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President: Mr. Bálek (Czechia)

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

Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development (*continued*)
(A/HRC/54/L.12/Rev.1 and A/HRC/54/L.23 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. Additional sponsors of draft resolutions were listed on the e-deleGATE portal.

Draft resolution A/HRC/54/L.12/Rev.1: Right to privacy in the digital age

2. **Mr. Cozendey** (Observer for Brazil), introducing the draft resolution on behalf of the main sponsors, namely Austria, Germany, Mexico and his own delegation, said that it focused on the intersecting relationships among the right to privacy, new and emerging digital technologies and data protection throughout the data life cycle. Its purpose was to ensure that the Council's work kept pace with ever-evolving digital technologies; addressed frontier issues such as biometric identification and data collection during health emergencies; highlighted fundamental principles requiring special attention in the protection of personal data and the right to privacy, including fairness, non-discrimination, transparency and legitimacy, and the role of human rights safeguards, impact assessments and due diligence; underscored the potentially disproportionate and detrimental effects of new and emerging technologies on individuals and groups in vulnerable or marginalized situations; and recognized the powerful role of technology in bridging digital divides, accelerating development and achieving the Sustainable Development Goals. His delegation hoped that the draft resolution would be adopted by consensus.

General statements made before the decision

3. **Ms. Fuentes Julio** (Chile) said that there was an urgent need to safeguard the privacy of all individuals, both online and offline. Without proper regulation and oversight on the part of both States and businesses, digital technologies could erode the fundamental safeguards that underpinned democratic societies. Her delegation welcomed the references made to artificial intelligence in the draft resolution. While such technology could be transformative, measures must be taken to ensure that it was used in a manner that moved efforts to promote the human rights of all people forward, not backwards. She called on Council members to adopt the draft resolution by consensus, implement its provisions and work jointly to develop a legal framework that protected all persons' fundamental freedoms at a time of constant technological change.

4. **Mr. Staniulis** (Lithuania) said that his delegation welcomed the draft resolution's focus on the link between the right to privacy and the protection of every individual's personal data throughout the data life cycle. The right to privacy was a gatekeeper right that facilitated the enjoyment of other rights such as freedom of association and assembly. While data-intensive technologies could foster the promotion and protection of human rights, they could also increase risks to human dignity, autonomy and privacy. Human rights safeguards must be put in place and due diligence carried out, including through human rights impact assessments, when developing artificial intelligence technologies. It was important for the Council's work to take account of new technologies and their potential impact on human rights. His delegation encouraged the Council to adopt the draft resolution by consensus.

5. **Mr. Bichler** (Luxembourg) said that the right to privacy was crucial not only for the realization of civil and political rights, but also for a number of social and economic rights. His delegation welcomed the acknowledgement in the draft resolution of fundamental data protection principles; the control that individuals should have over data about them; States' and private entities' obligation to comply with international human rights law and to apply the principles of equality, proportionality, necessity and non-discrimination; and the importance of human rights safeguards in the development of artificial intelligence technologies. He encouraged Council members to adopt the draft resolution by consensus.

6. **Ms. Patiño Cardozo** (Paraguay) said that the importance of protecting the right to privacy, as enshrined in article 12 of the Universal Declaration of Human Rights and article

17 of the International Covenant on Civil and Political Rights, was undeniable, especially in the digital age. Her delegation welcomed the draft resolution's references to the risks faced by women, girls and children generally in the digital environment; the challenges that developing countries faced in bridging the digital divide; the need to protect the confidentiality of digital communications and transactions; and the need to ensure that national security and public health measures and measures for the collection and protection of personal data adhered to the principles of legality, legitimacy, necessity and proportionality. Her delegation encouraged the Council to adopt the draft resolution by consensus.

7. **Ms. Toudic** (France) said that France paid close attention to the potential risks associated with the use of emerging technologies, particularly in terms of their effect on the right to privacy. The draft resolution reflected an approach to that right that was consistent with the one taken by France, which protected the right both offline and online, and by the European Union, as well as international initiatives such as the global digital compact and the Paris Call for Trust and Security in Cyberspace. The provisions of the draft resolution would need to be applied within the framework of existing and pending domestic and European Union legislation, particularly in light of the negotiations being held by the European Union on the regulation of artificial intelligence and the discussions that the French Parliament might hold on the topic.

8. **Ms. Taylor** (United States of America), speaking in explanation of position before the decision, said that, despite its concerns about some aspects of the draft resolution, her delegation would join the consensus on it. As the draft reaffirmed, the right to privacy was important for the exercise of the rights to freedom of opinion, expression, peaceful assembly and association, which were pillars of democracy in the United States and globally. The United States was committed to protecting human rights both online and offline and would continue to engage with its partners to counter the growing misuse of surveillance technologies to target human rights defenders, journalists and perceived critics. In her Government's view, such technologies should be used with guard rails that were consistent with international law. It was often the misuse of those technologies or their use without appropriate safeguards that resulted in discrimination or the abuse of human rights.

9. The United States interpreted the draft resolution in accordance with its long-standing views regarding the International Covenant on Civil and Political Rights, particularly articles 17, 19 and 20. Under article 17, the appropriate standard for determining whether a State's interference with a person's privacy was impermissible was whether the interference was arbitrary or unlawful; her delegation welcomed the reference to that standard in the draft resolution. It was concerned, however, that language in the draft resolution could be read to suggest that States were bound under international law to promote specific privacy-enhancing technologies, even though article 17 imposed no such obligation. Her delegation wished to note that the principles of necessity and proportionality, which were referred to in the draft, were not part of the standard set forth in article 17, and States parties to the Covenant were not obligated to take them into account when implementing their obligations under article 17. She hoped that future work on the topic would touch on other aspects of privacy rights, emerging technologies and their effects on human rights and fundamental freedoms.

10. *Draft resolution A/HRC/54/L.12/Rev.1 was adopted.*

Draft resolution A/HRC/54/L.23, as orally revised: Promoting and protecting economic, social and cultural rights within the context of addressing inequalities

11. **Mr. Chen Xu** (China), introducing the draft resolution, as orally revised, on behalf of the main sponsors, namely the Plurinational State of Bolivia, Egypt, Pakistan, South Africa and his own delegation, said that human rights were universal, indivisible, interdependent and interrelated. Under the Vienna Declaration and Programme of Action, all human rights were to be treated in a fair and equal manner. In practice, economic, social and cultural rights had not received the attention that they deserved. Global crises were increasingly undermining those rights, including basic rights to subsistence such as the rights to food, housing, safe drinking water, health and social security, which in turn further aggravated inequalities. The inequalities within and among States eroded trust and solidarity. All States,

developing and developed alike, needed to promote and protect economic, social and cultural rights in their efforts to address inequalities.

12. To ensure the promotion of those rights, the draft resolution emphasized the provision of technical assistance and capacity-building to developing States. By adopting the draft, the Council would recognize the importance of States' obligations, enhanced international cooperation and a reformed international financial architecture; express concern about the shortfall in the resources available to the Office of the United Nations High Commissioner for Human Rights (OHCHR) to carry out its work on economic, social and cultural rights and request the Secretary-General to scale up the Office's capacity; decide to convene a panel discussion and an interactive dialogue on how OHCHR could best help States to promote economic, social and cultural rights; and request the High Commissioner to establish a knowledge hub for the sharing of best practices. He called on the Council to adopt the draft resolution by consensus.

General statements made before the decision

13. **Ms. Pujani** (India) said that India believed that all human rights were universal, indivisible, interdependent and interrelated. The unfortunate divide between civil and political rights and economic, social and cultural rights was not conducive to achieving the Sustainable Development Goals or to promoting and protecting human rights. Her delegation had sponsored the draft resolution because it supported the goal of enhancing OHCHR activities relating to economic, social and cultural rights; a calibrated approach to scaling up the Office's capacity, beginning with OHCHR headquarters; and the establishment of a knowledge hub as a tool for technical assistance and capacity-building.

14. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that the draft resolution reaffirmed the spirit of the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action. All human rights were universal, indivisible, interrelated and mutually reinforcing. However, in practice, there was clearly a lesser focus on economic, social and cultural rights, including the right to development. The draft resolution set out specific steps for promoting the effective enjoyment and realization of those rights, which would contribute to the achievement of the Sustainable Development Goals, particularly Goal 10, on reducing inequalities within and among countries. It also provided for the scaling-up of the capacity of OHCHR to promote economic, social and cultural rights and for the opening of a discussion on the development of an international financial architecture that better promoted people's interests and allowed for broader participation by developing countries. Her delegation called on the Council members to adopt the draft resolution by consensus.

15. **Mr. Villegas** (Argentina) said that, despite decades of sustained global economic growth, economic, social and cultural rights had yet to be effectively realized. Global crises such as the coronavirus disease (COVID-19) pandemic, climate change and armed conflicts had deepened inequalities between and within countries and highlighted the fragility of social protection systems. Action was urgently needed to address those issues and to make the full realization of economic, social and cultural rights more than a mere aspiration, albeit without prejudice to the principle of progressivity. States were required to observe all human rights, and steps taken in that regard must incorporate the gender, diversity and generational perspectives. His delegation agreed that the reform of the global financial architecture, in line with target 10.6 of the Sustainable Development Goals, would contribute to the realization of human rights.

16. **Mr. Sebefelo** (South Africa) said that over a billion people, half of whom were children, lived in poverty. More than 800 million people went to bed hungry. The progress made towards achieving certain targets under the Sustainable Development Goals had been reversed, and inequalities, including gender, racial and social inequality and inequalities within and among countries, had increased. The draft resolution was intended to help achieve the vision of OHCHR for reinforcing its work in promoting and protecting economic, social and cultural rights within the context of addressing inequalities in the recovery from the COVID-19 pandemic, as set out in the High Commissioner's report ([A/HRC/54/35](#)). Adopting the draft resolution by consensus would be a fitting way for the Council to mark the thirtieth anniversary of the Vienna Declaration and Programme of Action.

17. **Ms. Fuentes Julio** (Chile) said that Chile had made the promotion and protection of economic, social and cultural rights a priority for its current term as a Council member. The draft resolution highlighted the role of those rights without diminishing the importance of civil and political rights. Economic, social and cultural rights could not be adequately protected without adequate protection for civil and political rights, and vice versa. Her Government supported the continued enhancement of the work of OHCHR on economic, social and cultural rights, especially at the regional and local levels, and called for joint efforts to move forward the proposals set out in the vision of OHCHR for reinforcing its work in promoting and protecting those rights. Greater cooperation was needed among OHCHR, States and other stakeholders to ensure the effective realization of economic, social and cultural rights. With a view to developing a platform for cooperation between States and OHCHR at the regional and local levels, her delegation called on the Council to adopt the draft resolution by consensus.

18. **Mr. Quintanilla Román** (Cuba) said that the crisis generated by the COVID-19 pandemic had deepened inequalities between developed and developing countries and highlighted the need to transform the unjust, unequal and anti-democratic international financial architecture. Developing countries' rising health-care costs, contracting economies, increasing budget deficits, external debt, food insecurity, unemployment and extreme poverty threatened the implementation of the 2030 Agenda for Sustainable Development. Continued work on the realization of economic, social and cultural rights – long relegated to the background by those who placed civil and political rights at the centre of human rights protection efforts – was therefore essential. Cuba reiterated its commitment to the principles of universality, progressivity, non-politicization, interdependence, interrelatedness and non-selectivity in the treatment of human rights. It welcomed the increasing efforts of OHCHR to draw attention to economic, social and cultural rights. The time had come to settle the historical debt owed to humanity as a result of colonialism, unjust wars and the plunder of natural resources and the environment. Immediate and lasting solutions for a prosperous, equitable and sustainable future were needed. For those reasons, his delegation supported the draft resolution and called on other Council members to do the same.

19. **Ms. Rodzli** (Malaysia) said that the promotion and protection of economic, social and cultural rights were crucial for addressing the inequalities that were a root cause of many global challenges. Her Government was troubled by the fact that many countries were still struggling to cope with the economic and development-related consequences of the COVID-19 pandemic. It welcomed the draft resolution, which focused on fostering greater international solidarity in the promotion and protection of economic, social and cultural rights. The text was well balanced and action-oriented. It rightly focused on the human rights impact of extreme poverty, lack of social protection, inequalities and discrimination; underscored the need to reform the international financial architecture in order to address widening inequalities between nations and peoples; and highlighted the importance of ensuring that OHCHR had the capacity and resources to support States' efforts to promote and protect economic, social and cultural rights. The consensual adoption of the draft resolution would demonstrate the Council's commitment to non-politicization and would be a fitting way to mark the seventy-fifth anniversary of the Universal Declaration of Human Rights, under which all rights were indivisible, equally important and best realized when implemented together.

20. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that the objective of the draft resolution was to reinforce the ability of OHCHR to support States in fulfilling their obligations to respect, protect and fulfil economic, social and cultural rights. In bolstering the Office's regular budget to that end, the Council must respect the Office's independent mandate and give due regard to pre-existing initiatives in that field so as to avoid inefficiencies and duplications. Future resolutions on the topic should more strongly emphasize the independence of the Office's mandate and clearly recognize the primacy of international human rights law obligations over national legislation. The European Union recognized the enormity of the multiple and intersecting challenges that States currently faced, including growing poverty, inequalities and discrimination, the need to leave no one behind and the urgency of implementing economic, social and cultural rights as part of an integrated, indivisible and interrelated approach to human rights. Notwithstanding its

remaining concerns about the text, the European Union would join the consensus on the draft resolution.

21. **Ms. Duncan Villalobos** (Costa Rica) said that Costa Rica firmly believed in the principles of indivisibility and interdependence between civil, political, economic, social and cultural rights. It welcomed the draft resolution's objective of strengthening the capacity of OHCHR in the field of economic, social and cultural rights, although it would have liked to see greater ambition in terms of resources, in line with the OHCHR vision for reinforcing its work in that regard. Her delegation appreciated the references to measures to combat inequalities between States and the primary responsibility of States for protecting and promoting all human rights, the call for reform of the international financial architecture linked to the Sustainable Development Goals, and the effective involvement of civil society in those initiatives. She called on all member States to adopt the draft resolution by consensus.

22. **Mr. Alimbayev** (Kazakhstan) said that his Government welcomed the draft resolution and its emphasis on the need to take urgent action to ensure respect for and the protection and fulfilment of all human rights, including economic, social and cultural rights, and to deliver the goals of the 2030 Agenda to build a better future for all, in particular the provision of technical assistance and capacity-building to developing and least developed States.

23. **Mr. Hassan** (Sudan) said that the Sudanese delegation supported the draft resolution, which stressed important principles, notably the interrelatedness of human rights, and the need for economic, social and cultural rights to be given due attention, just like civil and political rights. The disparities between States' needs and levels of development should be taken into consideration in that regard. The Sudan welcomed the draft resolution's emphasis on human rights education, the provision of technical assistance by OHCHR and the need for additional budgetary resources for such activities.

24. **Ms. Toudic** (France) said that promoting and ensuring respect for all human rights, including economic, social and cultural rights, demanded constant effort, and progress could never be taken for granted. For example, the COVID-19 pandemic had revealed the fragility of health-care systems and the need to strengthen the resilience of societies in the face of crises. It was clear that, in order to achieve sustainable development, it was necessary to simultaneously address the fight against poverty, climate change and biodiversity loss. For poverty eradication to be sustainable, it must be accompanied by efforts to provide quality education, strengthen health systems, build institutions that protected human rights and actively promote gender equality. France understood the draft resolution's objective of strengthening the capacity of OHCHR in the area of economic, social and cultural rights through that lens. Human dignity and sustainable development could only be guaranteed through respect for the universality, interdependence and indivisibility of all human rights. France would remain involved in the follow-up to the Summit for a New Global Financing Pact, held in Paris in June 2023. The delegation of France was pleased to join the consensus on the draft resolution.

25. **Ms. Stasch** (Germany) said that Germany attached equal importance to economic, social and cultural rights and to individual rights. Her delegation was grateful for the main sponsors' constructive approach to what had been difficult negotiations on the text. The German delegation was pleased to join the consensus on the draft resolution and looked forward to further cooperation and progress in that area in the future.

26. **Mr. Hasnain** (Pakistan) said that, as the world grappled with the multifaceted crises of economic slowdown, geopolitical conflicts, climate catastrophes and the COVID-19 pandemic, the draft resolution under consideration was very timely. It was imperative to enhance the Council's focus on economic, social and cultural rights, as 1.1 billion people were living in extreme poverty and more than 379 million people in over 80 countries faced high levels of food insecurity. Growing inequalities were impeding the ability of people in the developing world to fully participate in socioeconomic life and realize their potential. Greater international cooperation was required to address systemic issues in the global economic governance system, as heightened debt burdens, financing gaps and growing inequalities were undermining States' efforts to make concrete progress towards achieving the Sustainable Development Goals.

27. **Ms. Taylor** (United States of America), speaking in explanation of position before the decision, said that her delegation was pleased to join the consensus on the draft resolution. As part of its commitment to advancing economic, social and cultural rights, the United States, more than any other country in the world, had invested in the capacity of fellow Member States to provide health care and food security for their populations. It remained the world's largest bilateral donor, having provided some \$50 billion in each of the last two years. Unfortunately, her delegation continued to have some concerns about the text, particularly its conflation of the obligations that States owed to individuals under international human rights law with broader efforts by States to implement the Sustainable Development Goals. While the United States was committed to the implementation of the 2030 Agenda for Sustainable Development and recognized that development could further the enjoyment of individual human rights, it wished to underscore that a State's human rights obligations were not dependent on its level of development or its level of development assistance. Furthermore, although the draft resolution addressed economic, social and cultural rights in the context of inequalities, it did not mention the ways in which States could, and should, address inequalities between individuals in their own societies, such as by tackling corruption, strengthening the rule of law, including an impartial judiciary, and building effective, accountable and inclusive domestic institutions.

28. The United States wished to dissociate itself from the ninth preambular paragraph, which implied that economic, social and cultural rights included a purported right to development, even though such a right was not recognized in any of the United Nations human rights conventions, including the International Covenant on Economic, Social and Cultural Rights, and did not have an agreed international meaning. The United States supported the provision of adequate resources to OHCHR to enable it to implement its mandate in the area of economic, social and cultural rights, but that mandate did not include action to address inequalities. The United States was concerned about any implication that the Office lacked the capacity to implement its mandate independently.

29. *Draft resolution A/HRC/54/L.23, as orally revised, was adopted.*

Agenda item 4: Human rights situations that require the Council's attention
(*continued*) (A/HRC/54/L.21)

Draft resolution A/HRC/54/L.21: Situation of human rights in the Russian Federation

30. **Mr. Bichler** (Luxembourg), introducing the draft resolution on behalf of 26 States members of the European Union, said that, on 21 September 2023, the Council had held its first interactive dialogue with the Special Rapporteur on the situation of human rights in the Russian Federation, Ms. Mariana Katzarova, on the basis of her damning first report (A/HRC/54/54). The Russian authorities, embroiled in an unjustifiable war of aggression against Ukraine, were using every means possible to silence criticism domestically. The Special Rapporteur described the instrumentalization of State institutions, the adoption of repressive laws, the lack of independence of the judiciary and the repression of any hint of dissent. Freedom of opinion and expression were stifled, and the free press had been replaced with State-sponsored propaganda. The Russian authorities refused to cooperate in good faith with international human rights protection mechanisms and had ignored the Special Rapporteur's repeated requests for dialogue.

31. The draft resolution reflected the main elements of the Special Rapporteur's report. As the situation had not improved in the past year, it was appropriate to renew her mandate. It was hoped that the authorities of the Russian Federation would take the opportunity to engage in dialogue and constructive cooperation with the mechanisms of the Council. Regional avenues of redress had largely been cut off, as Russia was no longer a member of the Council of Europe. Human rights holders in Russia were seeing their rights progressively eroded; defenders of their rights were being locked up, disappeared or exiled. The primary purpose of the Special Rapporteur's mandate was to build a bridge between Russian human rights defenders and the international human rights protection system. The main sponsors invited all members of the Council to support the draft resolution.

General statements made before the voting

32. **Ms. Toudic** (France) said that, one year after the creation of the mandate of the Special Rapporteur, nobody could deny that the human rights situation in Russia was seriously deteriorating. Since launching its war of aggression against Ukraine, Russia had persisted in a campaign of systematic repression of all dissenting voices. The Russian authorities used propaganda, lies and disinformation both in the Council and against their own citizens. France condemned in the strongest possible terms the recent sentencing to 8 and a half years in prison of Russian journalist Marina Ovsyannikova, who had courageously denounced the war against Ukraine during a television news broadcast. It also condemned the dissolution of countless respected civil society organizations, including Memorial, Golos, the Moscow Helsinki Group and the Sakharov Centre. The Council must renew the Special Rapporteur's mandate in order to obtain an objective and independent account of the collapse of democracy and civic life in Russia. France stood alongside all those who, like Alexei Navalny, Vladimir Kara-Murza, Ilya Yashin, Maria Ponomarenko, Alexandra Skochilenko and so many others, had paid with their freedom, and sometimes their lives, for aspiring to a more just and peaceful Russia. Her delegation called on all members of the Council to join it in support of the draft resolution.

33. **Ms. Stasch** (Germany) said that the international community had sent a clear signal in the General Assembly earlier that week when it had voted against the Russian candidacy for a seat on the Human Rights Council. Russia had been suspended from the Council more than a year earlier following the horrific acts committed by Russian forces in Bucha, Ukraine. The Special Rapporteur's mandate focused on the dire human rights situation in the internationally recognized territory of Russia. Civic space had been closed, all dissenting voices were silenced, and everyone who voiced opposition, including against the Russian war of aggression against Ukraine, was at risk. Internal oppression had facilitated the external aggression. The illegal and unjustifiable war against Ukraine and the alarming human rights situation in Russia were two sides of the same coin. War crimes, crimes against humanity and the abduction of Ukrainian children and their transfer to Russia and temporarily occupied areas were all the result of an increasingly authoritarian society in Russia. The Special Rapporteur was one of the last avenues for enabling civil society organizations to bring international attention to their important work. At a time when Russia was spreading disinformation, the Special Rapporteur provided independent and impartial information. The German delegation would vote in favour of the draft resolution and called on all members of the Council to do the same.

34. **Mr. Staniulis** (Lithuania) said that the human rights situation in Russia had been deteriorating for two decades. Propaganda, disinformation, repressive legislation and violence had created a climate of fear and intimidation that had laid the foundations for the Russian war of aggression against Ukraine. The Special Rapporteur had voiced grave concerns over mass arbitrary arrests and the persistent use of torture and ill-treatment. Civil society, human rights defenders, lawyers, political prisoners, journalists and media workers were living in constant fear, yet continued to shed light on the human rights situation. It was therefore important to continue monitoring the human rights situation in Russia in order to bring justice to victims and survivors, put an end to violations of human rights and international law and ensure that perpetrators were held accountable. His delegation called on all members to vote in favour of the draft resolution.

35. **Ms. Milačić** (Montenegro) said that the external aggression by Russia against Ukraine was mirrored in the increasingly harsh suppression of human rights and freedoms domestically; legal powers had been enhanced to muzzle human rights defenders and silence dissent, and the judiciary had been instrumentalized to crack down on civil society organizations, close the civic space and make it impossible for independent media to function. Critical voices and independent media had been replaced by State-sanctioned disinformation and propaganda for war. The High Commissioner had repeatedly raised concerns about the state of human rights in the Russian Federation, and the Special Rapporteur had documented the situation in her report. Through the draft resolution, the Council would simply call on the Russian authorities to fulfil their duty to uphold fundamental rights and freedoms and would extend the mandate of the Special Rapporteur so that she could continue to monitor the situation and report to the Council.

36. The work of the Council should be guided by constructive dialogue and cooperation. Unfortunately, the Russian Federation had refused to engage with the Special Rapporteur and other special procedure mandate holders. It had also refused to participate in the negotiations on the draft resolution or in bilateral consultations. The delegation of Montenegro called on all members to support the draft resolution and thus ensure that the Council fulfilled its mandate to address situations of violation of human rights, including gross and systematic violations, as set out in General Assembly resolution 60/251.

37. **Mr. Gerahutu** (Eritrea) said that Eritrea reaffirmed its opposition to the selective and politicized approach taken against specific countries in the Council. Any initiative that did not enjoy the support of the country concerned was unacceptable and unproductive. Eritrea rejected the draft resolution, as it was simply another attempt by Western countries to use the Council to advance their own geopolitical interests and agendas. Eritrea strongly opposed the instrumentalization of human rights issues as a pretext to interfere in the internal affairs of sovereign States, impose illegitimate unilateral sanctions and put pressure on certain countries. Such an approach would only further aggravate the existing polarization in the Council and undermine its credibility. The mandate of the Special Rapporteur had been established by Western countries with the sole aim of promoting their own narrative and assessments of the situation in Russia and destabilizing the political situation in that country. The continuation of the mandate and activities of the Special Rapporteur would violate the core principles of the Council, namely universality, impartiality, objectivity, non-selectivity and genuine dialogue and cooperation. For those reasons, the delegation of Eritrea wished to call for a vote on the draft resolution and urged other members of the Council to vote against it.

38. **The President** said he understood that the State concerned by the draft resolution did not wish to make a statement.

Statements made in explanation of vote before the voting

39. **Ms. Li Xiaomei** (China) said that the Council was expected to conduct its work in accordance with the principles of universality, impartiality, objectivity and non-selectivity. Regrettably, in recent years the Council had become increasingly politicized and confrontational. China had consistently opposed the politicization and instrumentalization of human rights and the establishment of country-specific mechanisms without the consent of the countries concerned. China appealed to all parties in the Council to refrain from confrontation and to enhance dialogue and cooperation based on equality and mutual respect. The delegation of China would vote against the draft resolution and called on other members of the Council to do likewise.

40. **Mr. Villegas** (Argentina) said that the Special Rapporteur had pointed out that, due to the challenges she had encountered in preparing her report, including time constraints, it was not an exhaustive account but a general overview of the human rights situation in Russia. For that reason, Argentina believed it was appropriate to renew her mandate so that she could draft another report for submission at the Council's fifty-seventh session. His delegation hoped that the decision to renew the mandate would be implemented with the utmost objectivity and without promoting the polarization of the Council, and urged the Russian Federation to cooperate with the mandate holder. Argentina urged all States to reaffirm the commitments made in General Assembly resolution 60/251 by conducting their work on the basis of cooperation and genuine dialogue with the aim of strengthening the capacity of Member States to comply with their human rights obligations.

41. **The President** said that the United States of America and the United Kingdom had withdrawn their sponsorship of the draft resolution.

42. **Ms. Taylor** (United States of America) said that, as Russian forces continued to commit atrocities in Ukraine, the Council could not ignore the human rights situation inside Russia. The Kremlin had dramatically intensified its crackdown on the Russian people. Fundamental freedoms, including freedom of expression and peaceful assembly, had been criminalized. The Russian law enforcement and justice system had been turned against citizens to silence any independent or dissenting voices. Independent Russian media outlets

had been forced to close or to continue their work in exile, and the number of political prisoners continued to rise.

43. The Special Rapporteur played a key role in reporting on the dire situation and providing a voice for human rights defenders and journalists. Unfortunately, the Russian authorities had suppressed domestic reporting on the situation, the Russian courts had long since ceased to uphold human rights, and Russia had withdrawn from numerous key European human rights institutions, thereby closing off avenues of redress for the victims of human rights violations in Russia. The United States urged the Russian Federation to engage with the Special Rapporteur and allow her access to the country. Some delegations had framed the draft resolution under consideration and other country-specific resolutions as examples of politicization in the Council, but those texts simply reflected the need to ensure that human rights were universally respected and that no country was above scrutiny. The United States would vote in favour of the draft resolution and urged all other Council members to do the same.

44. **Mr. Quintanilla Román** (Cuba) said that his Government wished to reiterate its position of principle on selective and politicized country-specific resolutions that did not have the consent of the State concerned and were clearly motivated by geostrategic objectives. Instead of promoting cooperation, constructive dialogue and respectful exchange, such resolutions led only to further confrontation and polarization. They were also a clear example of the selectivity, political manipulation and double standards that were making the Council increasingly resemble the defunct Commission on Human Rights. If there was genuine interest in improving the human rights situation in a country subjected to unilateral coercive measures, the draft resolution should contain a clear message rejecting the imposition of such sanctions, which had an undeniable impact on the enjoyment of human rights by the affected population. The establishment and renewal of biased and selective country-specific mechanisms was an example of interference in the internal affairs of the States concerned. For those reasons, his delegation would vote against the draft resolution.

45. **Mr. Manley** (United Kingdom) said that, since the start of the full-scale invasion of Ukraine, the human rights situation in Russia had significantly deteriorated. Thankfully, that fact had been recognized by the General Assembly earlier that week in the election of members to the Council for the 2024–2026 term. The United Kingdom agreed that the draft resolution was a necessary response to the alarming human rights situation in Russia, where it was almost impossible for independent media to operate and anti-war speech was criminalized. The United Kingdom condemned the politically motivated prosecution of those who had opposed the illegal invasion by Russia of Ukraine, including Vladimir Kara-Murza, Alexei Navalny, Ilya Yashin and Maria Ponomarenko. The United Kingdom appreciated the work of the Special Rapporteur and strongly supported the renewal of her mandate, which represented a vital link between the international community and the oppressed people of Russia. The United Kingdom stood in solidarity with the brave individuals and organizations that shone a light on the situation in Russia despite the threat of detention or worse. His delegation would vote in favour of the draft resolution and urged all members of the Council to do the same.

46. *At the request of the representative of Eritrea, a recorded vote was taken.*

In favour:

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

Against:

Bolivia (Plurinational State of), China, Cuba, Eritrea, Kazakhstan, Kyrgyzstan, Viet Nam.

Abstaining:

Algeria, Bangladesh, Benin, Cameroon, Côte d'Ivoire, Gabon, Honduras, India, Malawi, Malaysia, Maldives, Mexico, Morocco, Nepal, Pakistan, Qatar, Senegal, Somalia, South Africa, Sudan, United Arab Emirates, Uzbekistan.

47. *Draft resolution A/HRC/54/L.21 was adopted by 18 votes to 7, with 22 abstentions.*
48. **The President** invited delegations to make statements in explanation of vote or general statements on either of the draft resolutions considered under agenda item 4.
49. **Ms. Mohd Yunus** (Malaysia) said that her Government, which was opposed to the politicization of the Council, favoured human rights discourse that was grounded on the principles of cooperation, constructive engagement, inclusivity, transparency and mutual respect. Action that could further polarize the Council without making a positive impact on the ground should be avoided. The Council must facilitate the constructive dialogue and cooperation without which it could not function properly. The Council, which must not be set up to fail, should also promote greater solidarity among nations and create an enabling environment for States' fulfilment of their human rights obligations.
50. **Ms. Filipenko** (Ukraine), noting that her delegation welcomed the adoption of the resolution on the situation of human rights in the Russian Federation, said that the Council could not have done otherwise than to extend the mandate of the Special Rapporteur, whose inaugural report documented omnipresent human rights violations in Russia and confirmed the existence of an intrinsic link between internal repression and external aggression. The Russian authorities should, as stated in the resolution, establish full and non-selective engagement with all United Nations human rights mechanisms, including constructive communication and full cooperation with the Special Rapporteur. They must also ensure that the hundreds of thousands of Ukrainian civilians who had been unlawfully detained, deprived of liberty and confined in the territory of the Russian Federation, especially deported children and prisoners of war, were treated in accordance with international human rights and humanitarian law. All those detained arbitrarily should be released immediately, and unlawfully deported persons, including children, should be returned safely to Ukraine.
51. The Council should continue to monitor the critical human rights issues in Russia. The ongoing human rights violations not only threatened the security of Ukraine and other neighbouring countries but could also have wider repercussions for international peace and security.

Agenda item 5: Human rights bodies and mechanisms (A/HRC/54/L.30/Rev.1)

Draft resolution A/HRC/54/L.30/Rev.1: Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

52. **Ms. Margit Szücs** (Observer for Hungary), introducing the draft resolution on behalf of the main sponsors, namely Fiji, Ghana, Ireland, Uruguay and her own delegation, said that the text of the current year's iteration of the draft resolution touched on the disturbing trends, including the rise of self-censorship and the surveillance of those who cooperated or sought to cooperate with the United Nations, referred to by the Secretary-General in his most recent report on cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/54/61). By adopting the draft resolution, the Council would welcome the Secretary-General's call for the international community to ensure that concerted action was taken to protect, support and ensure the meaningful and safe engagement of individuals and groups with the United Nations and would stress the important role of the United Nations in preventing and addressing acts of intimidation or reprisal, guided by the principle of "do no harm".
53. **Mr. Daunivalu** (Observer for Fiji), continuing the introduction of the draft resolution, said that States had a collective responsibility to provide a safe and enabling environment for engagement with the United Nations and its representatives and mechanisms. The main sponsors had made every effort to ensure that the draft resolution reflected, to the extent possible, the comments that had been made by all parties during the extensive consultations on the text. He called on the Council to adopt the draft resolution by consensus.
54. **The President** said that the proposed amendments contained in documents A/HRC/54/L.44, A/HRC/54/L.45 and A/HRC/54/L.46 had been submitted by the Russian Federation but had not been sponsored by any member of the Council. In accordance with rule 69 (3) of the rules of procedure of the functional commissions of the Economic and Social Council, which were applicable to the Human Rights Council pursuant to General

Assembly resolution 60/251, the Council could take action on a proposal submitted by an observer delegation if it was requested to do so by at least one member of the Council. As no member had made such a request with regard to the proposed amendments, he took it that the Council did not wish to consider them.

55. *It was so decided.*

General statements made before the decision

56. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the European Union, said that everyone, individually and in association with others, had the right to cooperate and communicate freely with the United Nations and its representatives and mechanisms. Reprisals against persons who cooperated or sought to cooperate with the United Nations, of which there were reports from all parts of the world, were of grave concern. It was regrettable that a draft resolution on such an important issue had been met with three proposed amendments. The European Union condemned all acts of intimidation, harassment or retaliation in the strongest possible terms. It would continue to support efforts to create a safe environment for cooperation with the United Nations. The courage of those who cooperated with the United Nations was commendable. Their voices must not be silenced. He therefore called on Council members to adopt the draft resolution by consensus.

57. **Ms. Duncan Villalobos** (Costa Rica), hailing the courage of activists who defended human rights in spite of the reprisals to which they were subjected, said that the first-hand information that they provided to the Council was particularly welcome. Their active cooperation with the Council gave a human face to its work. Her delegation, noting the difficult circumstances in which women human rights defenders and defenders of the human rights of Indigenous Peoples worked, echoed the call for Council members to adopt the draft resolution by consensus.

58. **Ms. Taylor** (United States of America) said that the United States remained deeply concerned about the chilling effects of reprisals against human rights defenders and other civil society actors, who were increasingly subjected to threats, while protests and demonstrations were violently suppressed. The international community was morally obliged to help civil society do its work in the face of those phenomena. Her delegation welcomed the reference in the draft resolution to the Secretary-General's report. It also welcomed the language that had been introduced in the draft resolution to highlight the gender dimension of reprisals against women human rights defenders, the targeting of representatives of Indigenous Peoples and the appointment by United Nations entities of focal points on reprisals.

59. Notwithstanding the reaffirmation, in paragraph 1 of the draft resolution, of the right of everyone to unhindered access to and communication with international bodies, no such right was recognized in any of the core United Nations human rights conventions, nor was there international agreement on its meaning. The United Nations and other international bodies had policies, rules and regulations that might in some cases entail limitations on access to those bodies. Moreover, States that hosted regional and international organizations had applicable laws, including immigration laws, that might limit individuals' admission to their territory. States should nonetheless be encouraged to ensure that civil society organizations could engage openly, without fear of reprisals, with Governments, the United Nations and other relevant bodies or mechanisms. Her delegation was proud to support the adoption of the draft resolution.

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

61. **Mr. Jiang Han** (China), speaking in explanation of position before the decision, said that China, which was governed by the rule of law, opposed reprisals against anyone who cooperated with the United Nations or its representatives and mechanisms. Everyone was equal before the law. Anyone who violated the law using human rights as a pretext must be held to account. Although the main sponsors of the draft resolution had incorporated some of his delegation's suggested revisions, the text was still not balanced and did not reflect his delegation's concerns about the misuse of United Nations mechanisms to enable criminals to avoid accountability. As a result, his delegation would not join the consensus on the draft resolution.

62. *Draft resolution A/HRC/54/L.30/Rev.1 was adopted.*

Agenda item 9: Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action (A/HRC/54/L.8/Rev.1, A/HRC/54/L.14/Rev.1 and A/HRC/54/L.31)

Draft resolution A/HRC/54/L.8/Rev.1: A world of sports free from racism, racial discrimination, xenophobia and related intolerance

63. **Mr. Simas Magalhães** (Observer for Brazil), introducing the draft resolution on behalf of the main sponsors, namely the Group of African States and his own delegation, said that raising awareness of persistent incidents, often amplified by social media, of racism, racial discrimination, xenophobia and related intolerance at sporting events was of utmost importance. Despite the steps that had been taken since 2010, when the Council had adopted resolution 13/27 on the same issue, expressions of racism at sporting events, which limited the potential of sports to break down racial and political barriers, had become more intense and more frequent. Effective policies and programmes were required in order to combat impunity and ensure accountability in respect of incitement to discrimination, hatred, hostility or violence at sporting events. In the draft resolution, States were invited to cooperate with OHCHR, other United Nations entities, the International Olympic Committee, the International Federation of Association Football and other relevant international sporting bodies, as well as civil society, to develop measures and policies to help prevent and eradicate racism, racial discrimination, xenophobia and related intolerance in and through sports and sports events. He looked forward to the Council's adoption of the draft resolution by consensus.

General statements made before the decision

64. **Ms. Duncan Villalobos** (Costa Rica), welcoming the addition of language reflecting the gender perspective and recognizing the discrimination to which women, girls and persons with disabilities could be subjected in accessing and participating in sporting events, said that, in view of the many potential benefits of sports, the draft resolution was particularly important. Sports should make a direct contribution to the promotion of respect, equality and dignity, but racist and other discriminatory chants continued to be heard at sports venues worldwide. States should do more to ensure that sports were a safe space for all. They should take robust measures to eliminate expressions of hatred, including racism and racial discrimination, in the world of sports, which should always be a tool to combat racism, xenophobia and related intolerance. She hoped that the States members of the Council would adopt the draft resolution by consensus.

65. **Mr. Sebefelo** (South Africa) said that all fields of endeavour, including those that should bring people together, were still beset by the scourge of racism, racial discrimination, xenophobia and related intolerance. Despite the Council's adoption in 2019 of resolution 40/5 on the elimination of discrimination against women and girls in sport, instances of dehumanizing, degrading and humiliating treatment motivated by racial and other prejudices had not disappeared. His delegation therefore strongly supported the draft resolution, including its call for States and OHCHR to cooperate with sporting bodies on the development of practical measures to combat racism, and hoped that the Council would adopt it by consensus.

66. **Mr. Scappini Ricciardi** (Paraguay) said that his delegation welcomed the draft resolution's reference to sports, which promoted understanding, as a universal language. For Paraguay, which had a young population, the promotion of values such as friendship and peace through sporting activities was a priority. He encouraged Council members to adopt the draft resolution by consensus.

67. **Ms. Taylor** (United States of America) said that her country was deeply committed to addressing the challenges of systemic racism both at home and abroad. Racism, racial discrimination, xenophobia and related intolerance had no place in any forum, including in sports, which created unique opportunities to unite people of diverse backgrounds around a common purpose. The United States was pleased to support the draft resolution.

68. **Ms. Toudic** (France) said that her country intended to ensure that the major sporting events it would host in 2024 had a lasting and positive impact on people in France and abroad, not least by associating those events with stepped-up efforts to combat discrimination and promote gender equality. The organizing committee for the Paris 2024 Olympic and Paralympic Games had, for example, developed an ambitious anti-discrimination plan. The French authorities worked with the Office of the United Nations High Commissioner for Refugees to facilitate the participation of refugees in sporting activities. She called on the Council to adopt the draft resolution by consensus.

69. *Draft resolution A/HRC/54/L.8/Rev.1 was adopted.*

Draft resolution A/HRC/54/L.14/Rev.1: Mandate of the Working Group of Experts on People of African Descent

70. **Ms. Kangah** (Côte d'Ivoire), introducing the draft resolution on behalf of the Group of African States, said that, by adopting the draft resolution, the Council would extend the mandate of the Working Group of Experts on People of African Descent for a further three years, in accordance with the terms of reference contained in Council resolution 9/14. It would also decide that one of the two annual sessions of the Working Group could be held in New York or another location of relevance to the mandate, to facilitate the wide participation of people of African descent, and that the Group should hold two virtual consultations annually, with interpretation, to study the situation of people of African descent and make relevant recommendations. In addition, the Working Group would be requested to pay special attention in its annual report to the gender dimension of the impact of racism, racial discrimination and systemic racism on persons of African descent and to make specific recommendations in that regard, and to collect information from Member States and all relevant organizations and bodies of the United Nations system in the preparation of that report.

71. **Ms. Zhang Qiuruo** (China), making a general statement before the decision, said that Africans and people of African descent had long suffered from systemic racial discrimination and hate crimes, in particular in Western countries. All countries must work together to correct wrongful discriminatory practices against people of African descent and ensure that those responsible were held to account. Her Government therefore supported the extension of the Working Group's mandate. The Chinese delegation would join the consensus on the draft resolution.

72. **Ms. Taylor** (United States of America), speaking in explanation of position before the decision, said that her Government supported the Working Group of Experts on People of African Descent and was committed to working alongside its global partners bilaterally and multilaterally in the fight against racism and racial discrimination. The United States recognized the lasting and painful effects of racism and racial discrimination on all aspects of the lives of members of marginalized racial, ethnic and Indigenous communities, in particular people of African descent, and remained committed to removing systemic barriers, supporting health and well-being and promoting equal opportunities for all.

73. Her delegation appreciated the reports of the Working Group and acknowledged the challenges of funding such a broad and important mandate. In that regard, it would have preferred to streamline the requests made for additional funding. Moreover, for reasons that it had repeatedly made clear, her Government had concerns about the unequivocal support expressed in the draft resolution for the Durban Declaration and Programme of Action and the conferences related to it. Nonetheless, her delegation remained open to continued discussions on how to ensure complementarity among the multiple existing racial justice mandates and was pleased to join the consensus on the draft resolution.

74. *Draft resolution A/HRC/54/L.14/Rev.1 was adopted.*

Draft resolution A/HRC/54/L.31: From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

75. **Ms. Kangah** (Côte d'Ivoire), introducing the draft resolution on behalf of the Group of African States, said that the text was intended to address the seemingly never-ending scourge of racism, racial discrimination, xenophobia and related intolerance around the

world. The draft resolution operationalized the findings and recommendations of the various mechanisms of the Council dedicated to ensuring that the fight against racism was not merely rhetorical but rather had a substantial effect in practice.

76. The text currently before the Council was a clear demonstration of the considerable efforts of the Group of African States to work towards consensus. The main sponsors had accepted most of the recommendations made by States during the informal consultations, although suggestions that would have negatively affected the mandates referred to in the draft resolution had not been accepted. It was important that the draft resolution should remain strongly worded, as it represented an important opportunity for the international community to reaffirm its commitment to the eradication of racism, racial discrimination, xenophobia and related intolerance. The Group of African States would not let such an important cause be derailed by a handful of States that opposed the full implementation of the Durban Declaration and Programme of Action. She hoped that all States members of the Council would join the Group in its efforts to promote and protect equality and human dignity by supporting the draft resolution and adopting it by consensus.

General statements made before the voting

77. **Ms. Duncan Villalobos** (Costa Rica) said that the fight against racism, racial discrimination, xenophobia and related intolerance was fundamental to the promotion and protection of human rights. Her Government supported the call for law enforcement officials to respect and protect human dignity in the performance of their duties and agreed that impartiality and integrity in the judicial system were prerequisites for the protection of human rights, the rule of law, good governance and democracy. States must make specific efforts to realize the goals of the Durban Declaration and Programme of Action and take measures to address the historical roots of inequalities and structural inequity in society, namely colonialism, slavery and transatlantic human trafficking. To that end, they must promote inclusive and honest dialogue and actions aimed at achieving genuine structural, social and cultural change to combat racism and racial discrimination. Her delegation called on the members of the Council to adopt the draft resolution without a vote.

78. **Mr. Sebefelo** (South Africa) said that there should be no disagreement on the urgent need to combat the scourge of racism and racial discrimination, which continued to negatively affect the daily lives of millions of people, denying them their dignity and the full enjoyment of their fundamental rights. The fight against racism should not be reduced to empty rhetoric or a public-relations exercise; it required clear action by all States and all actors and should never be sacrificed on the altar of political expediency. His delegation therefore urged all States to support the draft resolution.

79. **Mr. Quintanilla Román** (Cuba) said that the world needed more concrete action and less political discourse to eradicate the abhorrent scourge of discrimination and racism. The Council must not be complicit in the institutionalized racial discrimination, criminalization, extrajudicial killings in broad daylight, disproportionate imprisonment and other reprehensible racist practices that continued to be prevalent in many parts of the world, especially in developed countries. It was shameful that in the midst of the twenty-first century, in the most highly developed countries, acts of police brutality against people of African descent were commonplace.

80. His Government reiterated its commitment to the implementation of the Durban Declaration and Programme of Action, the just demands of the Afrodescendent population and the elimination of the structural causes of racism and racial discrimination. The various actions referred to in the draft resolution would undoubtedly help to strengthen international law to combat racism, racial discrimination, xenophobia and related intolerance and to fulfil the rights of people of African descent. The Cuban delegation supported the draft resolution and called on the Council to adopt it by consensus.

81. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that combating racism, racial discrimination, xenophobia and related intolerance was a priority for her Government. All States must take measures to end structural and systemic racism, which was becoming increasingly entrenched worldwide. The roots of that scourge must be identified in order to bring about systemic change and end racially motivated domination, exploitation and

exclusion. To that end, it was necessary to implement the Durban Declaration and Programme of Action and to eliminate all contemporary forms of racism and discrimination, which undermined the collective and individual rights of vulnerable communities. Political will was needed in order to combat those scourges. For those reasons, the Bolivian delegation firmly supported the draft resolution and urged all members of the Council to support its adoption by consensus.

Statements made in explanation of vote before the voting

82. **Ms. Taylor** (United States of America) said that her Government was fully committed to combating racism, racial discrimination and related intolerance, which were interconnected and must be tackled simultaneously if real progress was to be made. While her delegation agreed with many elements of the draft resolution, it was disappointed that its long-standing concerns about previous resolutions on the same subject had not been addressed. In particular, the draft under consideration promoted division by referring to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and its associated follow-up mechanisms.

83. Her Government's concerns about the Durban Declaration were well known: the text's endorsement of overly broad restrictions on freedom of expression that ran counter to her country's commitment to free speech; the unfair and unacceptable singling out of Israel; and the antisemitism that had marked the lead-up to its adoption and with which it was still painfully associated for many. At a time when many forms of hate were on the rise across the globe, one form of hatred could not be tackled at the expense of efforts to eradicate another. For those reasons, her delegation requested a vote on the draft resolution and would vote against it.

84. Combating racism was an ongoing challenge that her Government was tackling transparently. The United States Government would continue to work with civil society in all nations of goodwill to combat all forms of racism, racial discrimination and related intolerance in all places. She hoped that the States members of the Council could work together on the issue in the future. Her delegation would remain open to dialogue in order to find common ground and language that reflected the Council's shared commitment to eliminating racism and promoting racial justice globally.

85. **Mr. Manley** (United Kingdom) said that his Government condemned all forms of racism, racial discrimination and xenophobia, remained resolute in its commitment to combating them and recognized the need for continued action to address entrenched ethnic and racial disparities. However, it continued to have a number of concerns about the draft resolution under consideration. It shared the concerns expressed by the representative of the United States with regard to the multiple references to the Durban Conference in the text, in view of the antisemitism associated with that Conference. His delegation also questioned the further expansion of the resources and scope of Durban follow-up mechanisms under the draft resolution.

86. It was crucial for the Council to advance along a common path in order to combat racism. The States members of the Council must develop a fresh strategy that focused on what States could do individually and collectively to confront contemporary racism. Unfortunately, the draft resolution did not provide a new approach that his Government would be ready to support. For that reason, his delegation would vote against it. Nonetheless, his country remained committed to taking further meaningful action to tackle racism domestically and internationally. The delegation of the United Kingdom looked forward to continuing a dialogue with the main sponsors of the draft resolution in order to reach a different outcome in the future.

87. **Mr. Bichler** (Luxembourg) said that his Government was fully committed to combating racism, racial discrimination, xenophobia and all other forms of intolerance, exclusion or marginalization, including antisemitism, and had taken multiple measures to that end at the national level, engaging constructively with various international human rights forums and expert bodies such as the universal periodic review and the Committee on the Elimination of Racial Discrimination. His delegation would welcome the achievement of

consensus on the draft resolution. However, if consensus was not possible, it would abstain from voting on the text.

88. **Ms. Schroderus-Fox** (Finland) said that her country was fully committed to the fight against racism and racial discrimination, xenophobia and related intolerance in all its forms and to the promotion and protection of human rights for all without discrimination on any ground. Her delegation thanked the Group of African States for its constructive engagement throughout the negotiations on the draft resolution and its willingness to accommodate many of the concerns expressed. She encouraged the main sponsors to continue on that path and hoped that all delegations would engage constructively in order to achieve consensus.

89. Her delegation welcomed the reference in the draft resolution to the importance of universal adherence to the International Convention on the Elimination of All Forms of Racial Discrimination, which was the cornerstone of the global fight against racism. However, it would have welcomed further discussions on the effectiveness of the mechanisms set up to ensure the implementation of the Durban Declaration and Programme of Action. States needed mechanisms that were up to date and efficient. As the draft resolution did not fully address that concern, her delegation would abstain from voting on it.

90. **Mr. Jiang Han** (China) said that the Chinese Government welcomed and supported draft resolution [A/HRC/54/L.31](#). His Government had always maintained that dialogue and exchange between people of different races and cultures should be strengthened and that States should endeavour to build societies free from racism. All countries should root out systemic racism and racially motivated violence by law enforcement officials, prohibit incitement to racial hatred and end impunity for the perpetrators of racially motivated crimes.

91. The Durban Declaration and Programme of Action was the cornerstone of the global fight against racism. His Government supported the active role that the Group of African States played within the Council in the fight against racism and was ready and willing to work with all countries to continue to strengthen and follow up on the Durban Declaration and Programme of Action, eradicate racism and advance towards a world where all were treated as equals. His delegation would vote in favour of the draft resolution.

92. *At the request of the representative of the United States of America, a recorded vote was taken.*

In favour:

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

Against:

Czechia, France, Germany, Montenegro, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Belgium, Finland, Georgia, Lithuania, Luxembourg, Nepal, Romania.

93. *Draft resolution [A/HRC/54/L.31](#) was adopted by 33 votes to 7, with 7 abstentions.*

Agenda item 10: Technical assistance and capacity-building ([A/HRC/54/L.9](#), [A/HRC/54/L.28](#), [A/HRC/54/L.29](#), [A/HRC/54/L.32](#), [A/HRC/54/L.33](#), [A/HRC/54/L.35/Rev.1](#) and [A/HRC/54/L.38](#))

Draft resolution [A/HRC/54/L.9](#): Enhancement of technical cooperation and capacity-building in the field of human rights

94. **Mr. Virabutr** (Observer for Thailand), introducing the draft resolution on behalf of the main sponsors, namely Brazil, Honduras, Indonesia, Morocco, Norway, Qatar, Singapore, Türkiye and his own delegation, said that through the draft resolution, the Council would decide that the theme of its next annual panel discussion under agenda item 10 should

be “Enhancing technical cooperation and capacity-building in the implementation of universal periodic review recommendations” and would request OHCHR to prepare a report to serve as a basis for the discussion. It would also request OHCHR to establish an online repository of technical cooperation and capacity-building activities in the implementation of such recommendations.

95. The theme of the draft resolution was timely and significant, as the fourth cycle of the universal periodic review had already begun and States were celebrating the seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action. A new initiative such as the establishment of the online repository would generate further momentum towards better and deeper action to respect, promote, protect and fulfil human rights. Most of the text of the draft resolution was based on agreed language from previous Council resolutions. In the informal consultations, the main sponsors had welcomed proposals to strengthen the text. He hoped that the Council would adopt the draft resolution by consensus and thus reaffirm once again its commitment to strengthening technical cooperation and capacity-building in the field of human rights.

96. *Draft resolution A/HRC/54/L.9 was adopted.*

Draft resolution A/HRC/54/L.28: Technical assistance and capacity-building for Yemen in the field of human rights

97. **Mr. Alghetta** (Observer for Libya), introducing the draft resolution on behalf of the Group of Arab States, said that the harsh, tragic and complex situation prevailing in Yemen, one of the world’s least developed countries, had left the country’s Government in critical need of the international community’s support. By adopting the draft resolution, the Council would welcome all regional and international efforts to prioritize the interests of the Yemeni people and find a political solution that met their hopes and needs. It would call for all necessary support to be provided to enable the National Commission of Inquiry to investigate alleged violations of international human rights and international humanitarian law. Such support was essential to the country’s efforts to achieve accountability and reparation. The main sponsors of the draft resolution, which was a follow-up to previous resolutions that had garnered broad support within the Council, wished to thank the States that had joined the sponsors and all those that had provided input. They hoped that the draft resolution would be adopted by consensus.

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

99. **Mr. Omar** (Observer for Yemen) said that the difficult circumstances his country was experiencing had left its Government in dire need of assistance in order to fulfil its human rights obligations. The Government had consistently expressed a readiness to cooperate with OHCHR and the Council in promoting and protecting human rights and was committed to investigating all violations and abuses and holding the perpetrators to account. Accordingly, it supported the National Commission of Inquiry and the provision of technical assistance to facilitate the Commission’s work. His delegation hoped that the draft resolution would be adopted by consensus.

Statements made in explanation of position before the decision

100. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union member States were profoundly disappointed by the draft resolution under consideration. The suffering of the people of Yemen deserved the full attention of the Council. Independent monitoring of ongoing human rights violations and abuses and full accountability, in the interest of the victims and survivors, were called for. During the informal consultations, the European Union member States had made constructive proposals to that end that were consistent with the spirit of the text and enjoyed cross-regional support, yet the main sponsors had flatly rejected them. A proposal to increase technical assistance to national Yemeni institutions, which both OHCHR and the National Commission of Inquiry supported, had been dismissed without a convincing explanation, raising the question of whether the aim of the draft resolution was genuinely to help the Government of Yemen in its efforts or rather

to limit what the Council could do to support those efforts. The draft resolution would extend technical assistance to Yemen for a twelfth consecutive year, yet the European Union's proposal that an assessment of achievements to date and remaining needs and challenges should be conducted had also been refused. Thus, the draft resolution not only failed to meet the fundamental human rights needs of the people of Yemen but also disregarded elementary rules of good management and accountable resource utilization.

101. The human rights situation in Yemen remained deeply troubling, notably in areas under Houthi control, where humanitarian workers, especially women, were systematically hampered in their work. In recent weeks, senior representatives of the Yemeni Government and the National Commission of Inquiry had called for international support and attention, and that call should be heard by all members of the Council. However, despite their efforts at constructive engagement, the European Union member States were once again forced to conclude that the main sponsors of the draft resolution were more interested in preventing the Council from discussing the human rights situation in Yemen than in addressing and improving it.

102. **Ms. Taylor** (United States of America) said that the United States remained deeply concerned about ongoing reports of serious human rights violations and abuses in Yemen and a lack of accountability mechanisms or effective steps towards justice. The Council and OHCHR must be able to engage openly and frankly with national human rights institutions in Yemen, and Yemeni civil society should be able to engage openly with the National Commission of Inquiry and the United Nations without fear of reprisals or threats, yet human rights groups active in Yemen had repeatedly voiced concerns about a lack of impartiality within the National Commission of Inquiry, and OHCHR had documented extensive violations. The United States had particularly grave concerns about the reported killing of migrants at the border with Saudi Arabia. It urged the Saudi Government to conduct a thorough and transparent investigation, to facilitate international organizations' access to the border region and to meet its obligations under international law by pursuing accountability.

103. The harrowing experiences and daily struggles of the Yemeni people underscored the critical need for resolutions that brought tangible improvements to the human rights situation on the ground. The widespread and ongoing human rights violations in Yemen called for credible, regular and independent reporting and open dialogue within the Council. Unfortunately, the main sponsors of the draft resolution had declined to include her delegation's recommendation that an independent expert should be appointed to impartially assess, monitor and report on the situation and make specific recommendations. The Government of Yemen, with the advice and assistance of OHCHR, must take steps to protect civilians, in line with international humanitarian law. Notwithstanding those concerns, her delegation recognized the paramount need for technical assistance and capacity-building in Yemen and for concrete action to support the consistent calls for peace, accountability, justice and redress, and would therefore join the consensus on the draft resolution.

104. **Mr. Jiang Han** (China) said that his Government supported efforts to safeguard the sovereignty, independence and territorial integrity of Yemen and believed that the United Nations should play a leading role as an impartial mediator. It called upon all States to work together to promote a political settlement through dialogue that would lead to the speedy restoration of peace and stability. It wished to reiterate its long-held opposition to the politicization and manipulation of human rights and the establishment of country-specific mechanisms without the consent of the States concerned. His delegation would join the consensus on the draft resolution.

105. *Draft resolution A/HRC/54/L.28 was adopted.*

Draft resolution A/HRC/54/L.29: Penitentiary system, security and justice: enhancement of technical cooperation and capacity-building to protect human rights in Honduras

106. **Ms. Arias Moncada** (Honduras), introducing the draft resolution, said that President Iris Xiomara Castro Sarmiento, the first woman Head of State in the history of Honduras, had since her election been pursuing a policy of international cooperation aimed at strengthening institutions and the rule of law and had committed herself to establishing an international mechanism, composed of United Nations experts, to fight corruption and

impunity. In line with the new Government's promise to transform a country formerly referred to as a "narco-State" and mired in structural corruption and extreme levels of violence, her delegation hoped that the Council would adopt the draft resolution, thereby requesting OHCHR to provide technical assistance and capacity-building to the Honduran civilian authorities to help them address the challenges within the country's penitentiary, security and justice systems.

107. Recognizing the complexity of those challenges, her Government wished to reaffirm its commitment to reform through policies that respected fundamental freedoms and were in line with the country's international human rights obligations. It would work with OHCHR to implement the recommendations made by human rights monitoring mechanisms on non-discriminatory access to independent and impartial justice, accountability and comprehensive civil security policies that addressed the root causes of the violence that had beset the country for decades, with especially severe consequences for vulnerable groups such as women and girls, Indigenous Peoples, people of African descent, lesbian, gay, transgender, bisexual and intersex persons, human rights defenders and those working to protect land and the environment. In view of the severe and multidimensional discrimination and violence that women and girls continued to experience, and the still-high incidence of femicide, as evidenced by the murder of 46 women prisoners in the National Women's Prison in June 2023, reform efforts would emphasize gender mainstreaming and inclusivity.

108. Her delegation appreciated the essential work that OHCHR had been carrying out in Honduras since 2015. It trusted that the Council would adopt the draft resolution by consensus.

General statements made before the decision

109. **Mr. Guillermet Fernández** (Costa Rica) said that it was heartening to see Latin American countries turning increasingly to OHCHR to request technical assistance in addressing internal challenges and making real progress in strengthening human rights. His Government welcomed the fact that Honduras was seeking to improve the human rights situation of persons deprived of their liberty, especially women and girls, and to build capacity within the national prison, security and justice systems. It supported the request for technical assistance from OHCHR under the draft resolution. Costa Rica would continue to support efforts to strengthen collaboration between States and OHCHR with a view to achieving significant change and progress in the field of human rights and sustainable development. Accordingly, his delegation called for the draft resolution to be adopted by consensus.

110. **Ms. Fuentes Julio** (Chile) said that, as one of the sponsors of the draft resolution, her delegation wished to highlight the importance of dialogue and cooperation between States and United Nations mechanisms. The draft resolution provided an important example of how the Council's mechanisms could be used to address specific national challenges, helped to place human rights at the centre of decision-making processes and were essential to the achievement of sustainable peace. Since the scale of organized crime in Honduras had made it difficult, if not impossible, for the State to protect all its citizens, her delegation welcomed the fact that Honduras was actively seeking support from the international human rights system and was placing particular emphasis on gender mainstreaming and the situation of vulnerable groups. The draft resolution demonstrated that, when a State chose to work with international human rights mechanisms, the international community became stronger. Her delegation urged all States to join the consensus on the draft resolution.

111. **Ms. Taylor** (United States of America) said that the United States had a deep and enduring relationship with Honduras that included strong cultural and family ties. It was committed to supporting the Government of Honduras and Honduran civil society in their efforts to integrate human rights across government institutions and address the root causes of human rights violations such as impunity, inequality and injustice. In that spirit, it had been working to strengthen government capacity to prevent and respond to violations, to improve labour policies, to help victims and vulnerable communities to secure justice and to strengthen the role of civil society. Given that offences as serious as murder, kidnapping and gender-based violence often went unpunished, the United States would continue to advocate transparency, investigation and appropriate legal protection and to help the Honduran

authorities to improve the ability of the criminal justice system to bring perpetrators to justice. Honduran courts must be modernized in order to reduce delays and address the massive use of pretrial detention, which fuelled gang recruitment within prisons. Moreover, prison reform was sorely needed to improve conditions of detention and the rehabilitation of offenders. Her Government looked forward to working with the Government of Honduras on such reforms once the penitentiary system was returned to civilian control. It supported the request for critical technical assistance and capacity-building to guarantee respect for the lives of persons deprived of their liberty, including their physical and psychological integrity, and ensure their reintegration into society. Her delegation was proud to sponsor the draft resolution.

112. **Ms. Méndez Escobar** (Mexico), welcoming the draft resolution, said that Mexico viewed positively all requests for technical assistance to help build national capacity, particularly requests from Latin American States. The draft resolution attested to the political will of the Honduran Government to improve the human rights situation and fulfil its international obligations, given that it acknowledged the need for a comprehensive reform of the penitentiary system that prioritized rehabilitation and social reintegration and addressed the structural causes of violence and the overuse of custodial sentences. Her delegation had no doubt that the support and guidance of OHCHR would serve to strengthen institutional capacities within the Honduran penitentiary and justice systems.

113. **Mr. Quintanilla Román** (Cuba) said that fostering cooperation and the involvement of the State concerned in identifying challenges and possible ways forward should be the Council's main goal. Technical assistance and capacity-building initiatives under agenda item 10 demonstrated that human rights mechanisms could be useful when they operated with the consent of the State concerned and when cooperation and constructive dialogue prevailed over punitive mechanisms and political blackmail. His delegation acknowledged the efforts of the Honduran delegation to present a balanced draft resolution that reflected reality and avoided overlap with other mandates. It commended the efforts of the new Government to overcome the country's challenges in the field of human rights and sustainable development and wished to express the Cuban Government's continuing support and solidarity. His delegation trusted that cooperation with OHCHR would bring the desired results.

114. **Mr. Al-Muftah** (Qatar), speaking on behalf of the Cooperation Council for the Arab States of the Gulf, said that technical assistance and capacity-building adapted to the wishes of the State concerned could produce positive results and that the United Nations was the most effective partner for providing assistance of that kind. His delegation supported the draft resolution, which constituted a positive step for human rights in Honduras, and called for it to be adopted by consensus.

115. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that technical assistance provided at the request of the State concerned, in line with its identified priorities, needs and concerns, was the best form of cooperation and the best way to achieve tangible results that benefited the State's people. Her delegation saluted the ongoing efforts of the Government of President Castro Sarmiento, its commitment to fundamental freedoms and constructive dialogue and its openness to working more closely with OHCHR to improve the situation of human rights in Honduras, focusing particularly on gender and on vulnerable and marginalized groups. It welcomed the draft resolution and, as a mark of its support for the Government and people of Honduras, had joined the sponsors. Her delegation called for the draft resolution to be adopted by consensus.

116. **Mr. Jiang Han** (China) said that his Government appreciated the efforts of the Government of Honduras to promote and protect human rights and called on the international community to demonstrate a comprehensive understanding of the challenges it faced by heeding the call to provide technical assistance in line with the needs of the Honduran Government and people. The delegation of Honduras had listened attentively to the views of all parties and had continuously endeavoured to improve and balance the text of the draft resolution. His delegation would join the consensus.

117. *Draft resolution [A/HRC/54/L.29](#) was adopted.*

Draft resolution A/HRC/54/L.32: Technical assistance and capacity-building in the field of human rights in the Central African Republic

118. **Ms. Kangah** (Côte d'Ivoire), introducing the draft resolution on behalf of the Group of African States, said that the text reflected both the recommendations of the Independent Expert on the situation of human rights in the Central African Republic and the progress made by the Government, notably through the adoption of a national policy on human rights and fundamental freedoms. The Group of African States was pleased to note that the Central African Republic was willing to cooperate with the Independent Expert and to support the renewal of his mandate for one year. It called for the international community to provide all necessary technical assistance to consolidate the advances made, recalling that technical assistance and capacity-building must be provided always at the request of the State concerned, on the basis of its specific needs. The principles of non-interference in the internal affairs of States and the non-politicization of discussions under agenda item 10 must be respected. The Group called on the members of the Council to continue to show solidarity with the Central African Republic by adopting the draft resolution by consensus.

119. **Ms. Toudic** (France), making a general statement before the decision, said that her delegation welcomed the draft resolution, which recognized the fragility of the human rights situation in the Central African Republic. Civilians were the main victims of the human rights violations committed by the various parties, including armed groups and the Wagner Group, and the work carried out by the United Nations to document those violations and help the authorities to combat impunity was crucial. Her Government wished to reiterate its full support for the work of the Human Rights Division of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), to commend the Government of the Central African Republic on its cooperation with the Independent Expert and to call for the continued implementation of his recommendations, in particular the setting of a new timetable for the organization of inclusive, transparent and free local elections. Her delegation had joined the sponsors of the draft resolution and called on all other States to do the same.

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

121. **Mr. N'Gbang Mokoue** (Observer for the Central African Republic) said that his delegation appreciated the spirit of consensus that had prevailed during the informal consultations on the draft resolution. The national authorities were ready to continue cooperating with the Independent Expert and hoped that the international community would maintain the many forms of support it provided. His delegation wished to recall that technical assistance and capacity-building should in all cases be provided only at the request of the State concerned, on the basis of its specific needs and with full respect for the principles of non-interference in the internal affairs of States and non-politicization of discussions under agenda item 10. He called on the Council to continue expressing solidarity with the Central African Republic by adopting the draft resolution by consensus.

122. **Ms. Peters** (United States of America), speaking in explanation of position before the decision, said that her delegation remained deeply concerned about the human rights situation in the Central African Republic and was pleased to join the consensus on the draft resolution. However, the text did not reflect any legal determinations under international humanitarian law or international human rights law, including in its references to actions as violations of international humanitarian law or as human rights violations and abuses. In particular, not all the acts identified in paragraph 1 constituted violations of international humanitarian law or international human rights law as such.

123. Her delegation interpreted paragraph 6 to mean that those engaged in the activities described therein risked the imposition of sanctions by the Security Council only when they met the designation criteria under the Central African Republic sanctions regime. In addition, while her delegation condemned hate speech, it stressed that all efforts to combat hate speech must be carried out in a manner consistent with respect for human rights, particularly freedom of expression. Her delegation interpreted the mention in paragraph 34 of the "six most serious violations suffered by children in armed conflict" to refer to the six grave violations identified by the Special Representative of the Secretary-General for Children and Armed Conflict. Lastly, while her delegation strongly supported measures to protect individuals from abuses

committed by non-State actors and urged all actors to respect human rights and the principle of non-refoulement, it noted that non-State actors generally did not bear obligations under international human rights law or international refugee law.

124. *Draft resolution A/HRC/54/L.32 was adopted.*

Draft resolution A/HRC/54/L.33: Assistance to Somalia in the field of human rights

125. **Ms. French** (United Kingdom), introducing the draft resolution on behalf of the main sponsors, namely Somalia and her own delegation, said that its purpose was to renew the mandate of Independent Expert on the situation of human rights in Somalia. The Government of Somalia was to be commended for the recent progress made in the field of human rights, particularly in the context of ongoing offensive operations against the terrorist group Al-Shabaab. Her delegation fully supported the Government's efforts to deliver a Somalia at peace, with improved respect for human rights as a cornerstone of that endeavour.

126. Her delegation welcomed the launch of the national action plan on women and peace and security and the progress made on key legislation. However, it remained concerned at the lack of progress on human rights in other areas, including media freedom. Those remaining challenges were highlighted in the draft resolution, which also acknowledged the Government's continued cooperation with the Independent Expert and other international mechanisms, including the Council. By jointly submitting the draft resolution as a main sponsor, the Government of Somalia was demonstrating its commitment to implementing recommendations made under the universal periodic review. It was hoped that the Independent Expert's upcoming visit to Somalia would usher in a new period of improved cooperation and accelerated progress. Since technical assistance and capacity-building should be flexible and based on the needs of the country concerned, the draft resolution included a request to the Independent Expert to conduct an assessment in consultation with a wide range of stakeholders, with a view to revising the focus and scope of the mandate and improving its ability to improve human rights in Somalia.

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

128. **Ms. Salah** (Somalia) said that, during the informal consultations on the draft resolution, her delegation's efforts to take into account almost all the concerns expressed without compromising the objectives of the text had demonstrated its spirit of openness, transparency and cooperation and the Government's attachment to the Council's work. However, the Council's established procedures and guiding principles must be respected. During the interactive dialogue with the Independent Expert held earlier in the session, a representative of a non-governmental organization had unacceptably called into question the country's sovereignty and territorial integrity by using a non-official language of the United Nations and advocating the recognition of Somaliland. Political issues should be addressed in relevant United Nations forums, not before the Council, whose mandate was only to deal with issues related to human rights. Moreover, Somaliland was not a State and was not recognized as such by the Government of Somalia, the African Union or the international community. Rather, it was a region in northern Somalia. The Government was committed to implementing the recommendations referred to in the draft resolution, within available human and financial resources, and insofar as such recommendations were compatible with national sovereignty and Somali cultural and religious values.

129. *Draft resolution A/HRC/54/L.33 was adopted.*

Draft resolution A/HRC/54/L.35/Rev.1: Establishment of a regional office of the Office of the United Nations High Commissioner for Human Rights for the Caribbean Community

130. **Ms. Hermanns** (Observer for the Bahamas), introducing the draft resolution on behalf of the main sponsors, namely Antigua and Barbuda, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago and her own delegation, said that it was the first ever submitted to the Council by the Caribbean Community. Establishing a regional office of OHCHR would facilitate the allocation of the resources needed to more comprehensively address the specific human rights challenges faced by the Community's small island developing States. The initiative was in line with the High Commissioner's wish to scale up

OHCHR engagement in the region, expressed during the Council's fifty-third session, and had recently been endorsed by the Community's foreign ministers.

131. The draft resolution expressed recognition of the Community's diversity and the unique challenges it faced, which, while not affecting the member States' international legal obligations, placed constraints on their efforts to ensure the full enjoyment of human rights. The year of the Community's fiftieth anniversary, the seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action was an appropriate time for the Community's member States to seek predictable and sustainable funding for the provision of capacity-building support in the field of human rights. The draft resolution represented an important step in ensuring that the Community's member States, faced with the existential threat of climate change, were not left behind.

General statements made before the decision

132. **Mr. Guillermet Fernández** (Costa Rica) said that small island developing States in the Caribbean faced significant challenges owing to their geographic location, limited resource base and susceptibility to external economic shocks and environmental problems, especially the effects of climate change and increasingly frequent natural disasters. The establishment of an OHCHR regional office would highlight the effects of those challenges on the enjoyment of human rights and would facilitate the search for solutions, through technical assistance and capacity-building. The draft resolution constituted a political statement from the Caribbean Community, as a group of small States taking the lead to assert their needs in the field of human rights.

133. **Ms. Fuentes Julio** (Chile) said that the draft resolution would lead to improved technical assistance and capacity-building at the national and regional levels, including through education, awareness-raising and the exchange of experiences. It reaffirmed the Caribbean Community's commitment to human rights and to cooperation with international human rights bodies, and would thus reinvigorate the system and reaffirm its importance. Her delegation urged all States to join the consensus on the draft resolution.

134. **Ms. Toudic** (France) said that her delegation welcomed the commitment of the States members of the Caribbean Community to strengthening cooperation with OHCHR, whose presence in the region would allow for more in-depth work on human rights priorities. As one of the sponsors of the draft resolution, her delegation hoped that it would be adopted by consensus.

135. **Ms. Méndez Escobar** (Mexico) said that her delegation welcomed the main sponsors' openness to the suggestions made during the informal consultations, which had been intended to strengthen the text and duly reflect the responsibility of States for promoting, protecting and respecting human rights. Her Government was concerned about the challenges facing the Caribbean region and recognized the need for capacity-building to improve the human rights situation, with special attention to the specific needs of vulnerable groups and the advancement of gender equality and women's and girls' empowerment. Close cooperation with OHCHR, national human rights institutions and civil society organizations would help reinforce the States' actions to fulfil their international human rights obligations.

136. **Mr. Quintanilla Román** (Cuba) said that his country, as a small island developing State, faced challenges similar to those facing the members of the Caribbean Community, including with respect to climate change, biodiversity, external debt, access to finance, tourism development, economic fluctuations and import dependency. Such circumstances constituted additional obstacles to the full realization of human rights, particularly economic, social and cultural rights. The draft resolution was an example of what could be achieved when cooperation and dialogue prevailed over punitive approaches. The Council must consistently abide by General Assembly resolution 60/251, under which technical assistance and capacity-building were to be provided with the consent of the States concerned, as was the case for the Caribbean Community's initiative. The OHCHR regional office would help to overcome the region's challenges and strengthen international cooperation.

137. **Ms. Taylor** (United States of America) said her delegation hoped that the establishment of a regional OHCHR office would help connect human rights defenders, civil

society actors, hospitals and law firms to essential resources. The draft resolution addressed the unique needs of Caribbean countries in their work to promote and protect human rights, address climate change and tackle sustainable development challenges. Increased support in those areas would help to build peaceful and inclusive societies in which persons from all backgrounds could participate freely. The human rights situation generally improved in countries whose Governments fully cooperated with OHCHR to protect civic space, promote accountability and protect the most vulnerable.

138. *Draft resolution A/HRC/54/L.35/Rev.1 was adopted.*

Draft resolution A/HRC/54/L.38: Technical assistance and capacity-building in the field of human rights in the Democratic Republic of the Congo

139. **Ms. Kangah** (Côte d'Ivoire), introducing the draft resolution on behalf of the Group of African States, said that the text took into account the progress made by the Democratic Republic of the Congo in the promotion and protection of human rights since the adoption of Council resolution 51/36 in October 2022. The Group commended the work of the team of international experts on the Democratic Republic of the Congo and the technical assistance team deployed by OHCHR to support the Government in the fields of transitional justice and forensic medicine. By adopting the draft resolution, the Council would renew the mandate of the team of international experts for another year and would provide the Truth, Justice and Reconciliation Commission of Kasai-Central Province with increased support, in particular by making available a team of specialists in human rights, transitional justice, sexual and gender-based violence, victim and witness protection, communication and community mobilization. It would also call on international actors and partners, under the auspices of OHCHR, to provide the additional financial resources and technical and logistical support necessary for the Government of the Democratic Republic of the Congo to consolidate its efforts in the field of transitional justice.

140. **Ms. Toudic** (France), making a general statement before the decision, said that the draft resolution highlighted the need to put an end to the human rights violations and abuses suffered by civilians in the Democratic Republic of the Congo, with particular reference to sexual violence and the forced recruitment of children by armed groups. It also expressed the Council's concern about the resurgence of hate speech targeting communities and individuals and about the volatility of the current situation. The ceasefire in force since March 2023 must not be jeopardized and those fuelling war and instability must be held accountable. Her delegation fully supported the renewal of the mandate of the team of international experts and called on the authorities of the Democratic Republic of the Congo to continue efforts to implement the team's recommendations.

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

142. **Mr. Empole Losoko Efambe** (Observer for the Democratic Republic of the Congo) said that the draft resolution reflected his Government's willingness to renew the mandate of the team of international experts and highlighted the efforts made to promote and protect human rights, restore peace and security and combat corruption and impunity. It also expressed strong condemnation of all support given to rebel and terrorist groups, in flagrant violation of human rights principles, and the illicit exploitation of natural resources, particularly in areas affected by armed conflict.

143. The Council's adoption of the draft resolution would facilitate logistical and financial support and capacity-building for his country's justice system, enabling it to meet remaining challenges relating to security and a lack of experts in forensic medicine, geolocation, forensic psychology and crime scene reconstruction. It would also help put an end to the war of aggression waged by Rwanda and its allies in the Mouvement du 23 mars, which was the main cause of human rights violations in his country and of the disastrous humanitarian situation in its eastern region, where over 6 million people had been internally displaced. It was necessary to combat indifference and break the silence of complicity, allowing justice at all levels to take its course and end impunity for all the crimes, including crimes against humanity, committed over 30 years of war. In conclusion, he wished to pay tribute to the remarkable level of cooperation between his Government, OHCHR, the United Nations Joint

Human Rights Office in the Democratic Republic of the Congo and the team of international experts.

144. **Ms. Billingsley** (United States of America), speaking in explanation of position before the decision, said that her delegation remained deeply concerned about the human rights situation in the Democratic Republic of the Congo, while recognizing that its Government was taking important steps to address certain issues, including by promoting accountability for security forces' violations and abuses. While her delegation would join the consensus on the draft resolution, it wished to specify that it interpreted the language characterizing the obligations of States with respect to human rights and fundamental freedoms, including in the first preambular paragraph and paragraph 8, in accordance with its understanding of international human rights law. It applauded the condemnation of armed groups that committed human rights abuses against civilians. However, describing any support given to armed groups as necessarily violating State obligations under international human rights law was not accurate, particularly where the support was not connected to human rights abuses.

145. While her delegation shared the sponsors' concern about the increase in hate speech, it did not agree with the way in which article 20 of the International Covenant on Civil and Political Rights was invoked in the draft resolution and stressed that all efforts to combat hate speech must be carried out in a manner consistent with respect for human rights, particularly freedom of expression. The terms used in paragraph 2 did not constitute legal determinations under international law and its references to "attacks", "occupation" and "serious violations of international humanitarian law" did not mean that such terms were legally applicable to any specific acts or situations. In general, only States had obligations under international human rights law; therefore, only States had the capacity to commit human rights violations.

146. While her delegation strongly supported victims' efforts to seek truth and justice, no general right to truth, justice and guarantees of non-repetition existed under international human rights law, contrary to what was suggested by the wording of paragraph 33. Her delegation interpreted the mention in paragraph 37 of "grave violations of children's rights" to refer to the six grave violations identified by the Special Representative of the Secretary-General for Children and Armed Conflict.

147. *Draft resolution [A/HRC/54/L.38](#) was adopted.*

The meeting rose at 6.55 p.m.