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Agenda item 3

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

Albania,* Argentina, Armenia,* Australia, Austria, Belgium,* Bulgaria, Canada,* Chile, Croatia, Cyprus,* Czechia, Denmark, Estonia,* Fiji, Finland,* France,* Georgia,* Greece,* Hungary, Iceland, Ireland,* Italy, Latvia,* Lithuania,* Luxembourg,* Maldives,* Malta,* Mexico, Montenegro,* Morocco,* North Macedonia,* Norway,* Poland,* Portugal,* Republic of Moldova,* Romania,* Slovakia, Slovenia,* Spain, Sweden,* Switzerland,* Thailand,* Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, and Uruguay: draft resolution

42/... The role of prevention in the promotion and protection of human rights

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations and the obligations of States thereunder to promote universal respect for and observance of human rights and fundamental freedoms,

Reaffirming also the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other human rights instruments, and the outcomes of major United Nations conferences and relevant resolutions adopted by the General Assembly and the Human Rights Council,

Recalling the role of the Human Rights Council in the prevention of human rights violations through cooperation and dialogue, in accordance with General Assembly resolution 60/251 of 15 March 2006,

Reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Recognizing that prevention can encompass measures that, inter alia, address root causes, focus on a rapid response to the earliest indicators, aim to minimize harm once a human rights situation has escalated, focus on minimizing future threats and aim to prevent human rights violations and abuses over the longer term,

* State not a member of the Human Rights Council.



Expressing concern at continued human rights violations around the world,

Recalling its resolutions 5/1 and 5/2 of 18 June 2007 and 16/21 of 25 March 2011,

Reaffirming its resolutions 14/5 of 17 June 2010, 18/13 of 29 September 2011, 24/16 of 27 September 2013 and 33/6 of 29 September 2016,

Acknowledging its resolution 38/18 of 6 July 2018, in which the Human Rights Council mandated the convening of two intersessional seminars on the contribution that the Council can make to the prevention of human rights violations,

1. *Affirms* the importance of effective preventive measures as a part of overall strategies for the promotion and protection of all human rights;

2. *Recognizes* that States have the primary responsibility for the promotion and protection of all human rights, including the prevention of human rights violations and abuses;

3. *Stresses* that States should promote supportive and enabling environments for the prevention of human rights violations, including, inter alia, by:

(a) Considering ratifying international human rights conventions and covenants;

(b) Fully implementing international human rights conventions and covenants to which they are party;

(c) Enhancing and developing good governance, democratic systems, the rule of law and accountability;

(d) Adopting policies to ensure the enjoyment of all human rights, including civil, political, economic, social and cultural rights;

(e) Addressing all forms of discrimination, including racial discrimination;

(f) Addressing factors, inter alia, inequality and poverty that may lead to situations in which human rights violations are committed;

(g) Promoting a free and active civil society;

(h) Promoting freedom of opinion and expression;

(i) Ensuring, where they exist, strong and independent national human rights institutions, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(j) Promoting human rights education and training;

(k) Ensuring an independent and functioning judiciary;

(l) Fighting corruption;

4. *Welcomes* the role of national human rights institutions in contributing to the prevention of human rights violations, and encourages States to strengthen the mandate and capacity of such institutions, where they exist, to enable them to fulfil this role effectively in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

5. *Continues* to invite national human rights institutions to consider addressing the issue of the role of prevention in the promotion and protection of human rights in the framework of relevant international and regional forums;

6. *Welcomes* the role of civil society in contributing to the promotion of human rights and the prevention of human rights violations;

7. *Acknowledges* that, in its resolution 60/251, the General Assembly decided that the Human Rights Council shall, inter alia, contribute, through dialogue and cooperation, towards the prevention of human rights violations and respond promptly to human rights emergencies;

8. *Also acknowledges* the importance of the universal periodic review as a cooperative mechanism of the Human Rights Council aimed at, inter alia, improvement of

human rights situations on the ground and the fulfilment of the State's human rights obligations and commitments, based on the principle of promoting the universality, interdependence, indivisibility and interrelatedness of all human rights;

9. *Further acknowledges* that technical assistance and capacity-building in the field of human rights may contribute to the prevention of human rights violations and abuses;

10. *Recognizes particular importance* of the role played by the system of special procedures as a tool in preventing human rights violations and abuses by, inter alia, monitoring, reporting and/or making recommendations to States and other stakeholders, and reaffirms the importance of upholding the independence of the special procedures, in accordance with Human Rights Council resolution 5/2;

11. *Invites* the special procedures, in accordance with their mandates, to continue to identify and incorporate practical approaches to the prevention of human rights violations and abuses in their assessments and recommendations, and to explore further ways to contribute to enhancing cooperation of United Nations actors towards better achieving the preventive mandate of the United Nations system;

12. *Stresses* the need to develop further the concept of the prevention of human rights violations and to step up efforts to raise awareness of prevention in the promotion and protection of human rights in order to encourage its reflection in relevant policies and strategies at the national, regional and international levels;

13. *Recognizes* the need for further research to assist States, at their request, and other stakeholders to understand and mainstream the role of prevention in the promotion and protection of human rights;

14. *Continues* to encourage the United Nations High Commissioner for Human Rights, on the basis of consultation with States, relevant regional organizations, national human rights institutions and other relevant stakeholders, to inform the Human Rights Council on a regular basis on the practical applications of prevention in the promotion and protection of human rights;

15. *Welcomes* the summary of the Office of the High Commissioner of the expert workshop on the role and contribution of civil society organizations, academia, national human rights institutions and other relevant stakeholders in the prevention of human rights abuses,¹ and the conclusions and recommendations contained therein, submitted to the Council at its thirty-ninth session;

16. *Affirms* the primary responsibility of States to strengthen rule of law institutions and to provide effective frameworks for all prevention efforts, including those of civil society actors, academics and national human rights institutions in fulfilling their monitoring, reporting and advocacy functions;

17. *Requests* the Office of the High Commissioner to prepare a study, to be presented to the Human Rights Council at its forty-fifth session, on the contribution of the special procedures in assisting States and other stakeholders in the prevention of human rights violations and abuses;

18. *Encourages* the Office of the High Commissioner to continue to gather information and research for further preparation of a practical toolkit to support States and other stakeholders in the practical application of prevention in the promotion and protection of human rights;

19. *Decides* to continue consideration of the matter under the same agenda item, in conformity with its annual programme of work.

¹ A/HRC/39/24.