



# General Assembly

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## Human Rights Council Fifty-seventh session

### Summary record of the 47th meeting

Held at the Palais des Nations, Geneva, on Thursday, 10 October 2024, at 10 a.m.

*President:* Mr. Zniber .....(Morocco)

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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 (*continued*)

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*The meeting was called to order at 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/57/L.3, A/HRC/57/L.6, A/HRC/57/L.23/Rev.1, A/HRC/57/L.27, A/HRC/57/L.29/Rev.1, A/HRC/57/L.33 as orally revised, A/HRC/57/L.34 and A/HRC/57/L.35/Rev.1 as orally revised)

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.

*Draft resolution A/HRC/57/L.3: Terrorism and human rights*

2. **Mr. Pintado Collet** (Observer for Mexico), introducing the draft resolution, said that it was essentially a technical update of Council resolution 51/24, consisting of the addition of references to the resolutions concerning human rights and terrorism that had been most recently adopted by the General Assembly and the Council and to the eighth biennial review of the United Nations Global Counter-Terrorism Strategy. The draft resolution was the fruit of the merging, since 2018, of the separate resolutions previously adopted on "Protection of human rights and fundamental freedoms while countering terrorism" and "Effects of terrorism on the enjoyment of all human rights". Given the importance of ensuring that the Council continued to speak with one voice on the issue of terrorism and human rights, he called for the adoption of the draft resolution by consensus.

3. **Ms. Atteya** (Observer for Egypt), continuing the introduction of the draft resolution, said that globally, terrorist attacks motivated by racism, xenophobia and other forms of intolerance had increased dramatically. International cooperation must be enhanced to prevent the perpetuation of the vicious cycle of violence, instability and human rights violations. The draft resolution was a robust, comprehensive and carefully balanced text that incorporated various perspectives on terrorism and human rights, underscoring the complementary nature of effective counter-terrorism measures and the protection of human rights and highlighting the need for a multidimensional, multi-stakeholder approach to address the issue.

4. **The President** announced that eight States had joined the sponsors of the draft resolution.

*General statements made before the decision*

5. **Mr. Wang Nian** (China) said that terrorism was an indiscriminate enemy of humankind and, as such, should be resolutely suppressed. Counter-terrorism measures should be consistent and result from a collective effort on the part of the international community. Selectivity and double standards were not compatible with international justice. His Government cracked down on terrorism in all its forms, eradicated terrorist breeding grounds, effectively addressed the root causes of terrorism and provided assistance to victims.

6. Despite the efforts of the main sponsors to hold consultations and achieve a consensus, the draft remained unbalanced. There should not be a one-sided emphasis on the impact of counter-terrorism measures on the human rights of perpetrators of terrorist acts, as opposed to the impact of terrorism on the rights of victims, nor should any country's lawful counter-terrorism measures be irresponsibly criticized. Greater attention should be paid to the financing of terrorist organizations and the misuse of the Internet to promote terrorism. Notwithstanding those misgivings, his delegation would join the consensus, and it hoped that greater attention would be paid to the concerns of all parties in future iterations of the resolution.

7. **Mr. Bladhane** (Algeria) said that his Government had long been committed to raising awareness about and combating terrorism and violent extremism and had consistently emphasized the need for regional and international cooperation efforts in that regard. It had played a pivotal role in Africa by championing various initiatives that had led to the adoption of key strategies and instruments and to the designation of the Algerian President as the

African Union Counter-Terrorism Champion. Algeria also hosted the African Union Counter Terrorism Centre and the African Police Cooperation Organization (AFRIPOL).

8. While his delegation respected the main sponsors' decision to submit a technical update of the previous resolution on the subject, it regretted that the text did not address terrorism comprehensively, in order to focus not only on its manifestations, but also on its root causes. A holistic, human-security and victim-centred approach was essential to tackling terrorism sustainably and inclusively. Moreover, resolving long-standing conflicts, promoting inclusive development and addressing socioeconomic inequalities were crucial for effectively countering terrorism. The human rights impact of counter-terrorism measures, particularly in situations of foreign occupation, warranted greater attention, especially with regard to women and girls. His Government had repeatedly voiced concerns over the alarming rise of racism, xenophobia and, in particular, Islamophobia, which had surged as unintended consequences of flawed policies enacted during the so-called global war on terror.

9. **Mr. Nkosi** (South Africa) said that his delegation wished to echo the concerns recently raised by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism regarding ongoing violations. Counter-terrorism measures had been used abusively to silence political opponents, the media, lawyers, civil society organizations and human rights defenders, among others. The use of such measures went well beyond national borders and included efforts to block access to or to muzzle such actors in international forums, including the Council. Counter-terrorism measures included mass online surveillance, with the use of sophisticated technology developed for reasons of national security, such as Pegasus software, to spy upon those without any link to terrorism.

10. As a country whose political activists and leaders, including former President Nelson Mandela, had been labelled by some as terrorists for fighting for a righteous cause against an unjust system, South Africa was particularly concerned about attempts to criminalize the efforts of those engaged in similarly legitimate struggles. Within the context of foreign occupation, specifically, counter-terrorism measures had been used to quell legitimate struggles for the right to self-determination. His delegation called for the adoption of the current text by consensus and looked forward to strengthening the text of the resolution in future iterations.

11. **Mr. Payot** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union attached the highest importance to preventing and countering terrorism while safeguarding human rights, in accordance with States' obligations under international human rights and humanitarian law. The European Union stood in solidarity with the victims of terrorism and their families, while highlighting the need to defend their rights, especially concerning access to justice and reparations. While executing counter-terrorism measures, States must uphold freedom of expression, online and offline, and freedom of assembly and association, while prohibiting torture, arbitrary detention and unlawful killings. The right to the presumption of innocence, a fair trial and non-discrimination must also be upheld. Lastly, the right to privacy, the protection of minors and the engagement of civil society in counter-terrorism efforts remained crucial priorities.

12. He reaffirmed the support of the European Union for the work of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, as the only United Nations entity with a mandate to report on counter-terrorism exclusively from a human rights perspective. While his delegation would have welcomed the opportunity to consider a more ambitious text, it respected the main sponsors' decision to submit a technical update; the European Union would join the consensus on the draft resolution.

13. **Ms. Singh** (India) said that terrorism posed a serious threat to economic and social development, undermined democracy and jeopardized the rule of law. While acts of terrorism violated the rights of individual victims, they also deeply affected the enjoyment of a range of human rights by victims' families and society as a whole; women and children were particularly vulnerable in that regard. It was essential to root out terrorism in all its forms and manifestations and to protect the human rights of victims, victims' families and societies;

moreover, it was critical that the counter-terrorism efforts of the United Nations should not be obstructed for political reasons. India had suffered from terrorism, especially cross-border terrorism, for decades; it would continue to fight against it and to contribute to global efforts to support the rights and needs of the victims of terrorism.

14. **Ms. Frasure** (United States of America), speaking in explanation of position before the decision, said that her delegation joined the consensus on the draft resolution. Her Government supported efforts to rehabilitate and reintegrate foreign terrorist fighters into society when appropriate. However, States should be able to choose the mechanism for doing so; not all States would find it useful or effective to develop a national centre for counsel and the prevention of radicalization to violence. The unique circumstances of each child who had been previously associated with armed or terrorist groups must be considered. As appropriate, any crimes committed could be addressed by a State's judicial system.

15. Her Government supported States' adoption of measures in accordance with international human rights law and international humanitarian law and other international agreements, in line with their domestic laws and international commitments. The legal framework applicable to counter-terrorism efforts was context-dependent, although State practices must comply with their international obligations in all cases. The "Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence", which was referred to in the text, reflected conclusions and recommendations agreed to by individual experts rather than by States; its implementation was therefore voluntary.

16. *Draft resolution A/HRC/57/L.3 was adopted.*

*Draft resolution A/HRC/57/L.6: Local government and human rights*

17. **Mr. Yun** Seong Deok (Observer for the Republic of Korea), introducing the draft resolution on behalf of the main sponsors, namely Chile, Egypt, Romania and his own delegation, said that, since the first iteration of the text in 2013, the focus had evolved from awareness-raising about the role of local government in promoting and protecting human rights to the provision of assistance to local governments in building capacities to fulfil their human rights responsibilities effectively. The text of the current draft resolution was intended to significantly enrich the discussions in that regard, highlighting concrete and diverse ways in which the human rights capacities of local governments could be augmented. In the text, the Office of the United Nations High Commissioner for Human Rights (OHCHR) was requested to convene a panel discussion and to prepare a report on the subject. The draft resolution was the first to explicitly deal with the human rights impacts of the digitalization of cities, including smart city projects. The main sponsors sought to promote a vision in which human rights were at the centre of such projects and concrete guidance was given to local governments so that they could play a more prominent role in realizing that vision.

18. **Ms. Fuentes Julio** (Chile), continuing the introduction of the draft resolution, said that the text promoted a multi-stakeholder, whole-of-society approach to local governance, highlighting the unique roles that national governments, international organizations, national human rights institutions, national mechanisms for implementation, reporting and follow-up and civil society could play in strengthening the capacity of local governments to fulfil their human rights responsibilities. By adopting the draft resolution, the Council would call upon local governments to implement adequate human rights safeguards and to address any biases in the data used in digitalization schemes. However, given the potential for such schemes to enhance the delivery of public services and thereby promote human rights, the Council would also call upon local governments to take effective measures to ensure that everyone had equal access to those enhanced services.

19. **The President** announced that 24 States had joined the sponsors of the draft resolution.

*General statements made before the decision*

20. **Mr. Céspedes Gómez** (Costa Rica) said that local governments played an essential role in promoting and protecting human rights; without their involvement, it would be impossible to attain the Sustainable Development Goals. The text of the draft resolution

expressed recognition of the unique ability of local governments to translate international human rights commitments into practical initiatives at the community level. The adoption of a whole-of-government approach was essential for ensuring consistency among policies for complying with international human rights obligations. His delegation welcomed the emphasis, in the draft resolution, on capacity-building for local governments with scarce resources and ever more complex responsibilities, especially in developing countries. They required technical assistance, training and tools to meet human rights challenges.

21. The development of smart cities must make human rights a priority, protecting the right to privacy, equal access and digital inclusion. His delegation therefore welcomed the recommendations made to local governments in paragraphs 6 and 7 of the draft resolution. Equally crucial was the work of civil society and human rights defenders, which helped not only to advance human rights, but also to create a more democratic and participatory environment, allowing every voice to be heard. His delegation welcomed the request, in the draft resolution, for OHCHR to convene a discussion on how to overcome the various challenges that local governments faced in fulfilling their human rights responsibilities. With the support of the international community, local governments could continue to drive changes so that no one was left behind.

22. **Ms. Osman** (Malaysia) said that the Council's consideration of the draft resolution was timely in highlighting the role of local governments in promoting human rights. Her Government welcomed the involvement of various stakeholders in assisting local governments in the promotion of human rights, including by pursuing inclusive and constructive dialogue and cooperation among government agencies so as to better monitor, implement, report on and follow up on various initiatives to advance the human rights agenda. Her delegation welcomed the focus on the nexus between digitalization and human rights, recognizing that digital innovation could serve to enhance inclusivity, accessibility and the well-being of urban populations. Her Government had set up a database hub for targeted subsidies to centralize income and socioeconomic data so as to ensure that assistance reached those in need. Kuala Lumpur had improved its smart city ranking to seventy-third out of 142 cities in the world. The establishment of an SDG Centre in the capital reflected the Government's commitment to localizing and implementing the Sustainable Development Goals. The Centre's activities were meant to increase public awareness of the Goals and to foster closer partnerships between the federal and local governments in advancing them. Her delegation looked forward to exchanging best practices regarding the role of local governments in promoting and protecting human rights.

23. **Ms. Giedraitytė** (Lithuania) said that the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law was the first legally binding international agreement aimed at ensuring that artificial intelligence systems were aligned with human rights, democracy and the rule of law. It had the potential to become the global standard on the issue and was open to all States that wished to become parties; her delegation urged Council members to do so.

24. Her Government strongly supported the adoption of an international framework for the human rights-compliant development, deployment and use of current and emerging technologies. It therefore had some reservations regarding the newly introduced language in the draft resolution, including references to domestic legal frameworks. Nevertheless, it supported the draft resolution as a whole and hoped that it would be adopted by consensus.

25. **Mr. Saad** (Sudan) said that his country had adopted a decentralized system of government and therefore strongly supported the emphasis on the role of local government in protecting human rights. His delegation called on Council members to adopt the draft resolution by consensus.

26. **Mr. Martínez** (Paraguay) said that obligations under international human rights law extended to all levels of a State, and local government had a vital role in implementing public policies with a human rights focus and in encouraging the direct involvement of people in decisions that affected their lives. His delegation welcomed the call, in the draft resolution, for technical assistance and capacity-building to be provided to local governments and for United Nations agencies, funds and programmes and regional human rights mechanisms to cooperate with local governments. It recognized the potential benefits that national human

rights institutions and national mechanisms for implementation, reporting and follow-up could provide to local governments in the promotion and protection of human rights at the local level, including by providing training and recommendations to support policymaking. His delegation supported the draft resolution's focus on the efforts of local governments to uphold human rights and ensure a harmonious relationship with civil society, given their proximity to people. He called for the draft resolution to be adopted by consensus.

27. **Mr. Sultanov** (Kyrgyzstan) said that the State was the ultimate guarantor of human rights and that local government was the backbone of the State and of true democracy and the defence of human rights. His delegation had therefore joined the sponsors of the draft resolution and hoped it would be adopted by consensus.

28. **Mr. Foradori** (Argentina), speaking in explanation of position before the decision, said that his delegation wished to join the consensus in support of the draft resolution, while recalling that his Government had dissociated itself from the Pact for the Future. Argentina was committed to the protection of individual rights for all human beings without distinction, in accordance with the obligations expressly undertaken pursuant to the treaties to which it was a party. He wished to recall that the 2030 Agenda for Sustainable Development, to which his Government had committed in good faith, set out non-legally binding aspirations that States, in exercise of their sovereignty, were free to interpret and implement as they saw fit.

29. *Draft resolution A/HRC/57/L.6 was adopted.*

*Draft resolution A/HRC/57/L.23/Rev.1: The human rights to safe drinking water and sanitation*

30. **Ms. Gillhoff** (Germany), introducing the draft resolution on behalf of the main sponsors, namely Spain and her own delegation, said that those two delegations had worked for nearly two decades to secure the recognition of access to safe drinking water and sanitation as human rights. Now, six years ahead of the deadline set for the achievement of the Sustainable Development Goals, Goal 6, on clean water and sanitation, was still far from being achieved. More than 2 billion people around the world still had no access to safe and affordable drinking water, and more than 3.5 billion people lacked access to safely managed sanitation. With the steady increase in natural disasters, rising prices for drinking water and ongoing conflicts around the world, the situation was getting worse rather than better. Yet there was reason to hope: the resolutions on the human rights to safe drinking water and sanitation enjoyed broad support internationally, demonstrating the global will to tackle the issue, and there was momentum for change, given the recent launch of the United Nations System-wide Strategy for Water and Sanitation and the two water-related conferences to be held by the United Nations in 2026 and 2028.

31. **Ms. Cabrera Brasero** (Observer for Spain), continuing the introduction of the draft resolution, said that the revised text included more direct references to the water-related needs of developing countries and to the need to strengthen international cooperation. New language had been added regarding the need to ensure that water, as a common good, remained affordable for everyone, while existing language on water-related needs in humanitarian emergencies had been strengthened. Lastly, to ensure that the human rights to safe drinking water and sanitation remained at the heart of all water-related processes, the Council would, by adopting the draft resolution, decide to convene a panel discussion at its fifty-ninth session, the results of which would feed into the upcoming water-related conferences to be held by the United Nations. She called on the Council to adopt the draft resolution by consensus.

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

*General statements made before the decision*

33. **Ms. Schroderus-Fox** (Finland) said that the draft resolution remained relevant, given the huge number of people who lacked safe drinking water and access to safely managed sanitation. Her delegation welcomed the draft resolution's focus on the rights of women and girls and the inclusion of references to menstrual health and hygiene, which continued to be surrounded by widespread silence and stigma. She also welcomed the strong emphasis on the

rights of persons with disabilities, as access to water and sanitation was indispensable for ensuring that persons with disabilities could enjoy independent living and fully participate in all aspects of life. Her delegation supported the convening of a panel discussion on the realization of the human rights to safe drinking water and sanitation, with a particular focus on mainstreaming those rights in the upcoming 2026 United Nations Water Conference. She hoped that the draft resolution would be adopted by consensus.

34. **Mr. Guillermet Fernández** (Costa Rica) said that his country, which had enshrined the right to safe drinking water in its Constitution, had set up a national forum to enable all relevant stakeholders to exchange views on the management of water resources. It also made information on surface and subsurface water resources available to the public.

35. He welcomed the call in the draft resolution for States to take measures to guarantee access to safe drinking water and sanitation and thus to combat one of the structural causes of poverty and discrimination. The references to the particular problems faced by women and girls – especially in respect of menstrual health and hygiene – who lacked access to safe drinking water and sanitation were also welcome. He called on the Council to adopt the draft resolution by consensus.

36. **Mr. Eheth** (Cameroon) said that, although access to drinking water and sanitation was a universal right, billions of people still lacked such access. That lack was not only a human rights violation but also an obstacle to sustainable development and to the achievement of Sustainable Development Goal 6 in particular.

37. His delegation welcomed the draft resolution's focus on vulnerable persons, who were often the primary victims of a lack of access to safe drinking water and sanitation. In rural areas, for example, women and children, girls in particular, often had to cover considerable distances to collect water, a situation that exposed them to the risk of violence and restricted the time available for education and income-generating activities. Ethnic conflict, as in the Lake Chad basin, which was in the grip of an unprecedented drought, was driven by struggles for control over water resources. The acknowledgement in the draft resolution that the climate crisis and humanitarian crisis had an adverse impact on access to safe drinking water and sanitation was also welcome.

38. His country, like many other developing countries, had to grapple with mounting challenges – desertification, for example, and natural disasters – to the management of its water resources. For that reason, it supported the affirmation of the importance of international cooperation in respect of the rights to safe drinking water and sanitation. Adopting the draft resolution would be a critical step towards the realization of those rights.

39. **Ms. Tsheole** (South Africa) said that the right to safe drinking water was as relevant as it had been at the beginning of the International Decade for Action, “Water for Sustainable Development”, 2018–2028. More than 2 billion people lacked access to safe drinking water, and 3.5 billion more had no access to decent sanitation. Women and girls were among those most badly affected by that lack of access.

40. Those billions were not just statistics. They were people who were vulnerable to disease and hunger. They were women and girls who travelled long distances for water, putting themselves at risk of sexual harassment and gender-based violence. They were women and girls whose dignity was compromised.

41. Access to safe drinking water and sanitation, which should be affordable, was intrinsically linked to menstrual health and hygiene and essential to the provision of sexual and reproductive health services. It was also linked to other fundamental rights, including the rights to life, food, education and the highest attainable standard of physical and mental health. A lack of access to water was, conversely, linked to a number of undesirable outcomes. All parties to armed conflicts were, as noted in the draft resolution, obligated to respect and protect civilian objects, including water and sanitation facilities. Her delegation welcomed the draft resolution and hoped that it would be adopted by consensus.

42. **Mr. Bonnafont** (France) said that the global water crisis, which was exacerbated by climate change, had wide-ranging effects, including on prospects for peace and sustainable development. The crisis also exacerbated gender inequality.

43. Access to water could not be considered separately from access to sanitation. Women's and girls' access to menstrual health and hygiene depended on their access to sanitation services. The reintegration of the gender dimension in the draft resolution, which had been achieved in a spirit of compromise and dialogue, had been a welcome development.

44. His Government was committed to the achievement of Sustainable Development Goal 6. It had developed a 10-year international strategy under which it provided assistance for more than 200 water and sanitation projects. The One Water Summit, organized by France, Kazakhstan, Saudi Arabia and the World Bank, would be held in December 2024 on the sidelines of the sixteenth session of the Conference of the Parties to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa. The aim of the Summit was to bring the international community together to help resolve the global water crisis. He called on the States members of the Council to adopt the draft resolution by consensus.

45. **Mr. Quintanilla Román** (Cuba), welcoming the introduction of the draft resolution, which would help protect rights that had an impact on all human beings, such as the rights to food, economic development and disease prevention, said that the draft resolution would contribute to the achievement of Sustainable Development Goal 6. It was thus an example of good practice in promoting complementarity among the pillars of the United Nations.

46. His delegation welcomed the cooperative spirit with which the main sponsors had led the negotiations on the text of the draft resolution. It also welcomed the determination to press ahead with an issue of particular importance to developing countries, which were disproportionately affected by shortages of drinking water. His delegation supported the adoption of the draft resolution.

47. **Ms. Micael** (Eritrea) said her delegation had hoped that, in view of the importance of access to safe drinking water and sanitation, the informal consultations on the draft resolution would focus more on practical measures capable of making a tangible impact than on the reiteration of national positions on gender, sexual and reproductive health and rights, and other related issues. It was hard to understand why and how those issues, the diversity of views on which her delegation had consistently highlighted, had become central to a draft resolution on access to safe drinking water and sanitation. Continued dialogue and mutual understanding, however, would ultimately make it possible to present resolutions that reflected the interests of the people most severely affected by the lack of access to drinking water and sanitation.

*Statements made in explanation of position before the decision*

48. **Mr. Foradori** (Argentina) said that his delegation wished to join the consensus in support of the draft resolution. Argentina was committed to the protection of individual rights for all human beings without distinction, in accordance with the obligations expressly undertaken pursuant to the treaties to which it was a party. He wished to recall that the 2030 Agenda for Sustainable Development, to which his Government had committed in good faith, set out non-legally binding aspirations that States, in exercise of their sovereignty, were free to interpret and implement as they saw fit.

49. All measures related to climate change should be informed by scientific evidence. Argentina had the potential to export critical minerals and energy from renewable sources. Agricultural practices in the country, including the preservation of forest cover, the pasture-raising of livestock and the prevalence of no-till farming, sequestered considerably more carbon than practices in the developed countries that considered themselves sustainability leaders. His Government understood the term "gender" in the sense in which it was defined in article 7 (3) of the Rome Statute of the International Criminal Court.

50. **Mr. Oike** (Japan) said that his country had been involved in water and sanitation projects the world over. It had also played a leading role at the forums organized by the World Water Council. Although it did not recognize the rights to safe drinking water and sanitation as established rights in international human rights law, it would, in view of the importance of the issue, support the adoption of the draft resolution.



51. **Ms. Benda** (United States of America) said that her delegation was pleased to join the consensus on the draft resolution. Water, sanitation and hygiene were vital to preventing the spread of disease, delivering a range of health services and supporting education, nutrition and sustainable development.

52. As her delegation had noted at previous sessions of the Council and the General Assembly, references to the human rights to safe drinking water and sanitation did not alter the current state of conventional or customary international law or imply that States must implement obligations under human rights instruments to which they were not parties. It understood the draft resolution's reference to those rights to refer to the right derived from the economic, social and cultural rights enshrined in the International Covenant on Economic, Social and Cultural Rights. In addition, it did not agree with all the conclusions of the reports of the Special Rapporteur on the human rights to safe drinking water and sanitation mentioned in the draft resolution. Those rights were not inextricably related to or otherwise essential to the enjoyment of other human rights.

53. *Draft resolution A/HRC/57/L.23/Rev.1 was adopted.*

*Draft resolution A/HRC/57/L.27: Human rights of migrants*

54. **Ms. Méndez Escobar** (Observer for Mexico), introducing the draft resolution, said that the text highlighted the importance of curbing the spread of dehumanizing and harmful narratives about migrants. Those narratives, which were causing a troubling increase in the exclusion of migrants and in violence and hostility against them, had an impact on the design and adoption of public policies, including, for example, policies under which irregular migration was made a criminal offence or migrants in an irregular situation were denied basic services.

55. The positive role and contributions of migrants were recognized in the draft resolution. States were urged to shift to human rights-based and evidence-based narratives and to create an environment conducive to countering disinformation and misinformation. In addition, States were called upon to ensure that all border governance measures complied with obligations under international human rights law and to adopt concrete measures to prevent the violation of human rights and abuses against migrants in transit.

56. **The President** announced that nine States had joined the sponsors of the draft resolution.

*General statements made before the decision*

57. **Mr. Guillermet Fernández** (Costa Rica) said that migration management, on which the Council should take a position, was an issue not only in Latin America or the developed world but also in Africa and Asia. Migrants accounted for 10 per cent of the population of his country, which was a country of both transit and destination. Increasingly, migration flows in Costa Rica and its region were mixed.

58. A human rights-based approach must be taken to migration management, and the integration of migrant communities should be made a priority. Disinformation about migrants, to which his country was no stranger, should be countered. He called on the Council to adopt the draft resolution by consensus.

59. **Ms. Fuentes Julio** (Chile), noting that Latin America and the Caribbean had in recent years experienced mixed migration flows of considerable complexity, said that the draft resolution, which contained references to the need to protect the rights of migrant women and children, was informed by a gender perspective and was focused in particular on the issues of hate speech, disinformation and misinformation about migrants. States were encouraged in the draft resolution to strengthen cooperation, information exchange and coordination, including between countries of origin, transit and destination, and with international humanitarian organizations, civil society organizations, and migrants and their families, in order to prevent and investigate human rights violations and abuses against migrants.

60. Mixed migration flows often made it difficult to discern an individual's motives for migrating. Regardless of the migration context, however, migrants should be afforded

enhanced international protection, not least to combat trafficking in persons and migrant smuggling. For those reasons, she urged the Council to adopt the draft resolution by consensus.

*Statements made in explanation of position before the decision*

61. **Mr. Foradori** (Argentina) said that his delegation would join the consensus on the draft resolution. It was nonetheless concerned that the imprecise application of the term “hate speech” might lead to the abuse of the concept, which in turn might be detrimental to pluralist debate. His Government understood “hate speech” to mean, as defined in article 20 (2) of the International Covenant on Civil and Political Rights, any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence. That definition should be read in conjunction with article 19 (3), which provided that the exercise of the right to freedom of expression could be subject to certain restrictions. As the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression had noted in a 2012 report (A/67/357), the risks that legal provisions prohibiting hate speech might be interpreted loosely and applied selectively by authorities underlined the importance of having unambiguous language and of devising effective safeguards against abuses of the law.

62. **Ms. Frasure** (United States of America) said that her delegation was pleased to join the consensus on the draft resolution. The United States supported safe, orderly, humane and regular migration and agreed that States must protect the human rights of migrants in their territory, regardless of their legal status. While States must comply with their obligations under international refugee law, the repatriation of migrants who had no legal basis to remain in a particular territory was lawful. In some cases, it might be appropriate for groups of migrants to be repatriated together. Her delegation therefore understood the references in the draft resolution to “pushback practices” and “collective expulsions” to mean practices that were inconsistent with State obligations under international refugee law. Although her delegation supported efforts to counter negative rhetoric about migrants, some of the language of the draft resolution, in particular on the instrumentalization and scapegoating of migrants for political purposes, was regrettable. Language that appeared to target ongoing or future elections could be easily misunderstood, was superfluous to the goals of the draft resolution and went beyond the proper scope of a resolution adopted by the Council.

63. **Mr. Bladhane** (Algeria) said that, because of its location and its economic potential, his country was a country of destination and transit for migrants in both regular and irregular situations. It was also a country of origin. There should clearly be a legal framework for migration and the root causes of migration should be addressed.

64. His delegation welcomed the draft resolution’s focus on the need to combat xenophobia and dehumanizing narratives about migrants, as well as the removal of the ambiguous references to international refugee law that had appeared in previous resolutions on the subject. However, the failure of the delegation of Mexico to accept proposals to remove the references to intersecting forms of discrimination was regrettable and his delegation dissociated itself from those references. In view of the importance of the issue, his delegation would nonetheless join the consensus on the draft resolution.

65. *Draft resolution A/HRC/57/L.27 was adopted.*

*Draft resolution A/HRC/57/L.29/Rev.1: Human rights and Indigenous Peoples*

66. **Ms. Méndez Escobar** (Observer for Mexico), introducing the draft resolution on behalf of the main sponsors, namely Guatemala and her own delegation, said that the text touched on such major developments as the adoption by the World Intellectual Property Organization of the Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge. Cooperation with Indigenous Peoples was encouraged, efforts to translate the United Nations Declaration on the Rights of Indigenous Peoples into Indigenous languages were recognized and note was taken of the ongoing work by some States to strengthen their legal and constitutional frameworks for the full recognition of Indigenous Peoples as subjects of law. It was acknowledged, too, that Indigenous Peoples had their own approaches to the prevention and resolution of conflicts.

67. In addition, the President of the Council was requested to organize the participation of Indigenous Peoples' representatives and institutions in the interactive dialogues with the Special Rapporteur on the rights of Indigenous Peoples and with the Expert Mechanism on the Rights of Indigenous Peoples. To that end, the draft resolution contained a call for States and other potential donors to contribute or to increase their contributions to the United Nations Voluntary Fund for Indigenous Peoples. The text also included a decision that the theme of the annual half-day panel discussion on the rights of Indigenous Peoples, to be held during the Council's sixtieth session, should be the rights of Indigenous Peoples in the context of a just transition to sustainable energy systems, including in relation to critical minerals.

*General statements made before the decision*

68. **Ms. Taylor** (United States of America) said that her delegation appreciated the main sponsors' tireless efforts to facilitate the adoption of the draft resolution and strengthen the text, including by acknowledging the importance of Indigenous peacebuilding. Indigenous Peoples brought crucial perspectives to the discussions and work of the Human Rights Council and, in 2024, the Council had taken a significant step forward when Indigenous Peoples had been permitted to participate and represent themselves in two interactive dialogues without needing to register through a non-governmental organization (NGO). While much remained to be done to enhance the participation of Indigenous Peoples in the work of the Council, the draft resolution would ensure that they could represent themselves in future interactive dialogues, an achievement of which the Council could be proud. Her delegation hoped that that successful model could be used to enhance Indigenous participation across the United Nations system in general and looked forward to discussing enhanced participation at the Council's next intersessional meeting on the subject.

69. **Ms. Schroderus-Fox** (Finland) said that the main sponsors were to be commended for having achieved a balanced text. The draft resolution addressed the many important challenges faced by Indigenous Peoples, including those faced by Indigenous persons with disabilities. It also expressed recognition of the need to enhance the participation of Indigenous Peoples' representatives and institutions duly established by themselves. The Council had already taken important steps in that direction, having celebrated a historic moment at the current session when Indigenous Peoples' representatives and institutions had participated in interactive dialogues with the Special Rapporteur on the rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples. The continued participation of Indigenous Peoples from all seven Indigenous sociocultural regions in those interactive dialogues, as called for in the draft resolution, would make the Human Rights Council truly inclusive and enable it to make informed decisions on the rights of Indigenous Peoples. The draft resolution also expressed condemnation of the increase in reprisals against Indigenous human rights defenders and Indigenous leaders and called for all cases of intimidation, harassment and reprisals against Indigenous Peoples, including against their representatives attending United Nations meetings, to be fully investigated and addressed. For all those reasons, her delegation supported the draft resolution and hoped that it would be adopted by consensus.

70. **Ms. Arias Moncada** (Honduras) said that her delegation was pleased to join the sponsors of the draft resolution. Despite having a key role in the preservation of cultural identity, natural resources and biodiversity, Indigenous Peoples faced considerable challenges in access to justice, healthcare, education and political participation owing to their historical situation of marginalization and exclusion. The draft resolution addressed those challenges, underscoring States' obligation to respect and protect the human rights of Indigenous Peoples and the importance of respecting their self-determination and cultural identity and ensuring their meaningful participation in decision-making processes that affected them. Her delegation particularly welcomed the attention accorded to the rights of Indigenous Peoples in the context of a just transition to sustainable energy systems and the call to establish processes and mechanisms to facilitate the repatriation of cultural objects and human remains and ensure effective investigations, accountability and reparation for human rights violations and abuses. Her delegation also appreciated the calls for greater cooperation between States in efforts to protect and promote the rights of Indigenous Peoples and ensure their inclusion in decision-making processes, including processes within the

Human Rights Council. Her delegation urged all members to adopt the draft resolution by consensus.

71. **Mr. Simas Magalhães** (Brazil) said that the draft resolution reflected a concerted effort to address critical issues affecting Indigenous communities worldwide, including health challenges and the impact of transnational corporations and business enterprises in general on their rights; it also touched on the importance of protecting Indigenous Peoples in voluntary isolation and initial contact and preserving their way of life. Most importantly, it included a call for continuing advances in Indigenous participation in decision-making processes within the United Nations system. Since key issues on the international agenda, such as climate change, would be inadequately addressed without the meaningful involvement of Indigenous leaders, the draft resolution represented a breakthrough in ensuring truly representative participation. It highlighted, for the first time, the centrality of language issues and the need to provide interpretation services for Indigenous representatives who did not speak an official language of the United Nations. In a further pioneering move, it included acknowledgement of the need for balanced representation not only across the seven sociocultural regions but also among their subregions. His delegation stood ready to continue supporting efforts to promote the rights and participation of Indigenous Peoples worldwide.

72. **Mr. Quintanilla Román** (Cuba) said that his delegation appreciated the spirit of cooperation and flexibility with which the main sponsors of the draft resolution had addressed the concerns raised by various delegations. His country was committed to the fight to defend, recognize and fully realize the human rights of the Indigenous Peoples who had been victims of the conquest and colonization of Latin America. It was also committed to the modalities for participation within the Human Rights Council that had been duly established in the institution-building package. In that connection, his delegation welcomed the recognition, in paragraph 25 of the draft resolution, of the unique character of Indigenous Peoples' participation. For those reasons, his delegation reiterated its support for the draft resolution.

73. **Mr. Aguirre Martínez** (Paraguay) said that, as a pluricultural country with two official languages that was home to various ethnic and linguistic groups, Paraguay supported the draft resolution, particularly the focus on the rights of Indigenous Peoples in the context of a just transition to sustainable energy systems and societies. His delegation supported all efforts to preserve, revitalize and promote Indigenous languages and thus appreciated the references in the draft resolution to the need to translate United Nations instruments into Indigenous languages and to develop policies for training and certifying interpreters in Indigenous Peoples' languages as part of the activities to mark the International Decade of Indigenous Languages. The focus on Indigenous persons with disabilities and the call for States to take appropriate measures to promote their rights and ensure the continued improvement of their economic and social conditions were also welcome, as was the call for active consultation and cooperation with Indigenous Peoples towards achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples and the outcome document of the World Conference on Indigenous Peoples. His delegation appreciated the main sponsors' constructive spirit and encouraged all members to support the draft resolution.

74. **Mr. Ruddyard** (Indonesia) said that Indonesia fully acknowledged the distinct nature of the rights of Indigenous Peoples and the importance of protecting them. However, as had been noted during the informal consultations, many States, including Indonesia, could not, owing to their specific historical and social context, fully align themselves with the use of the term "Indigenous Peoples" and the obligations it carried. Colonial histories differed significantly between States. In many cases, the State's specific history had not resulted in the existence of a distinct Indigenous society that could be referred to generally as an "Indigenous People" within its post-independence borders and jurisdiction. That reality should be fully understood and acknowledged by all, and, given the diverse realities of the different States, the establishment of uniform guidance and the imposition of obligations intended to protect a specific type of group or community should be carefully considered. In Indonesia, the diverse subethnic communities referred to as "customary law communities" were an integral part of the national identity and legal framework. However, those communities did not fit the "Indigenous" label as used elsewhere in post-colonial contexts; their rights were protected through a distinct approach tailored to their specific situation in

accordance with the country's international obligations. Accordingly, any provisions arising from the draft resolution as currently framed would not be directly applicable to Indonesia in that specific context.

75. His delegation appreciated the main sponsors' efforts to address some of its concerns about the text. However, with regard to the participation of Indigenous Peoples in discussions and decisions related to Indigenous matters, adherence to the Human Rights Council's institution-building package, and especially the rules of procedure governing stakeholder participation, remained essential. Care should also be taken to avoid pre-empting ongoing discussions within the United Nations General Assembly. The content of paragraph 23 of the draft resolution should be carefully considered, as there were significant questions and challenges regarding the selection process. To ensure credibility, fairness and integrity, all efforts to enhance Indigenous Peoples' participation must be built on transparency. It was crucial for the Council to validate the legitimacy of such participation and prevent the misuse of that privilege by entities that might not genuinely represent Indigenous communities.

*Statements made in explanation of position before the decision*

76. **Mr. Bladehane** (Algeria) said that the main sponsors' transparency and constructive spirit had ensured that concerns raised during the consultations, including by his own delegation, had been taken into account in the text. In view of its own struggle against colonialism, Algeria understood the historical injustices that Indigenous Peoples had endured. Only after the country had won independence had the Algerian peoples currently considered Indigenous been able to exercise their rights as citizens fully and effectively. His Government strongly believed that all peoples had the right to preserve their identity, language and traditions while actively contributing to decision-making processes that affected them. In that spirit, in 2007 the Algerian delegation had voted in favour of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples.

77. The draft resolution was relatively balanced in that it addressed the human rights of Indigenous Peoples without ignoring the differing realities and perspectives of different countries. However, from a procedural standpoint, matters related to the participation of Indigenous Peoples fell within the remit of the General Assembly, not one of its subsidiary bodies. The use of non-consensual terminology that promoted concepts incompatible with national legislation was also regrettable; in that connection, his delegation wished to specify that the term "gender" and related vocabulary must be understood to refer solely to the two biological sexes, male and female. It was likewise regrettable that proposals to replace non-consensual language related to intersectionality had not been taken into account. His delegation dissociated itself from all such references, in particular the references to "multiple and intersecting forms of discrimination". Nonetheless, given the importance of promoting Indigenous Peoples' rights worldwide, his delegation would join the consensus on the draft resolution.

78. **Mr. Foradori** (Argentina) said that his delegation would join the consensus on the draft resolution. It appreciated the importance of respecting traditional Indigenous knowledge, provided that traditional practices did not infringe upon fundamental human rights. Traditional healthcare practices, for example, must be compatible with States' obligation to guarantee the universal right to physical integrity and health, and the exercise of the right to political participation and the repatriation of Indigenous property were subject to each State's domestic legal framework. His delegation would have preferred for the term "gender", as used in the draft resolution, to be replaced with the word "woman", in order to reflect the language of the Convention on the Elimination of All Forms of Discrimination against Women. With regard to the use of the term "intersecting" and the concept of intersectionality more generally, his delegation wished to recall the need for neutrality within international organizations and the consequent need to avoid references to concepts that were still being debated in the human rights context.

79. **Ms. Popa** (Romania) said that her delegation would join the consensus on the draft resolution, as Romania was fully committed to protecting and promoting Indigenous rights. Members of Indigenous communities, who all too often faced discrimination and human rights violations because of their Indigenous origin, must be able to enjoy the same rights and freedoms as other persons, in line with the principles of equality and the universality of

human rights. However, while the political and legal framework in place in Romania was built on a human rights-based approach that rejected all forms of discrimination on any grounds, it did not ascribe collective rights to communities based on their origin, culture, language or beliefs. Accordingly, her delegation could not endorse the draft resolution's references to the collective rights of Indigenous Peoples. A formulation that made reference to the rights of persons forming part of Indigenous communities would have been preferable and more closely aligned with generally accepted human rights terminology.

80. *Draft resolution A/HRC/57/L.29/Rev.1 was adopted.*

*The meeting was suspended at 11.50 a.m. and resumed at 11.55 a.m.*

*Draft resolution A/HRC/57/L.33, as orally revised: Promoting accessibility for the full enjoyment of all human rights by all*

81. **Mr. Chen Xu** (China), introducing the draft resolution, as orally revised, on behalf of the main sponsors, namely Cameroon, Honduras, Pakistan, Türkiye and his own delegation, said that accessibility was a symbol of the advancement of human civilization and a prerequisite for the equal, full and effective participation of all, the shared enjoyment of the fruits of economic and social development and the realization of all human rights. Although originally championed with a view to upholding the rights of persons with disabilities, the cause of accessibility contributed to equal opportunities and universal inclusive development, thereby benefiting all.

82. By adopting the draft resolution, the Council would acknowledge the importance of accessibility for ensuring that all persons, including persons with disabilities, older persons and other persons in vulnerable situations, could participate in all aspects of life and could enjoy all their human rights and fundamental freedoms freely, equally and effectively. It would encourage States to raise awareness throughout society so as to create accessible environments for all, call for international cooperation in the field and invite OHCHR to provide technical assistance and capacity-building support to States and help human rights mechanisms to integrate the idea of accessibility for all into their work.

83. The main sponsors had held four rounds of informal consultations and in-depth bilateral discussions. They had endeavoured to accommodate the constructive proposals received, and the text presented for adoption was concise, balanced and objective. They stood ready to continue cooperating with all parties, exchanging experiences and good practice with regard to legislation, promoting accessibility for older persons and strengthening international cooperation. He urged all members to support the draft resolution and adopt it by consensus.

84. **The President** announced that 20 States had joined the sponsors of the draft resolution, which had no programme budget implications.

*General statements made before the decision*

85. **Mr. Eheth** (Cameroon) said that his delegation unreservedly supported the draft resolution. The text was of the utmost importance, as it promoted the full enjoyment of human rights by all, without discrimination. It reminded States of their obligation to develop national policies on accessibility, remove physical and digital barriers and improve access to assistive technologies, among other measures, to ensure accessibility, particularly for persons with disabilities and other vulnerable groups such as older persons, women, children and marginalized communities. To ensure that no one was left behind, it included a call for States to include accessibility in their national development plans and reform programmes.

86. The adoption of the draft resolution was an essential step towards a more inclusive world in which everyone could enjoy their civil, political, economic, social and cultural rights. By guaranteeing equal access to public spaces, education, healthcare and information technologies, States could build more inclusive and equitable societies. His delegation fully supported the call for enhanced cooperation between States, international organizations and civil society in order to promote accessibility while respecting human rights. It was essential to promote the sharing of good practices and encourage capacity-building initiatives that

enabled all countries to move forward with the implementation of accessibility measures. His delegation called for the draft resolution to be adopted by consensus.

87. **Mr. Payot** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union attached great importance to promoting accessibility and respecting, fulfilling and protecting the rights of persons with disabilities. As a party to the Convention on the Rights of Persons with Disabilities, it was fully committed to advancing accessibility in line with the Convention. Though appreciative of the main sponsors' constructive collaboration during discussions, the European Union member States noted with concern that the draft resolution risked conflating accessibility as defined in the Convention with broader accessibility issues and duplicating the long-standing efforts of Mexico and New Zealand in submitting Council resolutions on the rights of persons with disabilities. As the most recent of those, resolution 55/8, specifically included calls for reporting and discussions on accessibility, and all members were committed to rationalizing the Council's work and avoiding duplication wherever possible, the current draft resolution should be considered a one-off initiative that complemented existing initiatives. That would allow States to maintain their focus on fulfilling existing commitments, including, in particular, those assumed under the Convention on the Rights of Persons with Disabilities.

88. **Mr. Quintanilla Román** (Cuba) said that, in highlighting the importance of guaranteeing accessibility and thus ensuring that all persons could participate in all spheres of life and realize their human rights fully and effectively, the draft resolution was in step with important international human rights instruments such as the Convention on the Rights of Persons with Disabilities. His delegation welcomed the draft resolution's references to the need for enhanced international cooperation, technical assistance and the exchange of knowledge and good practice in the implementation of accessibility measures for all. Greater international cooperation and more extensive transfers of resources and technology to the global South were a prerequisite for further advances worldwide in the promotion and protection of the rights of persons with disabilities and the provision of care and support to older persons and others in vulnerable situations. His country was committed to respecting human dignity as a supreme value underpinned by the recognition and exercise of all rights by all persons, without discrimination. Therefore, the Cuban delegation would support the draft resolution.

89. **Mr. Saad** (Sudan) said that, by adopting the draft resolution, the Council would reaffirm the rights of persons with disabilities as a vulnerable segment of society and the importance of technology – and, by extension, access to technology – to the enjoyment of human rights. The text also referred to the importance of expanding human rights programmes and initiatives, including technical assistance and human rights awareness-raising programmes. His delegation wished to confirm its support for the draft resolution.

90. **Ms. Arias Moncada** (Honduras) said that the draft resolution reiterated a key aspect of accessibility, namely its role in guaranteeing non-discrimination and ensuring that all persons, without exception, could exercise their human rights on an equal footing. In a world where marginalization and exclusion continued to affect millions of people, including persons with disabilities in particular, the draft resolution represented a significant advance towards building more inclusive, just and equitable societies. The text presented accessibility not as a secondary consideration but as a cornerstone for the promotion and protection of all human rights, while underscoring the importance of effectively implementing the Convention on the Rights of Persons with Disabilities, ensuring that accessibility was a feature of all human rights policies and practices and harnessing the potential of new and emerging technologies to facilitate those efforts.

91. Her delegation urged all States to continue adopting measures to enhance accessibility in all domains, including information, public spaces, education, employment and justice. The Human Rights Council should set an example of inclusion and accessibility through its decisions, structures and actions. The work of the United Nations Task Force on Accessibility was also important in that regard. Her delegation called upon all members of the Council to adopt the draft resolution by consensus and to continue supporting technical assistance and

capacity-building initiatives designed to foster effective accessibility and ensure that all persons could fully enjoy human rights.

92. **Mr. Alcántara** (Dominican Republic) said that his delegation supported the draft resolution and the endeavour to promote accessibility as a prerequisite for the full enjoyment of human rights. The draft resolution highlighted the need to eliminate the physical, digital, social and economic barriers that impeded access for many. His delegation therefore supported the call for public policies and national laws and development plans that promoted accessible environments for all, leaving no one behind. The draft resolution reflected his own country's commitment to building an inclusive society. It represented a significant advance in the promotion of universal accessibility, placing particular emphasis on persons in vulnerable situations, such as persons with disabilities, older persons, women and girls. Importantly, it served as a reminder that human rights were universal and that accessibility was essential to sustainable development, as a means of enabling all citizens to participate fully in the social, economic and political life of the nation. His delegation called for the draft resolution to be adopted by consensus.

93. **Mr. Dan** (Benin) said that the draft resolution was of particular relevance for Benin, whose initial report on the implementation of the Convention on the Rights of Persons with Disabilities had been reviewed by the Committee on the Rights of Persons with Disabilities during its August 2024 session. That review had been an opportunity to share information on his country's progress and the measures it had taken, which had included the adoption of new constitutional provisions recognizing the principle of equality and prohibiting discrimination based on disability, as well as a new law on the promotion and protection of the rights of persons with disabilities. Benin was pleased to join the sponsors of the draft resolution and urged all members to adopt it by consensus.

*Statements made in explanation of position before the decision*

94. **Ms. Taylor** (United States of America) said that the United States was a leading advocate and strong supporter of protecting and promoting the human rights of persons with disabilities and making the world more accessible for all. It welcomed the progress made in mainstreaming disability and the rights of persons with disabilities in the work of the United Nations, inter alia through the United Nations disability inclusion strategy, and had been proud to serve, for the previous three years, as Chair of the United Nations Steering Committee on Accessibility. That Committee had been instrumental in introducing accessibility improvements at United Nations Headquarters, including significant long-term changes that also applied to the United Nations Office at Geneva.

95. However, while acknowledging the importance of ensuring accessibility for all persons, her delegation wished to express its serious reservations and disappointment about the text presented for adoption. It would join the consensus, but with the hope that the initiative would be a one-time endeavour. The draft resolution detracted from progress made on disability and accessibility across the United Nations system by failing to appropriately acknowledge the human rights of persons with disabilities. OHCHR had a key role in ensuring continued progress, but so had other entities, especially when it came to accessibility. In order to ensure effective action, the role of OHCHR must be situated in the proper context.

96. Though purportedly supporting inclusion, the draft resolution overlooked the importance of participation by key stakeholders. Persons with disabilities and their organizations should play a central role in decision-making on accessibility issues. The Convention on the Rights of Persons with Disabilities and respect for human rights should remain at the core of the United Nations approach to disability rights, including accessibility issues. The draft resolution strayed from that internationally established approach. She wished to stress that nothing in the draft resolution changed the context of the Convention or the obligations undertaken by States parties thereto.

97. Her delegation was grateful to the Council members that had expressed similar reservations in the informal consultations. For additional explanations of the United States position, including on the purported right to development, her delegation referred members



to the global statement on the texts considered under agenda item 3 that would be posted on the website of the United States Mission to International Organizations in Geneva.

98. **Mr. Oike** (Japan) said that accessibility was an important element in the promotion of human rights. In the informal consultations, the main sponsors had explained that the draft resolution reflected an evolving and open-ended concept of the term “accessibility”, meaning that each State or organization could interpret the term in its own way. His delegation was concerned that such ambiguity might hinder the application of the tangible measures referred to in the draft resolution and give rise to practical problems in the context of cooperation between two States or between a State and an international organization. It was regrettable that the main sponsors had not shared those concerns and that there had been no opportunity for a thorough discussion of the matter.

99. His delegation also wished to highlight its concern that the overlap between the draft resolution and existing efforts to improve accessibility for persons with disabilities might have a negative impact on attempts to streamline the Council’s work. Nonetheless, his delegation would join the consensus on the draft resolution and hoped that it would be implemented with a common understanding of the meaning of “accessibility”.

100. *Draft resolution A/HRC/57/L.33, as orally revised, was adopted.*

*Draft resolution A/HRC/57/L.34: Equal participation in political and public affairs*

101. **Mr. Bálek** (Observer for Czechia), introducing the draft resolution on behalf of the main sponsors, namely Botswana, Indonesia, Netherlands (Kingdom of the), Peru and his own delegation, said that the right to take part in the conduct of political and public affairs, directly or through freely chosen representatives, played a crucial role in the promotion of democratic governance, the rule of law, social inclusion and economic development and was key to the advancement of all human rights.

102. The draft resolution was focused on elections as the key means through which individuals exercised their right to participate. The holding of periodic and genuine elections in a safe and enabling human rights environment was an essential principle of democracy. In the draft resolution, disinformation and hate speech were recognized as threats to democracy that could suppress political engagement and hinder the realization of informed participation in political and public affairs.

103. Pursuant to Council resolution 33/22, OHCHR had issued guidelines intended to serve as practical recommendations on the effective implementation of the right to participate in political and public affairs, covering both electoral and non-electoral contexts and emphasizing participation in all phases of decision-making. By adopting the draft resolution, the Council would request OHCHR to continue to disseminate and promote the guidelines and, upon request, provide technical cooperation and capacity-building to States regarding the use thereof. His delegation wished to encourage OHCHR, the special procedure mandate holders, the treaty bodies and other relevant international human rights mechanisms to continue to address, within their respective mandates, the promotion of equal participation in their work. It invited all members of the Council to adopt the draft resolution by consensus.

*General statements made before the decision*

104. **Mr. Staniulis** (Lithuania) said that his delegation appreciated the draft resolution’s references to the meaningful and inclusive participation of young persons, to civil society organizations and human rights defenders, in particular women, and to the need to foster an enabling environment in which they could operate safely and without undue interference. It also welcomed the recognition of the threat that disinformation posed to democracy and fully agreed that ensuring fair, safe and professional media coverage, including during elections, was an important element of democracy and informed participation.

105. His delegation wished to thank the main sponsors for the inclusion of new language on supporting the participation of children and recognizing the transformative potential of the right to education, including access to information and to inclusive, quality human rights and civic education. Encouraging children to participate in public and political affairs fostered a sense of responsibility and civic engagement from a young age and prepared them

to be informed and active citizens in the future, eventually leading to more inclusive, tolerant and representative societies.

106. **Mr. Bonnafont** (France) said that elections lay at the heart of participation in public affairs. During 2024, almost half of the world's population of voting age, in 68 different countries, would go to the polls, making it a critical year for the rule of law, the principles of democracy, civic space and human rights. The right to participate in public affairs was intrinsically linked to a number of other rights, including the rights to non-discrimination and to freedom of opinion, expression, association and peaceful assembly, without which genuine participation in public life was not achievable.

107. In the light of contemporary challenges, including the counter-example being set in Afghanistan, the world should not ignore the contribution of 51 per cent of humanity. As the forty-fifth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women approached, the international community must reinvigorate its efforts to achieve the full, meaningful and effective participation of women in public life, which was currently inadequate. Women in all their diversity, as human rights defenders and essential stakeholders in development, social progress and peace, must be able to fully exercise their rights on an equal footing with men.

108. To that end, France had made the increased participation of women in decision-making processes at all levels a cross-cutting priority in its feminist diplomacy policies and supported the forthcoming adoption, by the Committee on the Elimination of Discrimination against Women, of draft general recommendation No. 40 on the equal and inclusive representation of women in decision-making systems. His delegation called upon all members of the Council to support the draft resolution.

109. **The President** announced that 25 States had joined the sponsors of the draft resolution.

110. **Mr. Foradori** (Argentina), speaking in explanation of position before the decision, said that his delegation would join the consensus on the draft resolution. It was nonetheless concerned that the imprecise application of the term "hate speech" might lead to the abuse of the concept, which in turn might be detrimental to pluralist debate. His Government understood "hate speech" to mean, as defined in article 20 (2) of the International Covenant on Civil and Political Rights, any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence. That definition should be read in conjunction with article 19 (3), which provided that the exercise of the right to freedom of expression could be subject to certain restrictions. As the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression had noted in a 2012 report (A/67/357), the risks that legal provisions prohibiting hate speech might be interpreted loosely and applied selectively by authorities underlined the importance of having unambiguous language and of devising effective safeguards against abuses of the law.

111. *Draft resolution A/HRC/57/L.34 was adopted.*

*Draft resolution A/HRC/57/L.35/Rev.1, as orally revised: Elimination of domestic violence*

112. **Ms. Minbayeva** (Kazakhstan), introducing the draft resolution, as orally revised, on behalf of the main sponsors, namely Kyrgyzstan, Uzbekistan and her own delegation, said that domestic violence remained a pervasive human rights violation that affected individuals worldwide and most often occurred within households, behind closed doors. The alarming increase in domestic violence around the world warranted the Council's attention as a separate topic. In adopting the draft resolution, the Council would recognize that while domestic violence had a disproportionate impact on women and girls, it could also be perpetrated against men and boys, older persons and persons with disabilities. The Council would, for the first time, stress that domestic violence was a human rights issue and call upon all States to take serious action to prevent and eliminate it, to protect victims and survivors and to hold perpetrators accountable.

113. The draft resolution contained a decision to convene, before the Council's sixty-first session, an intersessional panel discussion on the intensification of efforts to prevent and eliminate domestic violence, in addition to a request for OHCHR to prepare a comprehensive

report with specific recommendations on how to address structural and underlying causes and risk factors to prevent domestic violence.

114. The main sponsors had sought to achieve a balanced text that addressed the concerns of all States and other stakeholders. They understood that the agreement reached on the language concerning intimate partner violence, and the caveat thereto set out in the text, which had been the subject of much discussion, applied only in the context of the draft resolution. Delegations had shown a genuine willingness to find mutually acceptable language and demonstrate that they were united in their aspiration to address domestic violence. The main sponsors were also grateful for the support and technical expertise provided by OHCHR, the United Nations Population Fund (UNFPA), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Children's Fund (UNICEF), as well as for the valuable contributions made by civil society organizations, and wished to invite all members of the Council to adopt the draft resolution by consensus.

115. **The President** announced that 39 States had joined the sponsors of the draft resolution, which had no programme budget implications.

*General statements made before the decision*

116. **Mr. Turatbekov** (Kyrgyzstan) said that all human beings everywhere deserved to live in dignity in a violence-free environment. Violence could be perpetrated against anyone. His delegation fully trusted that, by addressing the issue of domestic violence, the Council would be able to shed light on it from a human rights perspective. His delegation called upon all members of the Council to adopt the draft resolution by consensus.

117. **Ms. Li Xiaomei** (China) said that her Government took domestic violence very seriously. Domestic violence had first been defined in Chinese law in 2001, and the Anti-Domestic Violence Law had been adopted in 2015. Most of the recommendations set out in the draft resolution, such as those relating to awareness-raising, reporting and whistle-blowing, shelters, legal aid and psychological support, concerned actions that had already been implemented in China since 2016, with very positive results. Her delegation welcomed the reference made in the draft resolution to the economic, social and cultural root causes of domestic violence and supported the realization of comprehensive human development through empowerment. It called upon all parties to seize the opportunity of the thirtieth anniversary of the adoption of the Beijing Declaration and Platform for Action to promote the cause of women around the world and address inequalities in power relations, thereby eradicating the breeding grounds for domestic violence. Her delegation would join the consensus on the draft resolution.

118. **Ms. Coen Moraga** (Costa Rica) said that women and girls were disproportionately affected by domestic violence, including intimate partner violence. The persistence of all forms of violence and discrimination, including sexual and gender-based violence, against women and girls was the consequence of patriarchal sociocultural attitudes and gender stereotypes. Such violence represented one of the major global challenges and posed an obstacle to achieving the 2030 Agenda for Sustainable Development.

119. The draft resolution highlighted the fact that domestic violence was a human rights issue, a societal problem and a public concern; the problem was exacerbated by institutional barriers of an economic, social, cultural and geographic nature. It was essential for States to meet their obligations to respect, protect and promote human rights and freedoms for all and to adopt robust, gender-sensitive measures to prevent and eliminate domestic violence and protect those affected by it.

120. A law against domestic violence had first been introduced in Costa Rica in 1996, with a specific definition of the concept and provisions designed to protect victims, particularly those who suffered intimate partner violence or sexual abuse by family members. Her delegation called upon States to take decisive action to define and address domestic violence and to condemn it as prejudicial to human beings. Her Government welcomed the fact that, by adopting the draft resolution, the Council would decide to convene a panel discussion to examine best practices and challenges in the intensification of efforts to prevent and eliminate domestic violence and would request OHCHR to prepare a report. Lastly, her delegation

appreciated the fact that the draft resolution had been spearheaded by countries in Central Asia. It encouraged all members of the Council to join the consensus.

121. **Mr. Bonnafont** (France) said that violence against women was one of the most widespread human rights violations. The figures were horrifying: according to the United Nations, one third of women worldwide who were or had been in a relationship had reported being subjected to some form of physical or sexual violence by their partner. In France, 118 of the approximately 1,000 murders that had been committed in 2022 had involved the killing of a woman by her partner or former partner.

122. Violence against women was not inevitable and must be eliminated. France, which was a signatory to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), had made the issue a priority in its feminist diplomacy policies. The defence of the rights of women and girls was an integral element of human rights and was rooted in the fundamental principles of universality, indivisibility and inalienability. It was more urgent than ever to embed rules protecting women in the international legal order; in that regard, the Istanbul Convention provided a useful source of inspiration.

123. Domestic violence was a scourge to which societies too often remained indifferent, to the point where, for women and children, the family could become the setting in which they experienced the worst violations of their fundamental rights. States had a duty to make every effort to prevent and punish such violence. His delegation therefore wished to call upon all members of the Council to support the draft resolution.

124. **Mr. Payot** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that for far too many individuals, young or old, home remained the most dangerous place. Domestic violence represented a severe and pervasive violation of human rights and undermined the dignity, security and well-being of those affected. No region was immune to its devastating impact. While anyone could be a victim of cross-generational domestic violence and sexual and gender-based violence, women and girls were overwhelmingly represented among the victims and survivors. The World Health Organization estimated that one in three women worldwide were subjected to physical, psychological, sexual or gender-based violence.

125. The European Union would have preferred not to include a caveat on intimate partner violence in the text of the draft resolution, as that was a specific form of violence that should be recognized. It was by far the most prevalent form of violence against women and girls. Globally, it accounted for as many as 38 per cent of all killings of women.

126. Combating sexual and gender-based violence was a key priority for the European Union and a fundamental pillar of its human rights agenda. It was working actively on tackling such violence, both within the Union and globally, through programmes such as the Spotlight Initiative. The European Union wished to call upon all States to take decisive and effective action to prevent and eliminate domestic violence in all its forms, including by promoting laws and policies to prevent violence and discrimination and address impunity and by promoting international normative standards and agreed language.

127. **Ms. Taylor** (United States of America) said that the main sponsors of the draft resolution had demonstrated their strong commitment to promoting human rights and addressing a global crisis that affected millions of individuals, particularly women and girls in all their diversity. Horrific instances of domestic violence and intimate partner violence occurred throughout the world; such violence unfortunately remained a pervasive issue that crossed borders, cultures, classes and economic groups. It required a united international response, which had long been a priority for President Biden, who had championed her country's Violence Against Women Act 30 years earlier. Her delegation was proud to sponsor the draft resolution and wished to align itself with the main sponsors' proactive stance in the global fight against gender-based violence in the home.

128. The draft resolution highlighted the importance of national and international cooperation in addressing the root causes of domestic violence, including gender inequality, economic instability and lack of access to resources and support systems for victims and survivors. By bringing the issue to the forefront of global discussions, the Council members

would commit to prioritizing policies that protected victims and survivors, created safer communities and recognized that ending domestic violence required a holistic approach that included legal frameworks, social support, education and awareness. The draft resolution not only addressed the immediate need for protection and justice for victims and survivors, but was also aimed at creating long-term solutions by fostering societal changes that promoted respect, equality and accountability. It should serve as a catalyst for change, inspiring countries to take decisive action to protect their citizens and enable them to live free from fear, violence and harm, as part of efforts to build safer and more equitable societies for all.

129. **Mr. Sterk** (Bulgaria) said that he wished to reiterate his country's long-standing position on the need to spare no effort to combat domestic violence, particularly against women and children. His delegation shared the view, expressed in the draft resolution, that domestic violence not only infringed fundamental rights, but also perpetuated inequality and hindered the social and economic development of societies. By adopting the text, the Council would promote gender equality, seek to empower persons belonging to groups in vulnerable situations and encourage the strengthening of legal frameworks, thereby contributing to the creation of a safer, more just society in which everyone could enjoy their rights and freedoms without fear of violence.

130. **Ms. Gillhoff** (Germany) said that her delegation wished to thank the main sponsors for turning the Council's attention to one of the most pervasive human rights violations globally. The United Nations High Commissioner for Human Rights himself, in the global update he had delivered at the opening of the Council's current session, had said that gender-based violence, including intimate partner violence, was devastatingly frequent and remained largely hidden, and that justice for victims and prevention efforts were woefully inadequate, in stark contradiction with the promise that all human beings were born free and equal. Domestic violence could affect anyone, including those who were particularly vulnerable, such as children, older persons and persons with disabilities. It could take the form of physical, psychological or economic violence, among other forms. Legal systems too often exacerbated the dependency of survivors, especially women and girls in all their diversity.

131. Her Government upheld the Istanbul Convention as an instrument to combat gender-based and domestic violence and was currently drafting a national strategy that was aligned with that Convention. In parallel, it was working on new federal legislation to introduce a right to protection and counselling in cases of such violence. Her delegation was proud to join the consensus on the draft resolution.

132. **Mr. Simas Magalhães** (Brazil) said that his delegation wished to commend the main sponsors for their pioneering work in bringing the critical issue of domestic violence before the Council. Domestic violence remained a pervasive and pressing global challenge that must be addressed within the international human rights framework. The draft resolution strengthened the call for cooperation and shared responsibility in eliminating domestic violence and complemented existing frameworks, particularly the Maria da Penha Act in Brazil and regional mechanisms such as the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará).

133. His delegation valued the key elements in the draft resolution that emphasized the importance of support services and legal measures for victims and survivors of domestic violence, investigations, accountability for perpetrators and the recognition of diverse forms of violence, including physical, psychological, sexual and economic abuse. Particularly commendable was the focus on overcoming the stigmatization faced by victims and survivors, empowering all women and girls and creating supportive legal and social environments where individuals could report domestic violence without fear of any kind of discrimination.

134. Education remained a powerful tool for raising awareness and combating gender-based violence in the public and private spheres. Strengthening initiatives in that area, especially by engaging men and boys as allies in the collective fight, could help change structural and underlying social norms and attitudes that perpetuated discrimination and could thereby foster a culture of zero tolerance for domestic violence.

135. His delegation hoped that the draft resolution would be adopted by consensus and would serve as a foundation for efforts to deliver a unified call for the eradication of domestic violence and the promotion, protection and fulfilment of the rights of all women and girls.

136. **Mr. Oike** (Japan) said that it was imperative for every State to actively pursue the elimination of domestic violence. His Government remained deeply committed to that cause and had implemented a national policy grounded in its domestic legal framework. Commendably, the draft resolution highlighted the heightened risk faced not only by women and girls, but also by older persons and persons with disabilities. The intersectional nature of domestic violence was a key factor that should inform both national and international policy development. His delegation was pleased to join the consensus on the draft resolution and looked forward to further contributing to a world free from domestic violence.

137. **Ms. González Nicasio** (Dominican Republic) said that domestic violence was one of the most prevalent and least visible forms of violence and had devastating, long-lasting effects on victims and communities. In 2022, approximately 48,800 women and girls around the world had died at the hands of their partner or another family member. On average, more than five women or girls were murdered by a family member every hour. Crises ranging from pandemics to economic upheaval and natural disasters brought with them an increase in physical and verbal aggression. As the Secretary-General had stated in 2022 in his message on the International Day for the Elimination of Violence against Women, such discrimination, violence and abuse targeting half of humanity came at a steep cost, limiting women's and girls' participation in all walks of life, denying their basic rights and freedoms and blocking the equal economic recovery and sustainable growth the world needed.

138. Domestic violence was not merely a private matter; it was a human rights issue that demanded decisive action by States to protect victims and hold perpetrators accountable. The draft resolution underlined the urgent need for the adoption of effective, coordinated measures to prevent and eliminate domestic violence. States should strengthen their legislative frameworks and take proactive measures to protect victims and provide them with appropriate services, including shelters, psychological support and legal advice to avoid revictimization. The draft resolution's reference to the importance of involving men and boys as agents of change in promoting gender equality and eliminating domestic violence was particularly welcome. Her delegation urged the members of the Council to adopt the draft resolution by consensus as a demonstration of their commitment to eliminating all forms of domestic violence.

139. **Mr. Gaal** (Somalia) said that his delegation welcomed the draft resolution and acknowledged its importance in advancing women's rights and promoting gender equality. Somalia was committed to combating domestic violence through a combination of best practices, a robust legal framework and community-based awareness-raising schemes to educate citizens about the harmful effects of such violence. Those schemes had empowered communities to speak out against violence. Shelters and counselling services were available for survivors. The authorities had engaged with traditional leaders in efforts to change social attitudes towards domestic violence and encourage community involvement in prevention efforts. Somalia was committed to eliminating domestic violence and creating a safe environment for all individuals. It called for continued international support and collaboration to enhance those efforts and ensure that every person could live free of violence and fear.

140. **Ms. Fuentes Julio** (Chile) said that efforts to address domestic violence must be comprehensive and directed at root causes. Her delegation welcomed the draft resolution's call for a panel discussion on the issue, which would encourage constructive dialogue among States, civil society and other relevant actors and strengthen collective action. It also welcomed the main sponsors' open and flexible approach, which was essential in the current international context, where cooperation and consensus were more important than ever.

141. Chile was a strong defender of human rights and had a feminist foreign policy. Domestic violence, and intimate partner violence in particular, affected women and girls disproportionately and required the immediate attention of the international community. Her delegation urged the members of the Council to join the consensus on the draft resolution.

142. **Mr. Foradori** (Argentina), speaking in explanation of position before the decision, said that his delegation would join the consensus on the draft resolution. Argentina took the view that violence against women was best addressed by means of a multi-pronged approach based on scientific evidence and that human rights bodies should avoid dealing with anti-discrimination legal theories on which there was no scientific consensus, such as intersectionality.

143. *Draft resolution A/HRC/57/L.35/Rev.1, as orally revised, was adopted.*

*The meeting rose at 1 p.m.*