treatment and used as human shields by the Russian armed forces. Many of them had been forcibly transferred to Russia and had suffered sexual violence at the hands of the Russian occupiers. Their lives were under constant threat; they could not be safely evacuated and often struggled to find shelter and to gain access to life-saving medicines and urgent medical assistance. Ukraine therefore strongly supported the draft resolution and, if a vote was requested, would vote in favour of its adoption.

20. **Ms. Taylor** (United States of America) said that promoting and protecting the right to the enjoyment of the highest attainable standard of physical and mental health remained a top priority for the United States. Scientific evidence showed that access to quality sexual, reproductive and maternal education and health across the life cycle contributed to healthy pregnancy and safe childbirth. Such evidence also underlined the challenges associated with pregnancy for many individuals, such as the risk of miscarriage and the diverse circumstances underlying unintended pregnancies, including violent or coercive relationships and settings of widespread gender-based violence.

21. As one of the major global donors to initiatives for advancing sexual and reproductive health and rights, including through the provision of life-saving health care in humanitarian settings, the United States would continue its efforts to make pregnancy and childbirth safer by strengthening health systems and increasing equitable access to quality sexual, reproductive and maternal health services. Maternal mortality was not just a health issue but a matter of dignity and justice. Through the draft resolution, States were not simply expressing concern but were demanding action. All States should prioritize maternal health, allocate the necessary resources and implement policies that promoted safe pregnancies. No person should have to pay the ultimate price for bringing life into the world. Her delegation supported the adoption of the draft resolution.

22. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/54/L.40](#).

Statements made in explanation of vote before the voting

23. **Ms. Méndez Escobar** (Mexico) said that her delegation rejected the proposed amendment, which stated, inter alia, that Governments should take appropriate steps to help women to avoid abortion. However, as had been recognized in many multilateral forums, the availability of safe and legal abortion services was indispensable for the promotion and protection of human rights and for preventing maternal mortality and morbidity. Restrictive

laws and policies led to unsafe abortions, which, as the World Health Organization (WHO) itself had pointed out, were a major cause of maternal morbidity and mortality. Recently the Supreme Court of Mexico had rendered a historic decision decriminalizing abortion at the federal level, stressing that the criminalization of that procedure constituted an act of gender-based violence and discrimination, as it perpetuated the stereotype that the sexuality of pregnant persons was for purposes of procreation only and that motherhood was an obligation imposed by a person's gender. The belief that women needed help to avoid abortion was objectionable, as they were full rights holders and could make decisions about their bodies independently. It was the duty of States to ensure that they could do so safely. For those reasons, her delegation would vote against the proposed amendment and urged other members of the Council to do the same.

24. **Mr. Bichler** (Luxembourg) said that the proposed amendment was at variance with the very purpose of the draft resolution and the language agreed by the Council. The draft resolution referred several times to unsafe abortion as a cause of maternal mortality and urged States to ensure the availability of safe abortion "when not against national law". WHO had stressed that unsafe abortion was one of the main causes of maternal mortality and morbidity and that restrictive abortion laws led to unsafe abortions. The term "safe abortion" was long-standing agreed language and could be found, for instance, in the Programme of Action of the International Conference on Population and Development, the Beijing Declaration and Platform for Action and documents of the Commission on the Status of Women. The qualifying language "when not against national law" had been added to take account of different legal systems and was likewise widely accepted.

25. The proposed amendment would insert an additional reference to abortion, which would upset the carefully negotiated balance of the text. The focus of the draft resolution was not on access to abortion but on unsafe abortion as one of the main preventable causes of maternal mortality and morbidity. By drawing only on the language of the 1994 Programme of Action, the proposed amendment also failed to take into account the major advances made in the field of women's and girls' rights over the previous 30 years, not to mention the regional agreements providing specific guidance to States on abortion. Lastly, the proposed language "Governments should take appropriate steps to help women to avoid abortion" was contrary to the spirit of the draft resolution, as it could encourage States to impose new restrictions limiting access to safe abortion and could be seen as stigmatizing persons seeking to terminate a pregnancy, thus prompting them to resort to unsafe abortion. For all those reasons, his delegation would vote against the proposed amendment and called on all members of the Council to do likewise.

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

In favour:

Algeria, Bangladesh, China, Eritrea, Gambia, Malawi, Malaysia, Maldives, Morocco, Pakistan, Senegal, Somalia, Sudan, United Arab Emirates.

Against:

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

Abstaining:

Bolivia (Plurinational State of), Cameroon, Costa Rica, Côte d'Ivoire, Gabon, India, Kazakhstan, Kyrgyzstan, Paraguay, Qatar, Uzbekistan, Viet Nam.

27. *The proposed amendment contained in document [A/HRC/54/L.40](#) was rejected by 20 votes to 14, with 12 abstentions.**

28. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/54/L.41](#).

* The delegation of Qatar subsequently informed the Council that it had intended to vote in favour of the proposed amendment.

Statements made in explanation of vote before the voting

29. **Ms. Fuentes Julio** (Chile) said that reproductive rights had been recognized as human rights of women and girls at the international level. Those rights had been explicitly enshrined in the 1994 Programme of Action of the International Conference on Population and Development and subsequently reaffirmed in the Beijing Declaration and Platform for Action and in numerous intergovernmental agreements adopted thereafter, including the 2030 Agenda for Sustainable Development. “Sexual and reproductive health” and “reproductive rights”, without further qualification, were agreed terms used in numerous Council resolutions adopted since 2018. Respecting, protecting and fulfilling the sexual and reproductive health and reproductive rights of women and girls was central to preventing maternal mortality and morbidity. The “rights” component of the draft resolution was crucial, as its inclusion would allow policymakers and duty bearers to link reproductive rights to other rights, such as the rights to health, life and freedom from discrimination and from torture or cruel, inhuman or degrading treatment. For those reasons, her delegation would vote against the proposed amendment and wished to urge all members of the Council to follow suit.

30. **Ms. Gillhoff** (Germany) said that, as a sponsor of the draft resolution, Germany could not accept the proposed amendment. As the draft resolution was aimed at addressing the factors behind preventable maternal mortality and morbidity, ensuring access to reproductive health services and upholding the reproductive rights of every individual were crucial components of the text. The Council had time and again strengthened its recognition of reproductive rights, which were enshrined in numerous intergovernmental agreements and had been recognized as human rights at the international level. Reproductive rights were inextricably linked to concepts such as bodily autonomy, self-determination and dignity. Early marriage and pregnancy, or repeated pregnancies too close together, could have a devastating impact on women’s health and could sometimes have fatal consequences. Reproductive rights were therefore essential for individuals’ health and well-being. The proposed amendment was contrary to the spirit of the draft resolution. Her delegation would therefore vote against it and wished to urge all members of the Council to do the same.

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

In favour:

Algeria, Bangladesh, China, Eritrea, Gambia, Malawi, Malaysia, Maldives, Pakistan, Qatar, Senegal, Somalia, Sudan.

Against:

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

Abstaining:

Bolivia (Plurinational State of), Cameroon, Côte d’Ivoire, Gabon, India, Kazakhstan, Kyrgyzstan, Morocco, Paraguay, United Arab Emirates, Uzbekistan.

32. *The proposed amendment contained in document [A/HRC/54/L.41](#) was rejected by 21 votes to 13, with 11 abstentions.*

33. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/54/L.42](#).

Statements made in explanation of vote before the voting

34. **Mr. Staniulis** (Lithuania) said that the draft resolution’s language on sexual and reproductive health and reproductive rights had already been used in numerous previous Council resolutions adopted by consensus. Moreover, as sexual and reproductive health and reproductive rights were affirmed in target 5.6 of the Sustainable Development Goals, references to them should be considered agreed language. The Council had a duty to ensure compliance with agreed human rights standards and to work towards the continued progress of human rights. Therefore, either progressive language should be introduced or, at least,

agreed language should remain unchanged. As there was no reason to change the wording of the eighth preambular paragraph, paragraph 1 or paragraph 11 of the draft resolution, his delegation called on Council members to vote against the proposed amendment.

35. **Ms. Duncan Villalobos** (Costa Rica) said that her delegation would vote against the proposed amendment, which ran counter to the spirit of the draft resolution. Sexual and reproductive health and reproductive rights were related to the enjoyment of numerous human rights and their full realization contributed to the prevention of maternal mortality and morbidity. Target 5.6 of the Sustainable Development Goals was aimed at ensuring universal access to sexual and reproductive health and reproductive rights, which were fully recognized in the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development. The wording used in the draft resolution was therefore long-standing consensual language. Her delegation called on Council members to support the dynamic interpretation of rights, in accordance with the Vienna Declaration and Programme of Action, and to vote against the proposed amendment, which sought to roll back the recognized rights of women and girls.

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

In favour:

Algeria, China, Eritrea, Gambia, Malawi, Malaysia, Maldives, Pakistan, Qatar, Senegal, Somalia, Sudan.

Against:

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

Abstaining:

Bangladesh, Bolivia (Plurinational State of), Cameroon, Côte d'Ivoire, Gabon, India, Kazakhstan, Kyrgyzstan, Morocco, Paraguay, United Arab Emirates, Uzbekistan.

37. *The proposed amendment contained in document [A/HRC/54/L.42](#) was rejected by 21 votes to 12, with 12 abstentions.*

38. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/54/L.43](#).

Statements made in explanation of vote before the voting

39. **Ms. Escobar Bautista** (Mexico) said that her delegation rejected the proposed amendment, which would remove references to bodily autonomy from the draft resolution. Those references were of crucial importance to the text. The wording reflected language that had been widely used in various resolutions. To remove it would be to perpetuate stereotypes that undermined the rights of women and girls and would constitute a step backwards for the Council.

40. According to the United Nations Population Fund, the challenges to ensuring the bodily autonomy of millions of women and girls remained significant. Only 55 per cent were able to make their own decisions in respect of all three dimensions of bodily autonomy, meaning that only one in two women and girls had the power to decide whether or not to access sexual and reproductive health services, to use contraception or to have sex with their partner. Her delegation would therefore vote against the proposed amendment and urged other members of the Council to do likewise.

41. **Ms. French** (United Kingdom) said that all women and girls must have the ability to make their own choices about their bodies and their futures, free of violence, coercion and discrimination. Her delegation rejected the proposed amendment. Research and data clearly indicated that those who faced constraints on their bodily autonomy suffered adverse consequences for their health, well-being and potential in life. It was thus essential to keep the twenty-fifth preambular paragraph of the draft resolution as currently drafted. Her delegation also objected to the removal of all references to the sexual and reproductive health

and rights of children from the draft resolution through the insertion of the word “women” throughout the text. Access to comprehensive sexuality education, information and sexual and reproductive health services was vital for keeping girls in school, preventing violence and giving adolescent girls control over their bodies. The bodily autonomy of women and girls and their ability to decide whether or not to marry or to have children were fundamental to reducing maternal mortality.

42. The United Kingdom, along with the United States, Mexico, Nepal, Liberia and Albania, had been one of the drafters of a landmark cross-regional joint statement delivered in the Third Committee at the seventy-seventh session of the General Assembly on behalf of more than 70 countries (A/C.3/77/SR.25), in which they had made a commitment to protect and promote sexual and reproductive health and rights and bodily autonomy through a human rights lens. Her delegation intended to promote the broad consensus reflected in that statement and thus urged Council members to vote against the proposed amendment.

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

In favour:

Algeria, Bangladesh, China, Eritrea, Gambia, Malawi, Malaysia, Pakistan, Qatar, Senegal, Somalia, Sudan.

Against:

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

Abstaining:

Bolivia (Plurinational State of), Cameroon, Côte d’Ivoire, Gabon, India, Kazakhstan, Kyrgyzstan, Maldives, Morocco, Paraguay, United Arab Emirates, Uzbekistan.

44. *The proposed amendment contained in document [A/HRC/54/L.43](#) was rejected by 21 votes to 12, with 12 abstentions.*

45. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/54/L.47](#).

Statements made in explanation of vote before the voting

46. **Mr. Villegas** (Argentina) said that his delegation rejected the proposed amendment, which would delete all references to comprehensive sexuality education from the draft resolution. That term referred to phased, age-appropriate education aimed at equipping young people with knowledge in the areas of reproductive health, non-violence, non-discrimination, human rights and gender equality to empower them to take informed decisions about their health and well-being, including the prevention of sexually transmitted infections and HIV/AIDS. It also taught them about respect for others, consent and healthy relationships. The draft resolution under consideration was intended to prevent maternal mortality and morbidity, and education was an essential tool for achieving its purposes. His delegation would therefore vote against the proposed amendment and called on other Council members to do likewise.

47. **Ms. Schroderus-Fox** (Finland) said that the draft resolution before the Council was vitally important for promoting and protecting women’s and girls’ rights. The proposed amendment, if adopted, would seriously undermine the purpose of that text. Deleting references to evidence-based comprehensive sexuality education would remove a significant element that had a positive impact in reducing maternal mortality and morbidity. Comprehensive sexuality education directly supported the right to health of both the mother and the newborn child, as their well-being went hand in hand. Its importance had been highlighted by various human rights mechanisms and was reflected also in the 2030 Agenda, including the Sustainable Development Goals, under which States had made a global commitment to gender equality. Comprehensive sexuality education equipped people with the knowledge and skills that they needed to make healthy, informed and responsible choices about their health and well-being, including during pregnancy and childbirth. It was

especially important for girls and young women because it informed and empowered them to prevent, identify and report sexual and gender-based violence. It took an age-appropriate rights-based approach that was to be adapted to local and cultural contexts and presented in partnership and dialogue with young people, parents and communities.

48. As noted in the *International Technical Guidance on Sexuality Education*, extensive studies and research had shown that comprehensive sexuality education fostered positive social and health outcomes, such as preventing and reducing violence and discrimination against women and girls and delaying the initiation of sexual activity. For those reasons, her delegation would vote against the proposed amendment and called on all other delegations to do the same.

49. **Mr. Bonnafont** (France) said that preventable maternal mortality and morbidity affected the fundamental rights of women and girls and public health. His delegation reiterated its support for the draft resolution. The proposed amendment called for the deletion or rewording of terms drawn from and firmly established in previous Council resolutions.

50. France opposed any attempt to call into question the progress made by the international community in recognizing and protecting sexual and reproductive health and rights, or the right to safe abortion. Respect for bodily autonomy and access to quality sexual and reproductive health services were nothing less than a matter of survival for many women and girls. Comprehensive sexuality education was in no way incompatible with respect for cultures; on the contrary, only appropriate, evidence-based education could change lives and have a positive impact on public health and the future of societies. For those reasons, his delegation would vote against the proposed amendment.

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

In favour:

Algeria, Bangladesh, China, Eritrea, Gambia, Malawi, Malaysia, Maldives, Pakistan, Qatar, Senegal, Somalia, Sudan, United Arab Emirates.

Against:

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

Abstaining:

Benin, Cameroon, Côte d'Ivoire, Gabon, India, Kazakhstan, Kyrgyzstan, Morocco, Paraguay, Uzbekistan.

52. *The proposed amendment contained in document [A/HRC/54/L.47](#) was rejected by 21 votes to 14, with 10 abstentions.*

53. **The President** invited the Council to take action on draft resolution [A/HRC/54/L.17/Rev.1](#).

Statements made in explanation of position before the decision

54. **Mr. Mehdi** (Pakistan) said that several factors contributed to maternal mortality and morbidity, including lack of access to health-care services, malnutrition and inadequate development assistance for maternal health facilities. Pakistan strongly advocated initiatives to ensure that women enjoyed the highest attainable standard of physical and mental health.

55. His delegation aligned itself with the purposes and objectives of the draft resolution. However, overloading texts such as the one under consideration with concepts that were neither universal nor fully explained or understood gave rise to controversy that could have been avoided. There was also a need to take different cultural and socioeconomic contexts into account and to emphasize technical assistance and capacity-building. His delegation was further concerned that the text sought to redefine existing rights or establish new ones. However, it was for the General Assembly or the States parties to treaties and conventions to establish such rights, on which there should be universal agreement. The draft resolution still

referred to the concepts of comprehensive sexuality education and bodily autonomy, on which there was no consensus.

56. In view of the importance of preventing maternal mortality and morbidity, his delegation would support the draft resolution. However, it would dissociate itself from the eighth, ninth, eighteenth, twenty-first, twenty-second, twenty-third and twenty-fifth preambular paragraphs and paragraphs 1, 11, 12, 20 and 22, and encouraged other delegations to do the same.

57. **Mr. Aljarman** (United Arab Emirates), speaking on behalf of the States members of the Cooperation Council for the Arab States of the Gulf, namely Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and his own delegation, said that considerable efforts had been made by the Governments of the region to advance the status of women and ensure that they enjoyed the highest attainable standard of physical and mental health. His delegation had endeavoured, during the informal consultations on the text, to introduce more balanced language that gave due consideration to differing views and avoided the mention of notions such as reproductive rights and comprehensive sexuality education, which were not covered by international agreements and had not been agreed by consensus. The draft resolution should not be understood to impose new obligations on States that were not in keeping with domestic laws or covered by the treaties to which States were parties. Notwithstanding those concerns, the Cooperation Council States did not wish to block the consensus, and would thus only dissociate themselves from certain paragraphs, specifically the eighth, ninth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third preambular paragraphs and paragraphs 1, 12, 20, 21 and 22.

58. **Mr. Kah** (Gambia) said that the Gambia recognized the importance of keeping expectant mothers safe and preventing maternal mortality and morbidity at all costs. However, his delegation had reservations about the term “comprehensive sexuality education”, which was controversial and vague and did not enjoy international consensus. For that reason, his delegation had voted in favour of the proposed amendment contained in document [A/HRC/54/L.47](#). With that in mind, his delegation dissociated itself from any reference to that term in the text, particularly in the twenty-second preambular paragraph and paragraphs 1, 12 and 22. On that understanding, the Gambia would support the draft resolution.

59. **Mr. Andemichael** (Eritrea) said that his delegation attached great importance to the Council’s deliberations on preventable maternal mortality and morbidity. That issue was a top priority of his Government, as shown by its achievement of an 80 per cent reduction in maternal mortality in Eritrea over the previous three decades. The Government had adopted laws criminalizing harmful practices such as female genital mutilation and early marriage, which were among the causes of maternal mortality.

60. Regrettably, however, the language used in the draft resolution was not consensual and failed to reflect the multidimensional nature of maternal mortality and morbidity. Eritrea provided age-appropriate sexual and reproductive health education that served the best interests of the child. His delegation disagreed with the ambiguous term “comprehensive sexuality education” used in the text. It also rejected the expression “sexual and reproductive health and reproductive rights” and the call for the development of national laws, policies and practices that respected bodily autonomy. His Government fully recognized the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. However, draft resolutions must respect the sovereign rights of States, their national laws and the religious, ethical and societal values and historical realities of all people. Therefore, his delegation would dissociate itself from the ambiguous language used in the text, especially in the eighth, ninth, eighteenth, twenty-first, twenty-third and twenty-fifth preambular paragraphs and paragraphs 1, 11, 20 and 21. Furthermore, his Government understood the references to “gender” in the draft resolution to mean men and women in the natural biological sense.

61. **Mr. Loum** (Senegal) said that his Government, with the support of its technical and financial partners, continued to strengthen its health and reproductive health policies in order to significantly reduce maternal and neonatal mortality. His delegation would therefore support the draft resolution. However, his delegation rejected the non-consensual concepts

put forward in the text in relation to abortion, comprehensive sexuality education, sexual and reproductive rights, the right of girls to autonomous sexual decision-making and the right to bodily autonomy. It would therefore dissociate itself from the references to comprehensive sexuality education in the twenty-second preambular paragraph and paragraphs 12 and 22; to sexual and reproductive rights in the eighth, ninth, eighteenth, nineteenth, twentieth and twenty-third preambular paragraphs and paragraphs 1, 9 and 21; and to bodily autonomy in the twenty-fifth preambular paragraph and paragraphs 1, 9 and 20.

62. *Draft resolution A/HRC/54/L.17/Rev.1 was adopted.*

Draft resolution A/HRC/54/L.24/Rev.1: Contribution of the implementation of the objectives of the International Year of the Family and its follow-up processes in the promotion and protection of human rights

63. **Mr. Gamaleldin** (Observer for Egypt), introducing the draft resolution on behalf of the main sponsors, namely Côte d'Ivoire, Qatar, Saudi Arabia, Singapore and his own delegation, said that the family was an undeniable social value that should be celebrated and nurtured. Protecting the family went hand in hand with protecting and promoting the human rights of family members.

64. Around the world, the family was the same unit that bound men, women and children together. The drafters had used consensual language throughout the draft resolution to ensure that the Council could agree on reaching the lofty goal of strengthening the role of the family in promoting and protecting human rights. The main sponsors also recognized the different needs of different types of families, such as single-parent, extended, Indigenous, migrant and low-income families. In observing the thirtieth anniversary of the International Year of the Family, in 2024, the international community should focus on the serious challenges that the family faced, most notably rapid technological developments, urbanization, migration, demographic change and climate change.

65. **Ms. Al-Muftah** (Qatar), continuing the introduction of the draft resolution, said that the General Assembly's proclamation of the International Year of the Family had stemmed from the conviction expressed in the Universal Declaration of Human Rights that the family was the natural and fundamental group unit of society and was entitled to protection by society and the State. The consensual language used in the draft resolution echoed that used in General Assembly resolutions concerning the Year. The text provided for the convening of a panel discussion and an expert workshop to give all Member States an opportunity to present their best practices with respect to family-oriented policies that supported the promotion of human rights and the achievement of the Sustainable Development Goals. She called on Council members to adopt the draft resolution, which enjoyed broad cross-regional support.

General statements made before the decision

66. **Ms. Taylor** (United States of America), expressing her delegation's appreciation to the main sponsors for the constructive manner in which they had engaged with all delegations, said that families could take many forms for many reasons. Some were created out of love, like the one her son and his husband hoped to build; others were born out of tragedy, when families were torn apart and forced to re-form, as had happened to her own family during the Holocaust and to so many others facing terror or health challenges. Widows, grandparents, distant family, friends, strangers and even children were often heads of households. The United States was proud to sponsor the draft resolution in a show of its commitment to collaboration. The draft was an example of what the Council could achieve when it came together in a spirit of mutual respect and cooperation.

67. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that, while a number of drafting suggestions made by European States had been accepted, he would have preferred to see a draft resolution that reaffirmed the fact that families assumed diverse forms and functions in different cultural, political and social systems. That vision was endorsed in the Programme of Action of the International Conference on Population and Development, in the Beijing Declaration and Platform for Action and in General Assembly resolution 44/82

proclaiming 1994 as the International Year of the Family. The human rights-related language in General Assembly resolution 77/191, on which the current draft resolution was based, could also have been better reflected in the text. Nonetheless, he was grateful to the main sponsors for accommodating proposals aimed at bringing the text into line with the fundamental tenet of international human rights law that only individuals could be rights holders. While families were entitled to support and protection by society and the State, it was to individuals within families that treaties attributed rights. He was also thankful to see that the draft resolution referred to “all families”, in line with States’ joint commitment to leave no one behind. The States members of the European Union that were members of the Council were pleased to join the consensus on the draft resolution.

68. **Ms. Fuentes Julio** (Chile) said that families played a fundamental role in guaranteeing the enjoyment of human rights and in achieving the Sustainable Development Goals. She welcomed the fact that the draft resolution encouraged States to develop policies that promoted the human rights of all members of diverse families in different communities, while also focusing on issues such as gender equality and the elimination of violence against women and girls. However, her delegation would have preferred to include a more explicit reference to the principle that families assumed diverse forms depending on individual preferences and sociocultural conditions. That principle had been endorsed in the proclamation of the International Year of the Family, as well as in the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development. Her Government was of the view that, in order to truly accommodate a human rights perspective, family-oriented policies must take account of the needs of families in all their diverse manifestations, without discrimination. She called upon States to recognize that diversity and provide the same protection to all families irrespective of their form.

69. **Mr. Manley** (United Kingdom) said that he welcomed the constructive approach taken by the main sponsors during the informal consultations on the draft resolution, which now reflected the Council’s shared desire to promote and protect the human rights of all individuals within families. All States agreed that families played a critical role in helping individuals to realize their full potential, especially children, older persons and others in a situation of vulnerability. States must work together to nurture families in which the human rights and fundamental freedoms of all their members were promoted and protected. In the light of the forthcoming thirtieth anniversary of the International Year of the Family, his delegation was committed to taking an inclusive approach that took account of the needs of all families, no matter how composed, and was pleased to join the consensus on the draft resolution.

70. **Mr. Alimbayev** (Kazakhstan) said that international human rights instruments recognized the family as a fundamental institution in society entitled to support and protection by the State. His delegation believed that the obligation to support families meant that States must take legislative and administrative measures to ensure that the human rights of all family members were protected and respected, without discrimination on any grounds. To that end, Kazakhstan was developing and implementing a comprehensive policy on families and gender equality that was consistent with international human rights standards, and it had established a national commission on women, the family and demographic policies. The draft resolution would enrich stakeholders’ understanding of good practices and challenges and would lead to more constructive dialogue in that area. He hoped that the text would be adopted by consensus.

71. **Mr. Bonnafont** (France) said that, while he appreciated the constructive spirit shown by the main sponsors during the informal consultations, he would have preferred a text that was more clearly reflective of the principles endorsed in the 1989 proclamation of the International Year of the Family. According to those principles, families assumed diverse forms and functions from one country to another, and within each national society. Moreover, the observance of the Year should seek to promote the basic human rights and fundamental freedoms accorded to all individuals, and in no case was it acceptable for individual rights to be subsumed by the family, which existed purely to protect and assist individuals in the exercise of their rights. A further principle concerned the need to promote genuine gender equality within families. Those principles, proclaimed nearly 35 years previously, were still

far from being realized; indeed, they were under threat and needed to be supported in order to promote an open concept of the family and to fight all forms of discrimination.

72. **Mr. Alneyadi** (United Arab Emirates) said that his Government attached great importance to the role of the family in socialization processes and in issues affecting women and children, in the light of article 16 of the Universal Declaration of Human Rights, which described the family as “the natural and fundamental group unit of society ... entitled to protection by society and the State”. Families and family-oriented policies also played a vital role in promoting and protecting human rights and in achieving sustainable development. He encouraged States to cooperate with stakeholders, including United Nations agencies, civil society groups and academia, to develop policies and programmes that responded effectively to the needs and expectations of all families. His delegation wished to thank the main sponsors of the draft resolution, which he hoped would be adopted by consensus.

73. **Mr. Zhu Kexing** (China) said that he wished to commend the sponsors of the draft resolution for taking the thirtieth anniversary of the International Year of the Family as an opportunity to introduce their important text. Family policy was the foundation for the prosperous development of nations and communities and was key to achieving the Sustainable Development Goals. Ever since ancient times, China had advocated policies that struck a balance between the interests of the family and those of the nation. Following the eighteenth National Congress of the Chinese Communist Party, harmony and prosperity had become a reality for every family in China, thanks to State policies to promote family education and family values. The draft resolution reflected the fundamental aspiration of families worldwide to pursue happiness, harmony and stability. It would help to raise awareness of family issues within the international community and to promote the development of a society with the family as its basic unit. His delegation was pleased to join the consensus on the draft resolution.

74. **Mr. Mehdi** (Pakistan) said that the draft resolution was a useful initiative in connection with the forthcoming thirtieth anniversary of the International Year of the Family. His delegation recognized the family as a central unit of society, in line with article 16 of the Universal Declaration of Human Rights, which also presented a well-defined structure of the family. The draft resolution reaffirmed the importance of the family, recognized the contribution it made to upholding universal human rights principles and acknowledged the challenges it faced from phenomena such as climate change, disease, migration and technological advances. The protection and empowerment of families should remain a priority area for discussion in the Council and in other forums. He hoped that the report of the expert workshop referred to in the draft resolution, on the role of family-oriented interventions in the promotion and protection of human rights and in sustainable development, would be useful for all States. In view of the importance of the draft resolution, his delegation trusted that all members of the Council would join the consensus.

75. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that the main sponsors’ open and constructive spirit during the informal consultations had resulted in a significant consensus, considering the diversity of views. Her delegation was convinced of the importance of policies to protect and support families, particularly those in vulnerable situations, and welcomed the fact that the draft resolution endeavoured to raise awareness of the International Year’s objectives of increasing cooperation between Governments, civil society and other stakeholders in order to combat poverty, hunger, marginalization and discrimination and to guarantee access to education, health, safe migration, decent housing and other rights. The protection of the rights of families was enshrined in the Constitution of the Plurinational State of Bolivia. Her delegation would, of course, join the consensus.

76. **Mr. Rosales** (Argentina), speaking in explanation of position before the decision, said that his country’s legislation and public policies reflected the many and diverse forms that families could take. His delegation had been particularly pleased to see that a number of proposals made in that connection had received a positive reception and had been used to enrich and broaden the text. It was on that understanding that his delegation was pleased to join the consensus on the draft resolution.

77. *Draft resolution A/HRC/54/L.24/Rev.1 was adopted.*

Draft resolution A/HRC/54/L.27: The right to development

78. **Mr. Israfilov** (Observer for 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, at their Eighteenth Summit, held in 2019, the Heads of State and Government of the Movement had laid emphasis on the right to development as a universal and inalienable right and as an integral part of all universally recognized human rights and fundamental freedoms. They had also reaffirmed the objective of making that right a reality for everyone, as set out in the United Nations Millennium Declaration, the United Nations Declaration on the Right to Development and the 2030 Agenda for Sustainable Development, and had urged the United Nations human rights machinery to ensure the operationalization of the right to development as a priority, including through the elaboration of a draft convention. The draft legally binding instrument, known as the draft international covenant on the right to development, was annexed to the draft resolution. By adopting the draft resolution, the Council would decide to submit the draft covenant to the General Assembly for its consideration, negotiation and subsequent adoption. He hoped that all Council members would support the draft resolution.

General statements made before the voting

79. **Mr. Ahmad** (Pakistan) said his delegation firmly believed that development was a fundamental human right that should be treated in line with the Vienna Declaration and Programme of Action, according to which all human rights were universal, indivisible and interdependent and interrelated. The importance of the right to development for achieving the 2030 Agenda was undeniable and its significance had been further underlined by calamities such as the COVID-19 pandemic. It was unfortunate, then, that the right to development did not have its own international covenant on an equal footing with civil, political, economic, social and cultural rights. It was to bridge that gap that the Council had requested the Chair-Rapporteur of the Working Group on the Right to Development to submit a second revised draft convention to the Council. The draft legally binding instrument was a major breakthrough and was particularly important in the light of the current socioeconomic and geopolitical developments the world was facing. The General Assembly, with its universal membership, was an appropriate forum for further discussions, and he hoped that all members of the Council would support the draft resolution and join the consensus.

80. **Mr. Pandey** (India) said that the right to development was of critical importance for people all over the world and was central to the realization of other human rights. The full and effective implementation of that right was therefore key to achieving the Sustainable Development Goals. India remained committed to implementing the right to development, both by achieving the Sustainable Development Goals on the domestic front and by pursuing development partnerships with countries of the global South. Constructive engagement and cooperation among all stakeholders was vital if the right to development was to be realized. The draft resolution currently before the Council was an important step towards fulfilling that objective. He looked forward to the speedy conclusion of a covenant on the right to development through a collaborative process of engagement among all countries, both developing and developed. His delegation supported the draft resolution and called upon other members of the Council to do likewise.

81. **Mr. Quintanilla Román** (Cuba) said that the right to development was just as important as economic, social, cultural, civil and political rights. The draft resolution was closely connected to draft resolution [A/HRC/54/L.26](#) on human rights and unilateral coercive measures, which the Council had adopted at its preceding meeting. The text was the outcome of broad consultations that had been ongoing for many years within the Working Group on the Right to Development, and the draft covenant had been enriched by many different views and inputs. The time had come to continue the debate in the General Assembly, whose universality and experience in negotiating such instruments would bring added value. In that forum, Cuba was fully committed to pursuing a transparent, inclusive and procedurally sound negotiation process that would lead to a legally binding international instrument on the right to development. He invited all members of the Council to support the draft resolution.

Statements made in explanation of vote before the voting

82. **Mr. Wang Nian** (China) said that the right to development was a universal and inalienable human right. At the high-level meeting held in March 2023 to commemorate the thirty-fifth anniversary of the Declaration on the Right to Development, States had reaffirmed their commitment to promote and protect that right in the face of severe global challenges. All States should take the opportunity offered by the seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action to focus on the right to high-quality, inclusive and equitable development with a people-centred approach that took account of the views of developing countries and sought to eliminate inequality. China had been an active participant in the Working Group on the Right to Development and would continue to participate constructively in the process leading to the conclusion of a covenant. In that regard, he hoped that the General Assembly would address the concerns of all parties, bridge differences and eventually reach a consensus. His delegation would vote in favour of the draft resolution and called upon other States to do likewise.

83. **Mr. Scappini Ricciardi** (Paraguay) said that his delegation was firmly convinced of the need to address the right to development in order to build a common future that was fair, inclusive and sustainable, taking a human rights-based approach that gave equal weight to economic, social and cultural rights, on the one hand, and civil and political rights, on the other. His delegation had participated actively in the informal consultations and had noted the wide range of positions on the proposed covenant, vis-à-vis both its content and its legally binding nature. A draft resolution such as the one currently before the Council required a high degree of consensus, and he was concerned that the range of positions was not adequately reflected in the text. His delegation believed that the Council's discussions on the issue had not yet reached a conclusion. For those reasons, Paraguay intended to abstain from voting on the draft resolution.

84. **Ms. French** (United Kingdom) said that all States should pursue development in line with the 2030 Agenda and the Sustainable Development Goals, according to which development must always be accompanied by respect for human rights. In that connection, the United Kingdom worked in partnership with other States with a view to building strong, sustainable economies that tackled the causes of crises and delivered lasting growth, stability and poverty reduction. However, her Government did not agree that development should be governed by a new human rights treaty. Moreover, the draft covenant annexed to the draft resolution was deeply problematic for many countries: it lacked a clear purpose and failed to define what new rights were being envisaged and to whom they applied; it contained no clear definition of the right to development; it did not focus on States' obligations towards individuals within their jurisdiction; it included many standards and concepts that did not enjoy universal agreement; and it lacked references to other essential rights, in particular civil and political rights. While she appreciated the main sponsors' organization of one round of informal consultations and the clarification that the General Assembly would hold negotiations on the draft covenant, in which the United Kingdom would participate in good faith, her delegation was disappointed to note that none of its concerns had been reflected in the text. She therefore wished to request a vote on the draft resolution and urged all Council members to join her delegation in voting against it.

85. **Ms. Taylor** (United States of America) said that commitment to development lay at the core of the foreign policy of the United States, which had provided more foreign assistance than any other country on Earth – over \$3.75 trillion since the end of the Second World War – and remained the world's largest bilateral development donor. The United States was committed to advancing the Sustainable Development Goals and the 2030 Agenda, expanding economic opportunity, advancing social justice, caring for the planet, promoting good governance and putting equity at the core of development. However, although all States agreed on the importance of development, their views diverged significantly in terms of how it was conceived and how it related to human rights. She was concerned that the draft resolution and the annexed draft covenant created a detrimental narrative that would elevate the process of development above human rights and undermine the human rights system.

86. By prioritizing development over human rights, the draft tilted the decades-long balance between those two imperatives. Indeed, the “right to development” referred to in the text seemed to protect States instead of individuals. Yet States did not have human rights; they guaranteed such rights to individual human beings. The “right to development” was not recognized in any United Nations human rights convention; it did not have an agreed international meaning and was not recognized as a universal right held and enjoyed by individuals. In that connection, she was particularly concerned about the proposal to submit the draft covenant to the General Assembly for consideration and subsequent adoption. For those reasons, her delegation would vote against the draft resolution.

87. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that he wished to thank the main sponsors for keeping the human rights dimension of sustainable development on the Council’s agenda and for conducting the informal consultations with transparency and openness. The European Union promoted a human rights-based approach to inclusive and sustainable development and sought to help its partner countries to meet their human rights obligations, while promoting legislative and judicial reform, institution-building and awareness-raising. The right to development must remain rooted in the universal, indivisible, interrelated and interdependent nature of all human rights, which meant that it could not be singled out and used as a pretext by States for failing to protect, promote and fulfil human rights. Views on the right to development and on the draft legally binding instrument annexed to the draft resolution were widely divergent and went beyond any caricatured North-South divide. He regretted that those divergent views, including those of European Union States, were not reflected in the text. Clearly, much remained to be done before a consensus could emerge. For those reasons, the States members of the European Union that were members of the Council would vote against the draft resolution.

88. **The President** said that Chile had withdrawn its sponsorship of the draft resolution.

89. **Ms. Fuentes Julio** (Chile) said that her country’s commitment to human rights was cross-cutting. Chile had supported the 1986 Declaration on the Right to Development, the 1992 Rio Declaration on Environment and Development and the 1993 Vienna Declaration and Programme of Action. Nonetheless, her delegation viewed the draft resolution with concern. For a legally binding instrument on the right to development to be entirely valid, there must be broad consensus on the need for such an instrument and absolute clarity as to its content and scope. The text currently before the Council did not appear to meet either of those conditions. Moreover, the draft covenant appeared to take a selective approach to human rights and did not take account of the progressive development of such rights or of advances in the area of gender. She was concerned to note that calls to pursue the process in the Council had been ignored. For those reasons, her delegation would abstain from voting on the draft resolution.

90. **Ms. González Anaya** (Mexico) said that her Government, while supportive of the United Nations development pillar, was concerned that the approach taken in the draft resolution would make the fulfilment of States’ human rights obligations and the achievement of the Sustainable Development Goals conditional upon international cooperation. As the Mexican delegation had made clear during the fifty-first session of the Council and the twenty-fourth session of the Working Group on the Right to Development, Mexico did not support the proposal to submit a draft legally binding instrument on the right to development to the General Assembly. Indeed, Mexico and many other States had, on several occasions, expressed reservations about the usefulness of a treaty on the right to development, given the existence of the 2030 Agenda for Sustainable Development and the Declaration on the Right to Development. A legally binding instrument on that right could lead to duplication of effort and undermine progress in implementing the 2030 Agenda. Moreover, many delegations in the Working Group had expressed reservations about aspects of the draft covenant that either lacked clarity or represented setbacks in international human rights standards. Despite her delegation’s efforts to engage constructively in the negotiations, it did not believe that the draft resolution reflected the different positions on the relevance and content of the proposed legally binding instrument. It would therefore abstain from voting.

91. **Mr. Rosales** (Argentina) said that, while Argentina recognized the existence of the right to development and the importance of the promotion and protection of all human rights, it did not consider that the time was ripe to adopt the draft international covenant on the right to development in its current form. The negotiations on a legally binding instrument had not yet been completed, and the process should therefore continue within the Council, guaranteeing the incorporation of a gender perspective and a human rights-based approach. For those reasons, Argentina would abstain from voting on the draft resolution.

92. **Ms. Stasch** (Germany) said her Government believed that each and every human being had the right to fair and favourable living conditions conducive to a life of peace and dignity. As one of the world's leading donors of official development assistance, Germany had provided its partners with funding in areas such as food security, protection of the climate and biodiversity, and equal opportunities.

93. Deliberations on the nature of a future legally binding instrument on the right to development could not be driven solely by the conviction that providing assistance to those in need was a moral obligation. It was also necessary to stay true to the Universal Declaration of Human Rights, which stipulated that everyone was entitled to a social and international order in which the rights and freedoms set forth in the Declaration could be fully realized. Therefore, the Council must ensure that any instrument on the right to development protected individual rights at its core. The draft legally binding instrument, as it currently stood, was not in line with the *acquis* of international human rights law. Regrettably, despite her delegation's efforts to advance that understanding of the right to development, insufficient effort had been made to adapt the text, while the lack of proper informal consultations or revised versions spoke for itself. She sincerely hoped that, once the draft covenant was put forward for negotiation by the General Assembly, a constructive and comprehensive approach would yield an outcome in line with the existing international legal framework. For the reasons she had outlined, her delegation could not support the draft resolution and would vote against it.

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

In favour:

Algeria, 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, 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:

Argentina, Chile, Costa Rica, Mexico, Paraguay.

95. *Draft resolution [A/HRC/54/L.27](#) was adopted by 29 votes to 13, with 5 abstentions.*

Draft resolution [A/HRC/54/L.37/Rev.1](#): Realization of the equal enjoyment of the right to education by every girl

96. **Mr. Aljarman** (United Arab Emirates), introducing the draft resolution on behalf of the main sponsors, namely the United Kingdom and his own delegation, said that the drafters had tried to reflect all divergent views in order to reach a consensual text. The draft resolution highlighted the impact of climate change, environmental degradation and natural disasters on girls' equal enjoyment of the right to education, emphasizing that if current trends continued, by 2025, natural disasters could be a contributing factor in preventing approximately 12.5 million girls each year from completing their education. The draft resolution focused on girls in situations of vulnerability, including girls with disabilities, girls in situations of displacement and girls living in rural areas, who were more likely to suffer the adverse effects of climate change. By adopting the draft, the Council would recognize that the full realization of the right to education for all was an essential condition for achieving sustainable

development and would encourage States to assist in efforts to build capacity, through training and financial support for developing countries, towards alleviating the impact of climate change and environmental degradation on the equal enjoyment of the right to education. His delegation called upon the members of the Council to adopt the draft resolution by consensus.

General statements made before the decision

97. **Ms. Duncan Villalobos** (Costa Rica) said that her delegation welcomed the theme of the draft resolution, which highlighted the intrinsic links between human rights, gender equity, sustainable development and climate change. It was particularly important to recognize the negative impacts of climate change on historically marginalized peoples, women and girls, and future generations. The draft resolution referred to a number of key elements, including the right to education as a means of empowering girls; the creation of spaces for them to act as agents of change; the transformative potential of education to break cycles of violence, poverty and inequality; and the multiple forms of discrimination that hindered the enjoyment of human rights.

98. Although her delegation would have wished to see the human right to a clean, healthy and sustainable environment appropriately reflected in the text, it nonetheless welcomed the constructive spirit of the informal consultations. It regretted the polarization that had emerged regarding the principle of common but differentiated responsibilities. Such language was relevant in the context of the Paris Agreement and the United Nations Framework Convention on Climate Change, but not in the context of human rights, and should not be included in Council resolutions. Nevertheless, given the importance of the subject, her delegation called on all members of the Council to adopt the draft resolution without a vote.

99. **Ms. Fuentes Julio** (Chile) said that the reproduction in education of prevailing social norms and practices was not always conducive to the realization of girls' and boys' potential. The presence of gender stereotypes in daily educational processes created gaps in academic achievement and generated structural disadvantages to the detriment of girls.

100. Her delegation welcomed the draft resolution's focus on the impact of climate change on the right to education of all girls. Girls in vulnerable situations such as those who were migrants or refugees, Indigenous and Afrodescendent girls and girls with disabilities were especially likely to suffer the effects of climate change. Her Government believed that, by mainstreaming the gender perspective in all spheres, it would be possible to build a fairer society in which everyone could thrive. A non-sexist society, in which the skills and abilities of all children and adolescents were valued equally, regardless of their sex or gender identity, required the construction of educational spaces free from gender-based violence and discrimination. Her delegation therefore called on all States to join the consensus in support of the draft resolution.

101. **Mr. Pandey** (India) said that the draft resolution focused on the adverse impact of climate change on girls' enjoyment of the right to education and on the role that the realization of that right could play in addressing climate change. India recognized that access to inclusive and good-quality education, especially for girls, was an enabling right that had a multiplier effect for the enjoyment of other human rights and the achievement of the Sustainable Development Goals.

102. The Government of India recognized the existential challenge of climate change and strongly believed in the need for concerted global climate action, climate finance and the transfer of technology. While conscious of the impact of climate change on the enjoyment of human rights, India had consistently held that the United Nations Framework Convention on Climate Change, to which nearly all States were parties, was the only appropriate multilateral context in which to address climate change. The principles of equity and common but differentiated responsibilities and respective capabilities were the cornerstone of the discourse within the framework of the Convention. Accordingly, India had not supported previous attempts to bring matters related to climate change to the Human Rights Council, which had a limited membership. For India, it was important that any Council resolution that raised matters related to climate change and prescribed action for dealing with it should include the commitment of States to the fundamental principles of equity and common but

differentiated responsibilities and respective capabilities. As the draft resolution incorporated a proposal by India to refer to those principles, his delegation would join the consensus.

103. **Mr. Ahmad** (Pakistan) said that girls' right to education was central to the realization of other rights, to women's empowerment and social and economic advancement and to the fight against stigmatization and violence against women. Pakistan strongly supported the draft resolution's core objectives and its focus on climate change, which was a global reality that severely undermined the human rights of millions of people. Extreme weather events, such as droughts, wildfires, heatwaves and floods, had become more frequent and intense, with wide-ranging impacts on the rights to life, food, health, education and housing, among others. Unfortunately, developing and least developed countries were bearing the brunt of the crisis, despite their meagre contribution to carbon emissions, while levels of support, cooperation and technical assistance were not commensurate with the gravity of the challenge. Pakistan was one of the countries most vulnerable to climate change, as had been highlighted by the floods it had experienced in 2022. Such disasters underscored the need for meaningful action to promote equity and climate justice. Pakistan recognized the need for a holistic approach to dealing with the devastating consequences of climate change, which should be grounded in the principles of equity and common but differentiated responsibilities and respective capabilities. It would therefore join the consensus in support of the draft resolution.

104. **Mr. Alimbayev** (Kazakhstan) said that the draft resolution reflected the spirit of the Universal Declaration of Human Rights and referred to relevant international human rights instruments. It recalled the need to ensure that all children enjoyed the right to education and had equal access to early childhood development, care and pre-primary education, and the need to eliminate gender disparities in education by 2030. His delegation considered that the draft resolution was a balanced text on a crucial issue and hoped that it would be adopted by consensus.

105. **Mr. Zhu Kexing** (China) said that his Government welcomed the draft resolution, as it attached great importance to the equal enjoyment by girls of the right to education. China adhered to the principle of gender equality and had increased funding and taken practical measures to ensure that girls attended school. Steps had also been taken to promote gender equality among teachers and students and to raise parents' awareness of the importance of girls' education. Although the situation of developing countries could have been better reflected in the draft, his delegation was willing to join the consensus on the draft resolution.

Statements made in explanation of position before the decision

106. **Ms. Taylor** (United States of America) said that the United States strongly supported the realization of the equal enjoyment of the right to education by every girl and efforts to increase the quality of education. The language of the draft resolution duly reflected the right of everyone to education, as enshrined in article 13 of the International Covenant on Economic, Social and Cultural Rights. The United States would continue to work to remove obstacles that arbitrarily barred children, especially girls, from achieving their potential through education.

107. The United States supported the recognition, in the draft resolution, of the adverse effects that climate change could have on the education of children, particularly girls, by exacerbating existing inequalities. However, the United States was concerned about the use of the draft resolution as a proxy for negotiations on climate change under the United Nations Framework Convention on Climate Change and the Paris Agreement. In particular, her delegation noted the late insertion of a paragraph referring to "the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances". That reference was neither accurate nor relevant to the subject of the text. The United States would not treat the draft resolution's language on the Framework Convention or the Paris Agreement as having weight in the Council or any other forum, or as setting a precedent. She urged the Council, in future resolutions, to focus on its core area of expertise.

108. *Draft resolution A/HRC/54/L.37/Rev.1 was adopted.*

Agenda item 4: Human rights situations that require the Council's attention
(A/HRC/54/L.1)

Draft resolution A/HRC/54/L.1: Situation of human rights in Burundi

109. **Ms. Díaz-Rato Revuelta** (Observer for Spain), introducing the draft resolution on behalf of the European Union, said that the Special Rapporteur on the situation of human rights in Burundi had expressed concern, in his most recent report (A/HRC/54/56), at the shrinking civic space in Burundi and the persistence of impunity for continued violations and abuses. The Government of Burundi had refused to engage with the Special Rapporteur and had failed to take the necessary steps to allow OHCHR to reopen its country office. At the Council's preceding session, the High Commissioner had expressed regret at the authorities' lack of cooperation. However, instead of heeding his call for greater engagement, the Burundian authorities had become even more uncooperative and had taken the unprecedented decision to walk out of a review by the Human Rights Committee. Under the circumstances, the Council had little choice but to renew the mandate of the Special Rapporteur for another year to allow for the continued monitoring of the human rights situation, the provision of support for civil society and the issuance of expert recommendations to assist both the Government and the international community. The European Union hoped that Burundi, which had recently been elected as a member of the Council starting in 2024, would recognize its responsibility to re-engage constructively with the Council and OHCHR. For the reasons she had outlined, her delegation called upon the Council to adopt the draft resolution by consensus.

General statements made before the voting

110. **Ms. Salah** (Somalia) said that she wished to congratulate all States that had been elected to the Council for a term beginning in 2024, including Burundi. Her Government was of the view that country-specific initiatives that did not enjoy the consent of the country concerned were deeply divisive and counterproductive and undermined the spirit of cooperation that was indispensable for the promotion and protection of human rights. The best way to promote human rights principles and values was to engage in constructive dialogue and to support national efforts aimed at improving the human rights situation and building democratic institutions. Somalia welcomed the legal and administrative measures taken by the Government of Burundi, which had led to tremendous progress in the field of human rights, as highlighted in the national report presented during the fourth cycle of the universal periodic review. It was regrettable that, despite such progress, the European Union had again submitted a draft resolution on Burundi. Her delegation requested a vote on the draft resolution, would vote against it and invited other members of the Council to do the same.

111. **Ms. Taylor** (United States of America) said that the European Union had put forward a balanced text that acknowledged progress by the Government where appropriate, but also urged greater attention to the grave human rights situation. At the current session of the Council, the Special Rapporteur had made a compelling argument for extending his mandate. The United States remained deeply concerned about ongoing reports of human rights violations and abuses by State security forces and non-State actors in Burundi. It urged the Government of Burundi to protect the rights to freedom of opinion, expression, peaceful assembly and association and stressed the importance of protecting civil society, citizen activism, political participation and a free and fair judiciary. The United States also called upon the Government to grant access to the Special Rapporteur, in keeping with its public commitments to promote respect for human rights and to re-engage with the international community. The United States urged all delegations to support the draft resolution and to call for accountability in the interest of the Burundian people.

112. **Mr. Wang Nian** (China) said that China commended the efforts of the Government of Burundi to foster national reconciliation and the progress it had made in the promotion and protection of human rights. Considering that Burundi was currently enjoying hard-won peace and stability, the international community should respect its sovereignty and independence and play an active role in support of its efforts to achieve sustainable development. Regrettably, certain States had ignored multiple requests by Burundi and

several other African countries to discontinue the human rights mechanism targeting Burundi, and were attempting to push through a draft resolution renewing the Special Rapporteur's mandate, which was both an impediment to the stability and development of Burundi and a waste of United Nations resources. China had always advocated constructive dialogue and cooperation to address human rights issues and was opposed to politicization and double standards in that regard. His delegation would therefore vote against the draft resolution and called on other members of the Council to do the same.

113. **Mr. Adjoumani** (Côte d'Ivoire), speaking on behalf of the Group of African States, said that the Group was deeply concerned at the initiative of the European Union to impose a human rights monitoring mechanism upon Burundi without its consent. Indeed, the Group opposed the selective adoption of country-specific resolutions, which were a tool used to exploit human rights for political purposes. The Council should refrain from such selective practices, considering that they undermined cooperation and essential universal principles for the effective promotion and protection of human rights. Solutions should instead be found within the constitutional and legal framework of the sovereign State in question.

114. The draft resolution undermined the universal principles of respect for sovereignty and non-interference in the internal affairs of States, as enshrined in the Charter of the United Nations. The Group of African States welcomed the commitment of the Government of Burundi to the promotion and protection of human rights and congratulated it on the substantial progress achieved at the institutional level. The Group encouraged the Council to consider the real human rights situation in Burundi, with a view to ending the Special Rapporteur's mandate.

115. **Mr. Hassan** (Sudan) said that any human rights mechanism established without the consent of the State concerned would neither achieve its objectives nor effect any changes on the ground. The Sudan appreciated the efforts of Burundi in the human rights sphere, particularly in the areas of transitional justice, reconciliation and accountability. His delegation supported the request for a vote and would vote against the draft resolution.

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

117. **Ms. Nkerabirori** (Observer for Burundi) said that her delegation noted with some bitterness that, yet again, a handful of countries – including that country with which Burundi shared an inglorious and painful past – had submitted a new draft resolution for the renewal of the mandate of the Special Rapporteur. Like most of the States present, Burundi objected to the politicization of the Council's work and mechanisms in order to advance geopolitical interests on the pretext of concern for human rights. The time had come for the Council to decide whether it was necessary to keep Burundi under a special mechanism under agenda item 4; in other words, whether the situation in Burundi really was a "human rights situation requiring the Council's attention". In particular, members should consider whether it was appropriate to retain a Special Rapporteur whose mandate had been deliberately designed to portray to the world a Burundi that was unrecognizable to its own people.

118. Burundi had recently had the honour to be elected, by 168 States Members of the United Nations, to serve as a member of the Human Rights Council for the period 2024–2026. In contrast, the draft resolution before the Council had attracted only a few sponsors, all from the same regional group. Therefore, her delegation questioned the legitimacy of the draft resolution and called upon the Council to vote against it.

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

In favour:

Argentina, Belgium, Chile, Costa Rica, Czechia, Finland, Luxembourg, Georgia, Germany, Honduras, Kazakhstan, 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), Cameroon, China, Cuba, Eritrea, Gabon, Pakistan, Somalia, Sudan.

Abstaining:

Bangladesh, Benin, Côte d'Ivoire, Gambia, India, Kyrgyzstan, Malawi, Malaysia, Maldives, Morocco, Nepal, Qatar, Senegal, South Africa, United Arab Emirates, Uzbekistan, Viet Nam.

120. Draft resolution [A/HRC/54/L.1](#) was adopted by 20 votes to 10, with 17 abstentions.

The meeting rose at 1.05 p.m.