



General Assembly

Distr.: General
27 August 2024

Original: English

Human Rights Council Fifty-sixth session

Summary record of the 34th meeting*

Held at the Palais des Nations, Geneva, on Wednesday, 10 July 2024, at 3 p.m.

President: Mr. Zniber (Morocco)

Contents

Agenda item 1: Organizational and procedural matters

Agenda item 2: Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

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

* No summary records were issued for the 1st to 33rd meetings.

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Council at this session will be reissued for technical reasons after the end of the session.



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

Agenda item 1: Organizational and procedural matters (A/HRC/56/L.7/Rev.1)

1. **The President** said that statements of the programme budget implications of the draft resolutions under consideration at the current meeting had been published on the Council's extranet.

Draft decision A/HRC/56/L.7/Rev.1: Strengthening documentation within the Human Rights Council: webcasts

2. **Ms. Atteya** (Observer for Egypt), introducing the draft decision on behalf of the main sponsors, namely Indonesia, Nigeria, the Philippines, Senegal and her own delegation, said that three years prior, the delegation of Egypt had had the privilege of forming part of a group of countries that had led the way in deciding that summary records would be produced for meetings at which the Council took action on proposals and adopted reports on its sessions. With draft decision [A/HRC/56/L.7/Rev.1](#), those same delegations hoped once again to lead the way on another indispensable matter. The Council's work had expanded exponentially, in terms of both the duration of its three regular annual sessions and the number of its intersessional activities. The provision of webcasting services and the archiving of recordings had been highly valued by delegations, civil society, journalists and United Nations staff over the years. Discontinuing the live webcasting and archiving of recordings of intersessional activities would mean that, in the future, there would no record of those activities. Her delegation also had serious concerns about the future impact of the continuing liquidity crisis at the United Nations on the live webcasting and recording of the Council's main sessions. A joint letter in that regard had been sent to the United Nations Office at Geneva, with the support of 104 countries. The draft decision would provide a sustainable mandate for the live webcasting and archiving of all formal and public meetings of the Council during its sessions and the intersessional period, as well as those of its subsidiary bodies and mechanisms, in all official languages of the United Nations.

3. **The President** announced that 15 States had joined the sponsors of the draft decision.

4. **Ms. Widyaningsih** (Indonesia), making a general statement before the decision, said that Indonesia was proud to support the strengthening of documentation within the Council. The draft decision would solidify the common goal of ensuring the necessary resources for sustainable live webcasting and archiving of the meetings of the Council. Live webcasting was indispensable for maintaining transparency and accessibility and provided invaluable records for delegations, civil society, the media and United Nations staff. In addition, the liquidity challenges that continued to affect the Council's work must be addressed. She called on Members States that had not yet done so to pay their contributions to the United Nations at their earliest convenience to avoid a more challenging situation for the Council's vital work in the future.

5. *Draft decision A/HRC/56/L.7/Rev.1 was adopted.*

Agenda item 2: Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General (A/HRC/56/L.18/Rev.1)

Draft resolution A/HRC/56/L.18/Rev.1: Situation of human rights of Rohingya Muslims and other minorities in Myanmar

6. **Mr. Hasnain** (Observer for Pakistan), introducing the draft resolution on behalf of the main sponsors, namely the States Members of the United Nations that were members of the Organization of Islamic Cooperation (OIC), said that the draft resolution put the spotlight on the dire human rights situation of Rohingya Muslims, who were the victims of decades of institutionalized discrimination, marginalization and persecution. In recent months, renewed fighting between the military forces of Myanmar and armed groups had caused casualties, destruction of property and widespread displacement of the Rohingya people. His delegation echoed the concerns repeatedly raised by the United Nations High Commissioner for Human Rights regarding reports of renewed violence and destruction of property in Rakhine State.

The Special Rapporteur on the situation of human rights in Myanmar, too, had sounded the alarm, stressing that thousands of innocent lives would be lost if the international community failed to respond to signs that another Rohingya bloodbath was about to take place. Unfortunately, successive governments and authorities had failed to uphold their obligations to Rohingya Muslims and other minorities, resulting in their marginalization and the violation of their fundamental rights, including the rights to life, citizenship, health, education, freedom of religion and freedom of expression.

7. Through the draft resolution, the Council would express its deep concern about the gradually shrinking financial support and consequent cut in food rations for the Rohingya people temporarily sheltered in Bangladesh. It would also call upon the international community to continue to show solidarity and support towards the Rohingya, including adequate financial contributions. Moreover, it would call for the voluntary, safe, dignified and sustainable return of the forcibly displaced Rohingya Muslims and other minorities of Myanmar temporarily sheltered in Bangladesh and other host States. The main sponsors had held open and transparent consultations with other delegations and civil society and the text reflected a united voice. As the European Union presented a resolution on a similar subject annually, his delegation remained engaged with the delegations of States members of the European Union that were members of the Council and was grateful for their cooperation in joint efforts to streamline the number of interactive dialogues held on the Rohingya and Myanmar, in line with measures to ensure efficiency at the Council. His delegation urged all Council members to join the consensus on the draft resolution.

General statements made before the decision

8. **Ms. Haque** (Bangladesh) said that the draft resolution reflected deep concerns about the resumption of conflict in Rakhine State and recent reports of increased hostilities against the Rohingya in Myanmar, as well as the forced conscription of Rohingya persons by warring parties. It addressed the cross-border effects of the conflict in Myanmar, which had caused deaths and damage to property in Bangladesh, and recognized the work done so far by United Nations mechanisms and entities such as the Office of the United Nations High Commissioner for Human Rights (OHCHR). It also highlighted the need for more burden- and responsibility-sharing in the international community. There was a pressing need to keep repatriation at the top of the international agenda. Without repatriation, the situation would deteriorate in Cox's Bazaar, where large numbers of Rohingya were camped, leading to instability in the region and beyond. Frustration and disappointment had led to criminal tendencies among some Rohingya – a trend that had the potential to become a fully-fledged regional security risk if not addressed urgently. Hosting such a large number of Rohingya persons indefinitely was not an option for Bangladesh. For those reasons, her delegation strongly endorsed the call in the draft resolution on Myanmar to ensure the full implementation of all the recommendations of the Advisory Commission on Rakhine State to address the root causes of the situation and commence the repatriation process. Her delegation called on the Council to adopt the draft resolution by consensus.

9. **Mr. Bonnafont** (France) said that his Government was gravely concerned by the intensification of fighting in Myanmar in recent months, particularly in Rakhine State, and the resulting worsening of the humanitarian crisis. The Myanmar Army continued to inflame inter-ethnic tensions by resorting to the forced conscription of members of the Rohingya minority. His delegation regretted the absence of any explicit condemnation in the draft resolution of the coup d'état of 1 February 2021, the consequences of which had hampered the establishment of the conditions needed for the voluntary, safe, dignified and sustainable return of refugees. Similarly, his delegation would have liked for the draft resolution to recognize more explicitly the primary and overriding responsibility of the Myanmar Army for the human rights violations committed in Rakhine State, which currently posed a risk to the stability of the entire region. More than ever, United Nations Security Council resolution 2669 (2022) must be implemented in full, and the mechanisms set up by the Council to combat impunity must be given access to the territory of Myanmar to carry out their mandates. Nevertheless, his delegation would join the consensus on the draft resolution, because it allowed the Council to continue its efforts to end the suffering of the Rohingya and to call on the de facto authorities in Myanmar to respect their international obligations towards their people.

Statements made in explanation of position before the decision

10. **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 welcomed the strong condemnation in the draft resolution of all human rights violations in Myanmar and its goal of the cessation of violence by all parties to the conflict. The European Union called for those responsible for human rights violations to be held accountable. While his delegation thanked the main sponsors for revising the text to address some of the main concerns of the European Union, the draft resolution still failed to acknowledge and condemn the military coup and failed to identify the Myanmar military as the perpetrator of the vast majority of violations. The European Union recognized and supported the efforts of Bangladesh in accommodating Rohingya refugees. Repatriation would require the establishment of conditions for a safe, voluntary, dignified and sustainable return to Myanmar, which included humanitarian access to Rakhine State – something which was not reflected in the draft resolution. In fact, the language of the draft resolution on Rohingya repatriation was inappropriate, given the deterioration of the situation in Rakhine State. The Rohingya must be able to count on the Council to stand by them and not to push for their repatriation until the necessary conditions were in place. Protecting the human rights of the Rohingya and other minorities in Myanmar from clear and immediate danger should be the focus of the text, not the object of negotiations. It was regrettable that the main sponsors had not incorporated language on arms transfers in the draft resolution, despite their impact having been repeatedly underlined by the United Nations High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights in Myanmar. Nonetheless, he wished to thank the main sponsors for working with his delegation to ensure that the work of the Council on the situation in Myanmar was more focused and streamlined. All victims of violence and repression in Myanmar, including Rohingya Muslims and other ethnic or religious minorities, deserved a resolute message from the Council assuring them of its support and promising justice and accountability. His delegation would join the consensus on the draft resolution.

11. **Mr. Jiang Han** (China) said that China had been paying close attention to the situation in Myanmar, including the human rights situation of Rohingya Muslims and other ethnic minorities, and had long been actively mediating an urgent agreement between Myanmar and Bangladesh on the commencement of repatriation. The actions taken by the Council should contribute to political and social stability in Myanmar and to peace and reconciliation. The Rohingya issue in Rakhine State should be handled by Myanmar and Bangladesh through bilateral channels, with the international community providing constructive help. Therefore, the delegation of China dissociated itself from the draft resolution. His Government would continue to support Myanmar and Bangladesh in overcoming difficulties, resisting interference and commencing repatriation as soon as possible.

12. **Ms. Taylor** (United States of America) said that the United States stood with the people of Myanmar and supported calls for the voluntary, dignified, safe and sustainable return to Myanmar of Rohingya refugees. That return could happen only when conditions were safe. Unfortunately, as the Special Rapporteur on the situation of human rights in Myanmar had reported, conditions in Myanmar were not currently safe; her Government could therefore not support the commencement of repatriation. Her country was deeply troubled by the escalating violence in Rakhine State, reports of human rights violations and the risk of further atrocities against Rohingya persons. Additionally, it was deeply concerned about reports that deceptive and coercive measures had been employed to compel Rohingya persons to return to Myanmar. Those who had participated in previous “go and see” visits had unequivocally rejected repatriation plans. Accordingly, her Government called upon the military regime, which had seized power in the coup d’état of 2021, to cease violence and return to the path of democracy, and also called upon all relevant actors to immediately work towards creating, as quickly as possible, safe conditions for Rohingya refugees to return to Myanmar. It further called for greater urgency in addressing the root causes of violence and discrimination resulting in the Rohingya refugee crisis, as reiterated in Security Council resolution 2669 (2022) on the situation in Myanmar.

13. Her delegation wished to underscore that the draft resolution, like all Council resolutions, was non-binding and did not create rights or obligations under international law;

it did not change the current state of conventional or customary international law or the body of international law applicable to any particular situation. The United States did not necessarily understand references to “conflict”, “international humanitarian law” or other terms of art used in the draft resolution to mean that, as a matter of law, an armed conflict existed in a particular country or that those terms were applicable to any specific act or situation. Her Government interpreted references to a Rohingya person’s right to voluntary return to Myanmar as being consistent with article 12 (4) of the International Covenant on Civil and Political Rights, which provided that no one could be arbitrarily deprived of the right to enter their own country.

14. *Draft resolution A/HRC/56/L.18/Rev.1 was adopted.*

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

([A/HRC/56/L.1](#), [A/HRC/56/L.3](#), [A/HRC/56/L.5](#), [A/HRC/56/L.8/Rev.1](#), [A/HRC/56/L.11/Rev.1](#), [A/HRC/56/L.12](#), [A/HRC/56/L.14/Rev.1](#), [A/HRC/56/L.39](#) and [A/HRC/56/L.40](#))

Draft resolution A/HRC/56/L.1: Enhancement of international cooperation in the field of human rights

15. **Mr. Kafeero** (Observer for Uganda), introducing the draft resolution on behalf of the main sponsors, namely the States Members of the United Nations that were members of the Movement of Non-Aligned Countries, said that the draft resolution was largely composed of text adopted by the Council the previous year, with some new language informed by developments in the human rights field. The coronavirus disease (COVID-19) pandemic had shown that no State could thrive without cooperating with others. Through the draft resolution under consideration, the Council would recall the importance of cooperation in addressing the negative impact of the pandemic and underline the importance of the ongoing negotiations on a pandemic treaty in the World Health Organization. It would also highlight the need for common efforts to achieve international cooperation and reaffirm the duty of States to cooperate with one another in accordance with the Charter of the United Nations in the promotion of universal respect for, and observance of, human rights and fundamental freedoms for all, stressing that dialogue among and within cultures and civilizations facilitated the promotion of a culture of tolerance and respect for diversity. In paragraph 30 of the draft resolution, the Council reiterated its request to the United Nations High Commissioner for Human Rights to organize a series of regional seminars, one for each of the five geographical regions, on the contribution of North-South, South-South and triangular cooperation to the enjoyment of all human rights, including the right to development. That request had been approved by the Fifth Committee of the United Nations General Assembly, but its implementation had been postponed owing to the liquidity crisis at the United Nations. Regional seminars could provide Member States and various stakeholders with important platforms to identify challenges and gaps and exchange best practices and experiences in the promotion and protection of human rights. He invited all members of the Council to support the adoption of the draft resolution.

16. **The President** announced that one State had joined the sponsors of the draft resolution.

17. **Mr. Jiang Han** (China), making a general statement before the voting, said that the international community needed more than ever to strengthen consultation and cooperation, practise general multilateralism, uphold international equity and justice and champion the common values of humanity in order to effectively tackle unprecedented global challenges, promote peace and development and achieve the goal of the enjoyment of human rights for all. His delegation welcomed the draft resolution, which reiterated that the Council should abide by the principles of universality, impartiality, objectivity and non-selectivity, expressed concern about unilateral coercive measures and emphasized the importance of enhancing international cooperation in the post-pandemic period for the realization of economic, social and cultural rights. The text also called on all parties to engage in international cooperation and dialogue to promote the development of human rights. His delegation would vote in favour of the draft resolution.

Statements made in explanation of vote before the voting

18. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that international cooperation was an essential element of the policy of external relations of the European Union, which was determined to promote an international system based on strong multilateral cooperation and good global governance. Since the draft resolution under discussion was a technical rollover, the text had undergone very few changes. Unfortunately, that meant that several of the concerns of the European Union, as expressed the previous year, remained valid. For example, the draft resolution still contained elements and concepts that had not been endorsed by the United Nations membership as a whole, such as the term “new international economic order”. The European Union regretted that the language on terrorism remained unbalanced and that it was not specified that respect for human rights, international humanitarian law and international refugee law was the framework within which the fight against terrorism must take place. More generally, the European Union recalled that the primary responsibility for protecting and promoting human rights lay with States and that only individuals were holders of human rights. International cooperation must therefore be seen in the context of States’ obligations to protect and promote human rights. It was also regrettable that the draft resolution continued to use biased language on so-called “unilateral coercive measures”, despite the availability of consensual language on the matter. The position of the European Union on the use of restrictive measures was well known. There remained concerns about the added value of the proposed five regional seminars, as well as their potential budget implications, especially given the liquidity crisis at the United Nations. For those reasons, his delegation could not support the draft resolution and called for a vote on it. The States members of the European Union that were members of the Council would vote against the draft resolution. The European Union remained ready to continue the dialogue with the Movement of Non-Aligned Countries in order to bring the issue of international cooperation back to the consensual approach it deserved.

19. **Ms. Benda** (United States of America) said that the United States remained strongly committed to the protection and promotion of human rights globally, including through multilateral efforts and international forums. It was regrettable that the draft resolution did not effectively further that agenda. Her delegation wished to reiterate its long-standing concerns about controversial elements retained from previous versions of the draft resolution, including the reference to declarations that many members of the Council had not endorsed. Additionally, her delegation opposed the reference to “unilateral coercive measures”, which did not have an agreed international definition, was not appropriate in the draft resolution and suggested that States bore responsibility for the human rights obligations of other States. Her Government understood that mentions of the dissemination of technology and the transfer of or access to technology all referred to voluntary technology transfers on mutually agreed terms and that all mentions of access to information and/or knowledge referred to information or knowledge that was made available with the authorization of the legitimate holder. The language concerning technology transfer in the draft resolution did not serve as a precedent for future negotiated documents. As evidenced by the fact that it was a top global donor, the United States was firmly committed to the achievement of the Sustainable Development Goals and the need to advance human rights globally in order to achieve such progress. However, her delegation’s long-standing concerns regarding the language in the draft resolution on the right to development were well known, as reflected in its general statement on the draft resolutions considered under agenda item 3. For those reasons, the United States delegation would vote against the draft resolution and urged other members of the Council to do the same.

20. **Mr. Foradori** (Argentina) said that it was positive and necessary for the Council to adopt a draft resolution that promoted international cooperation in its various forms, including South-South and triangular cooperation. International cooperation played a central role in promoting the observance and enjoyment of human rights. Nonetheless, his delegation was concerned about some parts of the draft resolution, including the reference to the promotion of a “new international economic order”, a term on which there was no consensus and whose meaning was not entirely clear. Furthermore, his delegation did not agree with the approach taken in the sections of the text referring to preventing and combating terrorism and unilateral coercive measures and their impact. With regard to the former, it was concerned

about the absence of any mention of human rights, international humanitarian law and international refugee law as the framework within which the fight against terrorism must be conducted. His Government rejected the adoption of unilateral coercive measures, which were contrary to the basic principles of international law. However, the draft resolution seemed to indicate that unilateral coercive measures could be used as a justification by States for not ensuring the full realization of human rights. In that regard, his delegation recalled that States had a responsibility to promote respect for human rights in accordance with the international obligations they had voluntarily undertaken. For those reasons, the delegation of Argentina would abstain from voting on the draft resolution and hoped that in the future it would be possible to reach a consensus text.

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

In favour:

Algeria, Bangladesh, Benin, Brazil, Burundi, Cameroon, Chile, China, Costa Rica, Côte d'Ivoire, Cuba, Eritrea, Gambia, Ghana, Honduras, India, Indonesia, Kazakhstan, Kuwait, Kyrgyzstan, Malawi, Malaysia, Maldives, Morocco, Paraguay, Qatar, Somalia, South Africa, Sudan, United Arab Emirates, Viet Nam.

Against:

Albania, Belgium, Bulgaria, Finland, France, Georgia, Germany, Japan, Lithuania, Luxembourg, Montenegro, Netherlands (Kingdom of the), Romania, United States of America.

Abstaining:

Argentina, Dominican Republic.

22. *Draft resolution [A/HRC/56/L.1](#) was adopted by 31 votes to 14, with 2 abstentions.*

Draft resolution [A/HRC/56/L.3: Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers](#)

23. **Mr. Turbék** (Observer for Hungary), introducing the draft resolution on behalf of the main sponsors, namely Australia, Botswana, Maldives, Mexico, Thailand and his own delegation, said that the thematic focus of the draft resolution was the impact of digital technologies and artificial intelligence on the independence and impartiality of the judiciary, a topic that was highly relevant in view of the ongoing digitalization of States' judicial systems. The draft resolution emphasized the fact that digital technologies, if applied with adequate safeguards, had the potential to improve the functioning of justice systems, but also drew attention to the fact that they could pose risks to the full realization of human rights and could exacerbate existing forms of discrimination, prejudice and stereotyping. Furthermore, the text underlined that the digital development of the justice sector must be in conformity with international human rights law and consistent with due process principles and fair trial standards. It also stressed that the use of digital technologies must not impair human rights or encroach on human dignity, nor interfere with the decision-making power of judges or reduce the transparency of judicial activities.

24. **Ms. Rasheed** (Maldives), continuing the introduction of the draft resolution, said that the draft text under consideration, based on Council resolution 50/5, adopted by consensus at the Council's fiftieth session, was the result of two rounds of informal consultations and additional bilateral consultations with States. The main sponsors had negotiated in a spirit of dialogue and in an open, fair and transparent manner. The constructive engagement of delegations, civil society organizations and other relevant stakeholders was greatly appreciated. She invited all members of the Council to adopt the draft resolution by consensus.

25. **The President** announced that 14 States had joined the sponsors of the draft resolution, which had no programme budget implications.

General statements made before the decision

26. **Ms. Giedraitytė** (Lithuania) said that her delegation welcomed the draft resolution's focus on digital technologies in the justice sector and its acknowledgment of the positive

impact they had on the judicial system. Digitalization had enormous potential to improve access to justice for citizens. Digital tools could help to increase the effectiveness and efficiency of court proceedings. However, her delegation fully agreed with the main sponsors that digital technologies posed risks for decision-making processes in the administration of justice. There were increasingly frequent cases of attacks on the independence of the judiciary, intimidation of judges and lawyers and interference in their activities, both online and offline. Her delegation welcomed the call to provide adequate training to promote digital skills in the justice sector to allow judges, prosecutors, lawyers and public servants in judicial administrations to manage risks and use digital tools effectively, with due respect for the rights and freedoms of those seeking justice. Her delegation called on all members of the Council to join the consensus on the draft resolution.

27. **Mr. Guillermet Fernández** (Costa Rica) said that the independence and impartiality of the judiciary was one of the main pillars of any democracy and was of crucial importance for the promotion and protection of human rights. A judiciary that was independent ensured that decisions were taken on the basis of the law and not on any external influence. His delegation appreciated the fact that the draft resolution dealt with new technologies, including artificial intelligence, and their potential to build judicial institutions that were more inclusive, accountable, transparent and efficient. The use of digital technologies in the judiciary should be in line with international human rights law and the principles of due process and rules related to the impartiality of the judiciary. The safeguards related to the digital technologies referred to in the draft resolution should therefore be understood as safeguards for human rights. His delegation urged Council members to adopt the draft resolution by consensus.

28. **Mr. Jiang Han** (China) said that his delegation had actively participated in the consultations and would join the consensus on the draft resolution. It hoped that the Special Rapporteur on the independence of judges and lawyers would continue to abide by the mandate given to her by the Council and the Code of Conduct for Special Procedure Mandate Holders and discharge her duties impartially and objectively. China stood ready to engage in constructive dialogue with all special procedures, including the Special Rapporteur.

29. *Draft resolution A/HRC/56/L.3 was adopted.*

Draft resolution A/HRC/56/L.5: Human rights and international solidarity

30. **Ms. Cordero Suarez** (Cuba), introducing the draft resolution, said that international solidarity was a fundamental prerequisite for States' efforts to promote and protect human rights and to ensure coordinated and effective action in the face of extreme poverty, food insecurity, inequality, climate change, foreign debt and other challenges. The calls for a new just, equitable and democratic international order, where solidarity prevailed over selfishness, nationalism, hegemonic interests and unilateral coercive measures, were increasingly urgent. The draft resolution would make it possible to pursue efforts to gain recognition for international solidarity as a human right and to move forward on the development of a draft declaration on the right to international solidarity.

31. In the light of concerns expressed by some delegations in previous years, her delegation had proposed that a stronger direct link between international solidarity and the promotion and protection of all human rights, including the right to development, should be made in the text. The changes introduced were evidence of her delegation's constructive approach and its efforts to achieve consensus. The draft focused on constructive dialogue, cooperation and solidarity in the area of human rights. The rhetoric of some countries could no longer stand in the way of the advancement of collective rights in international law. The arguments calling into question the relevance of the current item on the Council's agenda were untenable given that international solidarity and cooperation had proved to be the only effective way to address national human rights challenges. Therefore, her delegation, on behalf of the sponsors, called on the States members of the Council to vote in favour of the draft resolution.

32. **The President** said that seven States had joined the sponsors of the draft resolution, which had no programme budget implications.

33. **Mr. Jiang Han** (China), making a general statement before the voting, said that promoting the cause of international human rights required unity rather than division and cooperation rather than confrontation. China had always been firmly committed to promoting international solidarity in the area of human rights on the basis of equality and mutual respect and opposed the use of human rights for political ends. His delegation was pleased to be among the sponsors of the draft resolution, which recognized the importance of international solidarity as a vital component of efforts to realize the right to development, to promote the full enjoyment of economic, social and cultural rights and to achieve the 2030 Agenda for Sustainable Development.

Statements made in explanation of vote before the voting

34. **Ms. Taylor** (United States of America) said that the ill-defined issue of international solidarity diverted the Council's attention and resources from the many other issues and global challenges that were relevant to its mandate. Her delegation was concerned about language pertaining to international solidarity that would assert a new principle of international law, a principle that lacked support or recognition in any international human rights instrument or in international law more generally. Her delegation called for a vote on the draft resolution and would vote against its adoption.

35. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that international solidarity was at the heart of the external action of the European Union and its member States, which together were the world's largest providers of official development assistance, amounting to 42 per cent of such assistance globally in 2023. The European Union welcomed the ongoing efforts towards more inclusive and effective international financial institutions that were able to meet the needs of developing countries with regard to implementation of the 2030 Agenda and the Paris Agreement. The European Union appreciated the efforts of the sponsors to highlight the link between human rights and international solidarity, in particular in paragraph 15 of the draft resolution. However, it wished to reiterate that the concept of a "right to international solidarity" had no basis in international law, and the issues addressed in the draft resolution were outside the scope of the Council's mandate. Therefore, States members of the European Union that were members of the Council could not support the draft resolution.

36. **Ms. Rolon Candia** (Paraguay) said that Paraguay recognized that international solidarity and cooperation, along with capacity-building and technical assistance, were fundamental tools for the promotion and protection of all human rights. While the draft resolution was in line with the constitutional principles that guided her Government's international relations, particularly those of solidarity and international cooperation, it sought to introduce the concept of international solidarity as a principle of international human rights, which contradicted the basic notion that international solidarity occurred in relations between States, whereas human rights were inherent to individuals. Moreover, the responsibility to respect, protect and fulfil the human rights of the inhabitants of a given territory was the sole responsibility of the State exercising jurisdiction over that territory. For those reasons, Paraguay would vote in favour of the draft resolution without joining the sponsors.

37. **Mr. Foradori** (Argentina) said that, while international solidarity could be a tool for addressing challenges, the draft resolution raised a number of concerns. First, the reference in the sixth preambular paragraph to a widening gap between developed and developing countries that impeded the realization of human rights must not serve as a justification to be used by States for failing to guarantee the enjoyment of human rights. It was the State's responsibility to promote and protect human rights. Second, paragraph 2 expanded the concept of international solidarity to include "sustainability in international relations, especially international economic relations," which deviated from the consensual language on the rights of individuals and the responsibility of States. With regard to the reference in paragraph 13 to the right of peoples and individuals to international solidarity, the concept of international solidarity as a new principle of international law lacked support in the international community as well as recognition in any international human rights instrument.

or in international law in general. For those reasons, his delegation would abstain from voting on the draft resolution.

38. **Ms. Fuentes Julio** (Chile) said that, although her delegation had voted in favour of the resolution on that subject in the past, it would abstain from voting on the draft resolution under consideration in the light of recent developments. Already in 2023, her delegation had called for a cautious approach with respect to the revised draft declaration on the right to international solidarity, as referred to in the draft resolution. It was concerned about the lack of clarity on the scope of the declaration and the attempts to create a right to solidarity for which there was not necessarily an adequate normative basis in international law. Her delegation did not consider it appropriate for the Council to encourage in the draft resolution the continuation of efforts to develop that declaration or to confirm the existence of a right to solidarity. It also remained concerned about the focus that the declaration placed on collective rights, giving less relevance to individual rights. Her delegation's abstention should not be interpreted as a rejection of the very idea of solidarity. On the contrary, Chile valued the importance of international solidarity and cooperation and was aware of their importance in furthering the 2030 Agenda. The question of international solidarity should be the subject of an open debate and consensus in the Council. Her delegation stood ready to engage in constructive dialogue with the sponsors of the draft resolution to help move forward on that path.

39. **Mr. Guillermet Fernández** (Costa Rica) said that his delegation wished to thank Cuba for its efforts in promoting values such as international solidarity in the context of human rights. Costa Rica, as a developing country, supported several aspects of the draft resolution, as international solidarity could bring great benefits and a culture of collaboration between States and other actors in the international community. His delegation sought to promote international solidarity within the Council as a way of fostering good relations between States. However, the draft resolution presented only a partial view of the right to development. While Costa Rica recognized that there was a need to reform the international financial system and to strengthen the mechanisms of international technical cooperation, it reiterated that there must be full compliance with international obligations, in particular those arising from international human rights treaties, and that such obligations must not be treated as dependent on economic circumstances. For those reasons, his delegation would abstain from voting.

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

In favour:

Algeria, Bangladesh, Benin, Brazil, Burundi, Cameroon, China, Côte d'Ivoire, Cuba, Dominican Republic, Eritrea, Gambia, Ghana, Honduras, India, Indonesia, Kazakhstan, Kuwait, Kyrgyzstan, Malawi, Malaysia, Maldives, Paraguay, Qatar, Somalia, South Africa, Sudan, United Arab Emirates, Viet Nam.

Against:

Albania, Belgium, Bulgaria, Finland, France, Georgia, Germany, Japan, Lithuania, Luxembourg, Montenegro, Netherlands (Kingdom of the), Romania, United States of America.

Abstaining:

Argentina, Chile, Costa Rica, Morocco.

41. *Draft resolution [A/HRC/56/L.5](#) was adopted by 29 votes to 14, with 4 abstentions.*

[A/HRC/56/L.8/Rev.1](#): Open-ended intergovernmental working group on an optional protocol to the Convention on the Rights of the Child on the rights to early childhood education, free pre-primary education and free secondary education

42. **Mr. Saffa** (Observer for Sierra Leone), introducing the draft resolution on behalf of the main sponsors, namely Armenia, Bulgaria, Colombia, Cyprus, the Dominican Republic, the Gambia, Kazakhstan, Kyrgyzstan, Luxembourg, Nauru, Panama, Romania and his own delegation, said that, while States were already legally obliged to provide primary education,

the commitment to make pre-primary and secondary education free was only enshrined in the Sustainable Development Goals. However, as the international community had seen, political commitment without the force of law was not enough. The draft resolution was a step forward in the Council's ongoing commitment to ensure that every child, regardless of background, had access to the educational opportunities they deserved. According to the United Nations Children's Fund (UNICEF), only an estimated 45 per cent of children worldwide completed secondary education. Almost half of the world's children received no pre-primary education. At the same time, the cost of education remained one of the principal barriers preventing children from attending school.

43. The main sponsors, together with civil society partners, had extensively consulted academics, United Nations experts and Member States. They had concluded that a fourth optional protocol to the Convention on the Rights of the Child, the most widely ratified international human rights treaty, was the best way for willing States to commit to providing free education for every child. The three previous optional protocols to the Convention were examples of widely ratified instruments that had accelerated positive change. The final revised text of the draft resolution proposed an open-ended intergovernmental working group with a clear mandate to explore the possibility of drafting an optional protocol and submitting it to the Council. The draft was the result of a comprehensive, wide-ranging, open, transparent and inclusive negotiating process. By adopting the draft resolution by consensus, the Council would be laying a solid foundation for generations to come.

44. **Mr. Barmin** (Observer for the Russian Federation), introducing the proposed amendments contained in documents [A/HRC/56/L.39](#) and [A/HRC/56/L.40](#), said that the Russian Federation fully supported efforts to introduce early childhood education and free pre-primary secondary education around the world. Article 43 of the Constitution of the Russian Federation guaranteed universally accessible and free preschool, basic general and secondary vocational education in State or municipal educational institutions and enterprises. In addition, it held parents or persons in loco parentis responsible for ensuring that their children received compulsory basic general education.

45. However, his delegation regretted that the sponsors had neglected the established practice of preparing and agreeing on technical draft resolutions for the establishment of working groups to draft legally binding documents, as had been the case, for example, with Human Rights Council resolution 11/1 on the Open-ended Working Group on an optional protocol to the Convention on the Rights of the Child to provide a communications procedure. Rather than making the proposal procedural, the sponsors had included a number of substantive provisions, in many ways anticipating the outcome of the work of the new working group. Given that the draft resolution was no longer a purely technical document, but one that explored the issue of children's education in general, his delegation believed that it was necessary to address the role of parents in the process. To that end, during the negotiations, his delegation, in a spirit of constructive cooperation, had proposed that the document should include the provisions of article 13 (3) of the International Covenant on Economic, Social and Cultural Rights. That article was reproduced almost verbatim in the proposed amendment contained in document [A/HRC/56/L.39](#).

46. As the procedures for participation of representatives of civil society institutions in the work of various negotiating forums within the United Nations were regulated by the rules of procedure of the General Assembly and the Council, among others, his delegation considered attempts to change the relevant rules in an ad hoc manner to be unacceptable. In addition, in accordance with article 12 of the Convention on the Rights of the Child, the views of the child were to be given due weight in accordance with the age and maturity of the child. However, despite the proposals made during the negotiations, the sponsors had flatly refused to take that provision of the Convention into account in the text of the draft resolution. Instead, the text included references to the participation of children in the future open-ended intergovernmental working group and controversial mandates for OHCHR, which were difficult to implement in practice. His delegation had therefore proposed the amendment contained in document [A/HRC/56/L.40](#) and called on all members of the Council, in keeping with their obligations under international human rights law, to support the amendments as submitted.

47. **The President** said that seven States had joined the sponsors of the draft resolution. He invited members of the Council to make general statements on the draft resolution and the proposed amendments.

48. **Mr. Bichler** (Luxembourg), speaking on behalf of the main sponsors of the draft resolution, said that they did not agree with the proposed amendments. His delegation requested a vote on each of them.

49. **Ms. Fuentes Julio** (Chile) said that free access to education was essential not only for the individual development of children and young people, but also for building fairer and more inclusive societies. Early childhood education had a profound impact on children's cognitive and social development, laying the foundation for successful lifelong learning. In Chile, it was recognized that investing in preschool, primary and secondary education was to invest in the nation's future. Chile had implemented significant policies to strengthen early childhood education and had also sought to ensure free preschool, primary and secondary education, allowing all young people to continue their education, regardless of economic constraints. The draft resolution not only strengthened the right to education globally, but also underscored the importance of children's participation in the elaboration of a future optional protocol. Such an inclusive approach set a crucial precedent for the integration of children's voices in the processes that affected their lives, as promoted by the Convention on the Rights of the Child. Her delegation urged other members of the Council to support the draft resolution and to reject the proposed amendments.

50. **Mr. Sterk** (Bulgaria) said that he wished to underline the importance of strengthening the right to free education by providing for a pre-primary and secondary education for all children. Bulgaria considered that education was a key to improving the nation's future economic, cultural and social potential and the quality of life of its people. A fourth optional protocol to the Convention would be the best way of creating the legal basis for ensuring access to free education at all levels for every child. Ensuring access to free education and thus encouraging children to attend school was vital for their full development. His delegation invited all States to place the right to free education, especially pre-primary and secondary education for all children, at the top of their agendas and called for support for the draft resolution as presented.

51. **Mr. Nkosi** (South Africa) said that, while the right to education had long been recognized as a human right and an indispensable means of realizing other rights, sadly, it remained a privilege for millions of children across the globe. The draft resolution went a long way towards giving that right concrete expression for all children. As South Africa celebrated the thirtieth anniversary of its freedom, the draft resolution was especially timely for the country, as the right to education had taken pride of place in its efforts to build a new democratic society out of the ashes of the system of apartheid. That was reflected in the Freedom Charter of South Africa adopted in 1955, which had served as the liberation movement's vision for a non-racial, non-sexist and democratic society. The Freedom Charter had declared that the doors of learning and culture must be opened to all and that education must be free, compulsory, universal and equal for all children. That vision was enshrined in the country's democratic Constitution, which provided for the right to basic education, including adult education. In ensuring the realization of that right, his Government had embarked on a mammoth undertaking of transforming the education system, including through free schools and the allocation of a much greater share of the State subsidies for education to schools in disadvantaged communities. South Africa had thus achieved near universal access to schooling, and enrolment in early childhood education had also grown to be near universal. The right to education, however, was not simply about providing free education or access to education. It was also about quality, as reflected in the current draft resolution.

52. **Mr. Sultanov** (Kyrgyzstan) said that Kyrgyzstan was strongly committed to enhancing implementation of the Convention on the Rights of the Child and convinced that education was a fundamental right that underpinned development. The proposed draft resolution was a substantial step forward in the Council's collective commitment to children's rights. It was imperative to work collaboratively, while transcending national interests, to craft a robust and comprehensive framework that would guide its efforts to

guarantee every child's right to quality education. The delegation of Kyrgyzstan called upon all Council members to vote in favour of the draft resolution.

53. **Mr. Alimbayev** (Kazakhstan) said that education was a fundamental right for all children and had the power to lift people out of poverty and foster social and economic development. Yet for millions of children around the world, the cost of schooling remained one of the most significant barriers to education, particularly at the pre-primary and secondary levels. The draft resolution sought to establish a working group to explore the possibility of elaborating a draft optional protocol to the Convention on the Rights of the Child that would explicitly recognize the rights of all children to early childhood education and care, free pre-primary education and free secondary education. Many countries in the Asia-Pacific region had taken steps to ensure access to free education, and Kazakhstan was no exception, as free education was an investment in the future of the nations and in peaceful and sustainable development in the region. His delegation called on all members of the Council to adopt the draft resolution by consensus.

54. **Ms. González Nicasio** (Dominican Republic) said that her delegation reaffirmed its commitment to the right to free education at the pre-primary, primary and secondary levels. It recognized that free education was not only a basic human right, but also a powerful tool to break the cycle of poverty and foster sustainable development. Providing free education, from early childhood to the secondary level, ensured that all children had access to equal opportunities, empowered young people and contributed to the well-being of communities and the strengthening of the foundations of the economy. Free education at all levels was linked to the enjoyment of other human rights, especially for girls throughout the world.

55. Unfortunately, despite the international community's repeated commitments, progress towards providing education for all was particularly slow, especially for girls. Some 129 million girls were still currently out of school. In fact, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) had recently called for urgent action to address the lack of progress. Education was not only one of the most powerful drivers of gender equality: it empowered people and helped break gender stereotypes and combat discrimination. Keeping girls in school, especially at secondary level, was one of the best ways to delay child marriage, among other harmful practices. It also paved the way for greater economic empowerment of women by removing the economic barrier to education, which unleashed the potential of women to contribute fully to the labour force. There was an urgent need to turn political will into a reality so that no one was left behind. She therefore hoped that the draft resolution would be adopted by consensus and that the proposed amendments would be rejected.

56. **Ms. Arias Moncada** (Honduras) said that her delegation welcomed the draft resolution's acknowledgement of the additional obstacles to access to education faced by girls and the significant efforts that States were already making to ensure quality, inclusive and free public education. In Honduras, the constitutional right to education without discrimination was recognized as a cornerstone of democracy that was closely linked to social and economic development. Her delegation also welcomed the multiple references to the importance of international cooperation, including the recognition that development partners, international financial institutions and all relevant stakeholders had a part to play. It was especially important that children would be able to participate in the work of the working group in an ethical, safe and inclusive manner. Her delegation was pleased to support the draft resolution as presented.

57. **Mr. Bonnafont** (France) said that his delegation fully supported the draft resolution as presented and was opposed to the proposed amendments contained in documents [A/HRC/56/L.39](#) and [A/HRC/56/L.40](#). The international community had chosen to recognize children as holders of rights independently of those with influence over their lives almost 40 years previously, and the fact that the Convention on the Rights of the Child was the most widely ratified human rights treaty demonstrated that that recognition was a fundamental principle, not a mere symbolic gesture. States parties to the Convention were required to recognize children's capacity to make themselves heard, to provide them with the tools to develop an open and critical mind and to ensure that they could express themselves freely without risk. However, the deletion of paragraphs 5 and 6 of the draft resolution, as proposed in the amendment contained in document [A/HRC/56/L.40](#), and their replacement with a new

paragraph replicating one of the general provisions of the Convention would make the meaningful participation of children near impossible and would prevent OHCHR from organizing the discussions envisaged in the draft resolution as presented. For those reasons, his delegation urged all members of the Council to reject the proposed amendments and to join the consensus on the draft resolution as presented by the main sponsors.

58. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/56/L.39](#).

59. **Mr. Bekkers** (Kingdom of the Netherlands), recalling that the Council could not take action on a proposal submitted by an observer delegation unless it was requested to do so by at least one member of the Council, asked why the members were being asked to consider the proposed amendment contained in document [A/HRC/56/L.39](#).

60. **The President** said that Eritrea, a member of the Council, had requested the consideration of the proposed amendment.

61. **Mr. Bichler** (Luxembourg), making a statement in explanation of vote before the voting, said that the addition of a new preambular paragraph replicating article 13 (3) of the International Covenant on Economic, Social and Cultural Rights, which established the right of parents to choose schools for their children on the basis of their own convictions, would be inappropriate. The draft resolution already made reference to the International Covenant. Moreover, it was a procedural text related to the creation of a working group to examine access to free education, and the role, rights and responsibilities of parents were unrelated to the question of whether that education was free of charge. Furthermore, children should be considered as holders of rights independently from their parents, and the proposed amendment did not really allow that possibility. It would weaken children's capacity for action, give priority to parents and restrict or even deny a number of the rights enshrined in the Convention on the Rights of the Child. His delegation would vote against the proposed amendment and urged all members to do the same.

62. *At the request of the representative of Luxembourg, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, China, Eritrea, Indonesia, Kuwait, Malaysia, Qatar, Somalia, Sudan, United Arab Emirates, Viet Nam.

Against:

Albania, Argentina, Belgium, Brazil, Bulgaria, Burundi, Chile, Costa Rica, Dominican Republic, Finland, France, Gambia, Georgia, Germany, Honduras, Japan, Kyrgyzstan, Lithuania, Luxembourg, Malawi, Montenegro, Netherlands (Kingdom of the), Paraguay, Romania, United States of America.

Abstaining:

Benin, Cameroon, Côte d'Ivoire, Ghana, India, Maldives, Morocco, South Africa.

63. *The proposed amendment contained in document [A/HRC/56/L.39](#) was rejected by 25 votes to 12, with 8 abstentions.*

64. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/56/L.40](#).

65. **Mr. Bichler** (Luxembourg), making a statement in explanation of vote before the voting, said that the main sponsors of draft resolution [A/HRC/56/L.8/Rev.1](#) were opposed to replacing the language of paragraphs 5 and 6 as originally drafted with a reference recalling the text of article 12 (1) of the Convention on the Rights of the Child. The sponsors of all draft resolutions related to the rights of the child and the right to education had for some time been calling for the views of children to be effectively taken into account in all decisions affecting them. The proposed amendment, which entailed replacing the call for meaningful participation with a superficial and general recognition of the possibility that children might be capable of forming their own views and had the right to express them, would derail that process and would significantly weaken the text. Furthermore, the operative paragraphs of a resolution were not the place to recall articles of other instruments but rather the place to set forth the action that the Council should be taking. Accordingly, it was essential that the

references to the meaningful, ethical, safe and inclusive participation of children in the development of a future optional protocol and to the organization of transregional discussions adapted to the needs of children were retained. His delegation would vote against the proposed amendment and urged all members to do the same.

66. *At the request of the representative of Luxembourg, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, China, Eritrea, Indonesia, Kuwait, Malaysia, Qatar, Somalia, Sudan, United Arab Emirates, Viet Nam.

Against:

Albania, Argentina, Belgium, Benin, Brazil, Bulgaria, Burundi, Chile, Costa Rica, Dominican Republic, Finland, France, Gambia, Georgia, Germany, Honduras, Japan, Kyrgyzstan, Lithuania, Luxembourg, Malawi, Montenegro, Netherlands (Kingdom of the), Paraguay, Romania, United States of America.

Abstaining:

Cameroon, Côte d'Ivoire, Ghana, India, Maldives, Morocco, South Africa.

67. *The proposed amendment contained in document [A/HRC/56/L.40](#) was rejected by 26 votes to 12, with 7 abstentions.*

68. **The President** invited the Council to take action on draft resolution [A/HRC/56/L.8/Rev.1](#).

Statements made in explanation of position before the decision

69. **Mr. Jiang Han** (China) said that, having contributed constructively to the consultations on the draft resolution, his delegation wished to make three observations regarding the text as currently drafted. Firstly, as the Convention on the Rights of the Child stated that the right to education should be realized progressively, on the basis of equal opportunity, differing national contexts and States' specific development choices should be respected in efforts to ensure the progressive realization of that right. Secondly, any decision to develop an optional protocol should be based on the understanding that States parties could participate fully in the discussions and that the General Assembly was the appropriate forum for such debate; should it be necessary for the Council to initiate the discussions, the draft resolution should be of a purely procedural nature and should be drafted in a way that neither restricted nor prejudged the outcome. Thirdly, as the Convention was the most widely ratified human rights treaty, the inclusion of non-consensual language in the draft resolution should be avoided. Given the importance that China attached to the promotion and protection of children's rights, his delegation would join the consensus on the draft resolution.

70. **Ms. Taylor** (United States of America) said that the United States strongly supported the promotion of universal access to early childhood care and education and remained committed to reclaiming educational gains lost during the COVID-19 pandemic; worldwide, it had invested over \$10.5 billion in education since 2016. It was crucial that every country supported all of its children, paying particular attention to the most marginalized in efforts to ensure access to an inclusive, equitable and quality education. Her delegation would therefore join the consensus on the draft resolution to establish an open-ended working group to explore opportunities to promote universal access to free education in a manner that complemented and expanded upon the obligations enshrined in the International Covenant on Economic, Social and Cultural Rights. While paragraph 1 of the draft resolution provided a useful framework for the consideration of such issues, including the scope of the right to education, the working group should not be constrained by it. Although the Government of the United States supported the goal of providing free pre-primary and primary education for every child, she wished to highlight that State, local and tribal governments in the United States largely controlled and shaped their respective educational systems. The United States had a robust public education system but recognized the value of having a range of education providers, including private sector providers. Accordingly, her delegation understood the references to "public" pre-primary and secondary education in paragraph 1 to refer to publicly available education rather than solely to government-provided education.

71. *Draft resolution [A/HRC/56/L.8/Rev.1](#) was adopted.*

Draft resolution A/HRC/L.11/Rev.1: Safety of the child in the digital environment

72. **Mr. Soliman** (Observer for Egypt), introducing the draft resolution on behalf of the main sponsors, namely Malaysia, Senegal, Singapore, the United Arab Emirates and his own delegation, said that digital technologies were dramatically transforming the world, and their use looked set to remain an integral part of every child's life. The digital environment offered new opportunities for the realization of children's rights but also brought potential risks, exposing children on a daily basis to forms of violence and harm ranging from the promotion of suicide and self-harm, discrimination, advocacy of national, racial or religious hatred and the marketing of drugs and gambling to new forms of sexual exploitation such as child pornography and deep fakes. In order for children to harness the benefits of the digital environment effectively, it was essential that those risks were addressed comprehensively.

73. The decision to present the draft resolution had been driven by a desire to strengthen efforts to guarantee the safety of children and protect their rights in the digital environment, and the main sponsors had consulted extensively with a range of stakeholders, including UNICEF, OHCHR and civil society organizations, to that end. A particularly valuable initiative envisaged under the draft resolution was the series of five regional workshops that OHCHR was requested to convene in order to assess the risks to the safety of the child in a digital environment and best practices to address those risks, with the participation of civil society as well as the contribution of children. The draft resolution also called for consideration to be given to ways in which to empower children in the digital environment and to the respective roles of States, families and business enterprises in ensuring their safety. The main sponsors had incorporated a number of proposals received from member States, aiming to create a text that reflected a balanced and inclusive approach and embodied States' shared commitment to safeguarding children in the digital environment. The main sponsors requested the members of the Council to support the crucial initiative and adopt the draft resolution by consensus.

74. **The President** said that 17 States had joined the sponsors of the draft resolution.

General statements made before the decision

75. **Mr. Kah** (Gambia) said that his delegation strongly supported the draft resolution, including the request for OHCHR to convene regional workshops to assess risks and develop protection strategies adapted to specific regional and national contexts. It commended the main sponsors for having accommodated a diverse range of concerns with goodwill and flexibility. It was vital to recognize the significant impact that the digital environment could have on children's physical, psychosocial and mental health. His delegation called on the Council to adopt the resolution by consensus.

76. **Mr. Al Musharakh** (United Arab Emirates) said that the United Arab Emirates was committed to the protection of children both online and offline and shared the grave concerns expressed in the draft resolution about the violence and harm to which children were exposed in the digital environment and the attendant impact on their physical, psychosocial and mental health. His delegation particularly welcomed the recognition of the critical need for cooperation among all relevant stakeholders and the urgency with which the risks must be addressed. His delegation respectfully requested the Council to adopt the draft resolution by consensus.

77. **Mr. Eheth** (Cameroon) said that his delegation saw four key reasons to support the draft resolution. Firstly, the draft resolution should serve to strengthen protection against the various risks, such as cyberbullying and sexual exploitation, to which children were exposed in the digital environment. Secondly, it emphasized the principles enshrined in the Convention on the Rights of the Child and other international treaties. Thirdly, it recognized that the significant long-term effects of digital technology on children's physical, psychosocial and mental health should not be underestimated. Fourthly, it called for education in digital literacy to raise awareness of the risks and the best ways to avoid them. His delegation also welcomed the call for robust legislation to protect children's rights online and offline and the recognition of the need to empower children to report abuse and seek help. As the draft resolution was essential to guaranteeing a safe and fulfilling future for younger generations, his delegation called for its adoption by consensus.

78. **Mr. Guillermet Fernández** (Costa Rica) said that Costa Rica shared the main sponsors' concerns about the bullying, exploitation, disinformation and forms of violence to which children were exposed in the digital environment. Children should be able to develop and grow in a violence-free environment, both online and offline, where their rights were protected and their best interests respected. Ensuring their protection in the digital environment was not only a collective endeavour, but also an obligation for States and a responsibility for business enterprises. Moreover, pursuant to article 5 of the Convention on the Rights of the Child, parents and families also had an obligation to protect and guide their children in the exercise of their rights online. In view of the foregoing, his delegation would have liked to see in the draft resolution a greater focus on children as the bearers of rights, particularly the rights to participate, to be heard, to privacy and to be included in decision-making. It was essential that children were able to exercise those rights safely online as much as offline. The draft resolution was also missing a gender perspective which recognized that girls were often more affected by online risks than boys. His delegation wished to thank the main sponsors for their constructive approach to the informal consultations, but also to stress that, in the interests of efficiency and efficacy, the Council should not replicate existing initiatives, including, in the case in point, the extensive work previously carried by the States members of the European Union and the Group of Latin American and Caribbean States.

79. **Mr. Jiang Han** (China) said that, while the rapid development of artificial intelligence and emerging technologies brought huge opportunities for the promotion and protection of human rights, as underscored in the draft resolution, the risks and challenges, particularly for the safety of children in the digital environment, could not be overlooked. The draft resolution highlighted the concerns surrounding those risks and called for international cooperation in addressing them and ensuring equal access to digital resources and opportunities for all children. His delegation appreciated the efforts of the main sponsors to accommodate the concerns raised during consultations and was pleased to join the consensus on the draft resolution.

80. **Mr. Mai Phan Dung** (Viet Nam) said that the draft resolution had been presented at a timely and critical moment; the development of new and emerging digital technologies had far-reaching implications for the safety and well-being of all children worldwide. The grave concerns highlighted in the draft resolution regarding the violence and harm to which children were exposed online emphasized the urgency and importance of addressing the risks to children in a comprehensive and effective manner. His delegation supported the call for a global coordinated response, for shared responsibility among all relevant stakeholders, and for a series of regional workshops to be convened to assess the risks to children's safety and develop a strategy for addressing them. It urged the members of the Council to adopt the draft resolution by consensus.

81. **Mr. Ruddyard** (Indonesia) said that his delegation supported the draft resolution, which contained a balanced text and was of crucial importance at a time when new technologies were having far-reaching impacts on the safety, well-being and physical, psychosocial and mental health of children throughout the world. In addressing issues of such universally acknowledged importance as the rights of women and children, the members of the Council must show unity, ensure constructive deliberation and refrain from seeking to impose terms that were not widely accepted. The main sponsors were therefore to be commended for their efforts to create a consensual text. His delegation supported the call for a global coordinated response to ensure children's safety online and for shared responsibility among all stakeholders. States, families and business enterprises could all play a positive role in protecting children's rights, and the draft resolution thus rightly acknowledged the State's role in legislative measures, the family's role in empowering children to use technology safely and the need for businesses to ensure that their services supported a safe digital environment. By working together, the members could reinforce the Council's role in addressing the risks and help to maximize the benefits that the digital environment offered for children.

82. **Ms. Osman** (Malaysia) said that the draft resolution contained a balanced text that was being presented at a pivotal moment; emerging technologies were affecting the safety and well-being of children throughout the world. The main sponsors had shown goodwill and flexibility in their efforts to incorporate the diverse concerns raised during negotiations, and

the resulting text reaffirmed the collective commitment to bridging the digital divide and ensuring equitable access to digital resources for all children. The call for a global coordinated response, for shared responsibility among relevant stakeholders and for the empowerment of children were particularly timely and important, and would meaningfully contribute to more effective and cohesive global action. The request for OHCHR to convene five regional workshops was not overly ambitious, but a necessary step towards addressing existing gaps and global challenges efficiently. The workshops would be crucial to assessing risks, facilitating knowledge-sharing and developing strategies tailored to the needs of different regions. By adapting the solutions to their regional and national contexts, States could ensure the safety of children in the digital environment throughout the world.

Statements made in explanation of position before the decision

83. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that they would have liked to have been able to take a more supportive position on the draft resolution. However, they believed that the main sponsors should have built more on the already extensive work on the topic carried out by the Council, the General Assembly and the Committee on the Rights of the Child. Works on which they might have drawn included the Committee's general comment No. 25 on children's rights in relation to the digital environment, published in 2021, General Assembly resolution 78/187, also addressing the rights of the child in the digital environment, and Council resolution 51/10, on countering cyberbullying. In view of the consultations already undertaken by the Committee, the extensive existing body of work and the current liquidity crisis, the resource-heavy outcome envisaged in the draft resolution was a concern. Additionally, there were legal inaccuracies in the preambular paragraph referring to article 12 of the Convention on the Rights of the Child; stakeholder involvement in the consultations should have been based on the relevance of their expertise; and references to the affected rights of the child, in particular the right to privacy, should have been front and centre. During the informal consultations, the States members of the European Union had made numerous suggestions intended to add balance and emphasize the central premise that children were rights holders and States were the primary duty bearers. They thanked the main sponsors for having incorporated at least some of those suggestions and remained convinced that children should be able to safely exercise all their rights online as well as offline. It was with that observation in mind that they were able to join the consensus.

84. **Ms. Benda** (United States of American) said that the United States was committed to a vision of the future in which new technologies served as a catalyst for progress for all while upholding human rights, but was also deeply concerned about the impact of digital technologies on the physical and mental health and safety of children. In the United States, several new initiatives to address online harm to the privacy, health and safety of children had been announced in the past year alone, but more could be done to make the risks clear. In particular, States should endeavour to use language that properly reflected the lack of consent and the harm and trauma suffered by child victims, notably the phrases "online child sexual exploitation and abuse" or "child sexual abuse material" instead of "child pornography", and "child sex trafficking" instead of "child prostitution". That updated language usage was already acknowledged in the updated title of the United Nations Special Rapporteur on the sale, sexual exploitation and sexual abuse of children.

85. Her delegation was joining the consensus on the draft resolution on the understanding that the text did not imply that States should adhere to human rights instruments to which they were not a party or otherwise implement obligations under those instruments. It did not recognize any change in the current state of international law and understood that the reaffirmation of prior documents contained in the draft resolution applied only to those States that had affirmed them initially. The United States was committed to protecting the rights of children online and offline and looked forward to continuing its partnerships with other States and international partners in pursuit of those goals.

86. **Mr. Bonnafont** (France), recalling the already extensive work on that important topic conducted by human rights mechanisms including the Committee on the Rights of the Child and the Council itself, said that technology clearly now occupied a very different place in people's lives than it had done at the time of adoption of the Convention on the Rights of the

Child. The misuse of new technology had brought new threats such as cyberbullying as well as exposure to unlawful materials and hate speech. Prevention, in the form of digital literacy education that enabled children to access the digital environment safely, and the promotion of an Internet where public freedoms were balanced against growth and safety considerations, were key to addressing those risks. The Christchurch Call Foundation launched by France and New Zealand to coordinate efforts to improve technological tools and cooperation in the fight to eliminate terrorist and violent extremist content online provided a good example of initiatives in the latter area. It was important to remember, nonetheless, the huge opportunities that technologies offered children, notably for access to education, knowledge acquisition, peer exchange and the expression of opinions. His delegation would have liked to see in the draft resolution a greater focus on protecting children's right to privacy, which was a priority for France and its European Union partners. It would have particularly appreciated greater emphasis on the need to improve personal data protection and to protect children against misuse of their image online.

87. *Draft resolution A/HRC/L.11/Rev.1 was adopted.*

Draft resolution A/HRC/56/L.12: Freedom of opinion and expression

88. **Mr. Bekkers** (Kingdom of the Netherlands), introducing the draft resolution on behalf of the main sponsors, namely Brazil, Canada, Fiji, Namibia, Sweden and his own delegation, said that the right to freedom of opinion and expression was intrinsically linked with the enjoyment of all human rights; it allowed people to stand up for what was important and to empower others to do the same. It allowed journalists to express the truth, thereby informing public opinion, ensuring transparency and contributing to the fight against impunity. It allowed citizens to hold officials to account, thereby buttressing democratic societies. The role of freedom of opinion and expression in ensuring the enjoyment of all other human rights was the foundation on which the draft resolution had been developed.

89. **Ms. McCullagh** (Observer for Canada), continuing the introduction of the draft resolution, said that it not only emphasized the importance of the right to freedom of opinion and expression but also sought to address the growing number of threats to that right and the increasingly complex global realities in which the right was exercised. Those threats included the spread of disinformation, the increased use of strategic lawsuits against public participation to silence the voices of journalists, media workers, human rights defenders and civil society, and the intimidation and harassment of persons reporting on the human impact of armed conflicts. The draft resolution expressed concern about those harmful trends and called upon States to take action to promote, protect and ensure the full enjoyment of the right to freedom of opinion and expression, including by taking measures to discourage strategic lawsuits against public participation and ensure the freedom of the media and access to information. It also expressed concern about the spread of hatred and incitement to violence and stressed the importance of tackling those problems. She called on Council to adopt the draft resolution by consensus.

90. **The President** said that 14 States had joined the sponsors of the draft resolution.

General statements made before the decision

91. **Mr. Guillermet Fernández** (Costa Rica) said that his country welcomed the draft resolution's recognition of the crucial role played by human rights defenders and civil society organizations in defending the right to freedom of expression. It also welcomed the emphasis on new technologies in a world where access to the Internet and digital literacy were vital for full participation in modern democracies. His delegation was pleased to note that the draft resolution addressed the digital divide and the importance of ensuring that all persons, especially women and girls, had access to information and communication technologies. It also welcomed the fact that the draft resolution addressed the protection of journalists and editorial independence. It was essential to ensure that journalists could operate without fear of reprisals so that they could combat disinformation and protect democracies. The draft resolution emphasized the importance of ensuring safe environments for freedom of opinion and expression and proposed concrete solutions to current challenges. His delegation called on the Council to adopt it by consensus.

92. **Mr. Staniulis** (Lithuania) said that his country welcomed the draft resolution's focus on the link between freedom of opinion and expression and the enjoyment of all other human rights. His delegation was pleased to note that the draft resolution addressed the issue of political participation, especially during elections, and the negative impact of misinformation and disinformation on human rights, including in situations of crisis or armed conflict. It also welcomed the emphasis placed on the silencing of journalists and human rights defenders through the application of overly broad or vague laws to repress legitimate freedom of expression. Journalists and human rights defenders deserved to have safe environments in which to carry out their duties without being unduly restricted by such laws. The delegation of Lithuania was pleased to join the consensus on the draft resolution.

93. **Mr. Tyagi** (India) said that the right to freedom of opinion and expression was an essential foundation of democratic societies and was made possible by democratic environments that guaranteed its protection. The right to freedom of opinion and expression enabled people to be vigilant about their rights and enhanced their capacity to participate in decision-making processes. It contributed to the protection and promotion of all human rights, including the right to development. Promoting the right to freedom of opinion and expression had a multiplier effect on other rights. Terrorist attacks and threats to national security sometimes forced governments to temporarily suspend Internet services. However, such measures should not become the norm and should be implemented in accordance with clearly laid out procedures and strict safeguards. Freedom of opinion and expression should never be used to target individuals, stigmatize communities or incite violence. In the days of social media and online news, acts of hate speech undermined social harmony across borders. The delegation of India therefore believed that reasonable restrictions on the exercise of freedom of opinion and expression, in accordance with national law, were required to maintain peace, harmony, public order, and the safety and security of people in line with articles 19 and 20 of the International Covenant on Civil and Political Rights.

94. **Ms. Fuentes Julio** (Chile) said that the right to freedom of opinion and expression was a prerequisite for the full development of individuals, free and democratic societies, and the full enjoyment of other human rights, such as the right to freedom of thought, conscience and religion and the right to freedom of association and peaceful assembly. Political rights could not be fully enjoyed unless the right to freedom of expression and opinion was guaranteed. Even in situations of crisis or conflict, freedom of expression must be protected, as it played a fundamental role in supporting affected populations and keeping them informed. The draft resolution addressed those aspects of the issue while recognizing the transcendental role that the right to freedom of opinion and expression played in combating disinformation and misinformation. The draft resolution also addressed the new challenges facing the international system and sought to strengthen open dialogue and effective cooperation. The delegation of Chile urged all members of the Council to support the draft resolution.

95. **Ms. Schroderus-Fox** (Finland) said that the right to freedom of opinion and expression, including the freedom to seek, receive and impart information and ideas of all kinds, in accordance with article 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, was one of the essential foundations of just and inclusive societies. The right to freedom of opinion and expression facilitated the enjoyment of all human rights and was an indicator of the degree of protection afforded to human rights and fundamental freedoms. The draft resolution addressed those questions in a clear and balanced way and served as a reminder that human rights were universal, indivisible, interdependent and interrelated, in both online and offline environments.

96. The draft resolution addressed the essential role played by journalists and human rights defenders in promoting and protecting the right to freedom of opinion and expression and it drew attention to the increasingly frequent attacks against them. While the draft resolution lacked a reference to Indigenous human rights defenders, who often faced the greatest risk of being killed, it explicitly addressed the heightened risks faced by women journalists, women human rights defenders and environmental human rights defenders. The delegation of Finland welcomed the fact that the draft resolution addressed the right to freedom of opinion and expression in the context of new technologies and condemned the

use of Internet shutdowns to prevent access to information. For those reasons, it fully supported the draft resolution.

97. **Ms. Taylor** (United States of America), making a statement in explanation of position before the decision, said that her country reaffirmed its strong support for the right to freedom of opinion and expression, which was essential for democratic governance, societal progress and human dignity. For that reason, her delegation would join the consensus in supporting the draft resolution. Freedom of opinion and expression was a prerequisite for transparent and responsive governance. Unfortunately, however, Governments around the globe used censorship and other restrictions on freedom of expression to stifle dissent and allow corruption, mismanagement and abuse to proliferate unchecked. Open public discourse, informed and enriched by a free press, was vital to ensuring that Governments remained accountable to their citizens and that individuals could voice their beliefs about the kind of society in which they wished to live.

98. It was unfortunate that some of the concepts set out in the draft resolution were not rooted in a shared understanding of international law. For instance, the draft resolution contained language suggesting that States were required to take certain actions in order to comply with their obligation to ensure freedom of expression under article 19 of the International Covenant on Civil and Political Rights. Her delegation also disagreed with the way that the principles of lawfulness, legitimacy, necessity and proportionality were referenced throughout the text. The principle of proportionality was not mentioned in the Covenant. While it was the case that privacy must be respected and protected, the most appropriate way to address that question was to use language found in the Universal Declaration of Human Rights and the Covenant.

99. *Draft resolution A/HRC/56/L.12 was adopted.*

Draft resolution A/HRC/56/L.14/Rev.1: Human rights and climate change

100. **Mr. Mai Phan Dung** (Viet Nam), introducing the draft resolution on behalf of the main sponsors, said that it focused on just transitions and human rights in the context of climate change and recognized that countries were impacted not only by climate change itself but also by measures taken in response to it. The draft resolution emphasized the need for international cooperation and urged States to adopt an ambitious new collective quantified goal on climate finance to assist developing countries in their adaptation and mitigation initiatives, including the pursuit of just transition pathways. It called on States to develop and implement policies that facilitated just transitions and to pay particular attention to the rights of the workers, communities and vulnerable populations that were most affected by climate change.

101. The draft resolution also encouraged States to carry out studies on the impact that just transition measures had on the fulfilment of human rights in order to facilitate exchanges of experiences, best practices and lessons learned. It proposed that a panel discussion on just transitions should be held and that a summary report on that discussion should be produced. It also requested the Secretary-General to prepare a report on matters relating to just transitions. The draft resolution was the outcome of extensive consultations conducted before and during the fifty-sixth session. That collaborative effort highlighted the strong interest among States and other stakeholders in addressing human rights and climate change. His delegation called on all members of the Council to adopt the draft resolution by consensus.

102. **The President** said that 13 States had joined the sponsors of the draft resolution.

General statements made before the decision

103. **Ms. Haque** (Bangladesh) said that the devastating impact of climate change was undeniable. Climate change had emerged as a potential threat to the right to food, the right to the highest attainable standard of physical and mental health, the rights of people living in vulnerable situations and, above all, the right to development. The United Nations Framework Convention on Climate Change recognized that climate change was a global problem, while the Paris Agreement adopted under that Convention explicitly referred to the adverse impact of climate change on human rights. The two multilateral agreements addressed the fundamental principles of equity and the common but differentiated

responsibilities and respective capabilities to be assumed by the international community in addressing climate change. In order to realize just transitions, it would be necessary to identify the root causes of climate change. Sustainable climate financing was also required to pave the way for just transitions. Developing countries needed both financial and technological support from developed countries, not only to enhance their resilience and capacity but also to ensure a smooth, sustainable and just transition to the green economy. The delegation of Bangladesh urged all members of the Council to adopt the draft resolution by consensus.

104. **Mr. Almazrouei** (United Arab Emirates) said that his delegation strongly supported the draft resolution, which was a balanced text that addressed the myriad effects of climate change on the enjoyment of human rights and recognized the need for all countries to address, minimize and avert losses and damage associated with it. It was increasingly urgent to tackle climate change as it affected all economic sectors and all sectors of society. His delegation recognized the need to bring about just transitions that promoted sustainable development, the eradication of poverty and the creation of decent work and quality jobs. The United Arab Emirates was committed to taking action at the national and global levels to address the adverse effects of climate change and called on all stakeholders in the public, private and non-governmental sectors to strengthen their efforts to implement the Paris Agreement. He urged all members of the Council to join the consensus on the draft resolution.

105. **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 climate crisis was having an increasingly adverse impact on human rights, threatened lives and livelihoods across the world and jeopardized social systems and economic competitiveness. The European Union continued to demonstrate its determination to prevent and reduce the adverse effects of climate change around the world. Its member States welcomed the inclusion of references to the Paris Agreement. However, the text in its current form misrepresented the relationship between the Paris Agreement and the United Nations Framework Convention on Climate Change. It was regrettable that the amendments proposed by the European Union member States to align the text of paragraph 8 with the mandate negotiated within the context of the Framework Convention had not been taken on board. The European Union member States had also made proposals to better incorporate the human rights dimension of the adverse impacts of climate change in the draft resolution. It was unfortunate that much of the draft resolution focused on matters addressed in other forums and had nothing to say about the vital role played by environmental human rights defenders in ensuring just transitions. The cardinal principle of the universality and interdependence of human rights must be universally respected, regardless of a country's economic standing. The principle of common but differentiated responsibilities and respective capabilities could neither be applied to, nor conflated with, human rights. The European Union member States strongly encouraged the sponsors to strengthen the human rights focus in future versions of the resolution on that subject.

106. **Mr. Han Xincheng** (China) said that climate change was a common challenge for humanity, and just transitions were imperative for addressing that challenge. The Government of China took a people-centred approach to climate governance and had been exploring synergies between environmental protection, economic development, job creation and poverty eradication, striving to ensure social equity and justice in the course of the green transition. The Government had incorporated carbon peaking and neutrality goals into its overall plan for ecological and socioeconomic development and had formulated and implemented a practical initiative to ensure that people would benefit from the green transition. In the current global climate transition process, many of the concerns of developing countries had not been adequately addressed or resolved. Developed countries must take the lead in substantially reducing emissions and achieving net zero emissions without delay, enhancing the pace and intensity of key actions and promptly enhancing the scale of the financial, technological and capacity-building support that they provided to developing countries. The delegation of China welcomed the relevant appeals made in the draft resolution but was disappointed to note that the final text did not include language urging developed countries to deliver on their climate financing commitments. His delegation had actively participated in discussions on climate change within the Council, while stressing that the United Nations climate change conferences remained the main forums for

multilateral climate discussions. The established principles of equity, common but differentiated responsibilities and respective capabilities and the mechanism for nationally determined contributions were the cornerstones of global climate governance. The delegation of China supported the adoption of the draft resolution by consensus.

107. **Ms. Osman** (Malaysia) said that her delegation fully supported the draft resolution and its emphasis on just transitions, the impact of climate change on human rights, sustainable development, the eradication of poverty and the creation of decent work. Malaysia called on States to step up their collaboration to establish an international economic system that would contribute to achieving sustainable economic growth and development. Such cooperation would better equip countries to address the challenges of climate change. The principles of equity and common but differentiated responsibilities and respective capabilities were inextricable parts of any discussion of climate change, including within the Council. Her delegation was concerned about attempts in the Council to undermine those principles and hoped that the Council would continue to respect them in its future discussions on climate change.

Statements made in explanation of position before the decision

108. **Ms. Benda** (United States of America) said that climate change posed a number of direct and indirect threats to the effective enjoyment of human rights. The Government of the United States was committed to taking action at home and abroad to avoid the most catastrophic impacts of the climate crisis. For instance, efforts were being made to reduce carbon emissions by between 50 and 52 per cent by 2030 and to build global resilience through an action plan that would help more than half a billion people in developing countries to adapt to and manage the impacts of climate change.

109. The delegation of the United States was concerned to note that much of the draft resolution focused on matters addressed under the United Nations Framework Convention on Climate Change and the Paris Agreement and that it selectively incorporated language that was not in step with decisions taken in connection with those instruments. The Council should avoid using its resolutions as a proxy for negotiations in other forums. Nothing in the draft resolution changed the way in which the Paris Agreement, the Framework Convention and the decisions taken in connection with them should be understood.

110. The draft resolution inaccurately described the new collective quantified goal on climate finance, which was expected to be adopted by the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement later in 2024. It also included an inordinate focus on just transitions and misstated some of the Conference's past decisions on that issue. It also incorrectly characterized the relationship between the Paris Agreement and the United Nations Framework Convention on Climate Change. Language in the draft resolution relating to the Framework Convention and the Paris Agreement would not be considered to have any weight in the Council or in any other forum. Future resolutions should focus on the impact of climate change on human rights. The United States strongly supported efforts to address climate change that were gender responsive, disability inclusive, age inclusive and based on the best available science. It reaffirmed the universal definition of human rights as being attributed to individuals rather than groups and was concerned by the use of the term "people-centred" in the draft resolution.

111. **Mr. Honsei** (Japan) said that the delegation of Japan shared the other delegations' concerns about the serious threats to human rights posed by the climate crisis. However, it was concerned about a number of aspects of the draft resolution. Firstly, actions currently taken to tackle climate change were based on two international agreements: the United Nations Framework Convention on Climate Change and the Paris Agreement. The decisions taken under those instruments had been adopted by the Conference of the Parties to the United Nations Framework Convention on Climate Change. It was not appropriate for the Council to cite the language agreed at the Conference of the Parties in a way that could lead to misinterpretation. The draft resolution should not be considered to have any impact on the negotiations conducted, and the obligations established, under the Framework Convention and the Paris Agreement.

112. Secondly, the draft resolution was related to human rights and climate change and should not selectively focus on climate change policy or the negotiations conducted at the Conference of the Parties or other relevant meetings. The draft resolution contained a number of elements that were not directly relevant to human rights and went beyond the scope of the Council. The draft resolution should focus only on those aspects of human rights that could not be adequately addressed within the specific forums on climate action. Despite those misgivings, the delegation of Japan had decided to join the consensus in supporting the adoption of the draft resolution.

113. **Mr. Guillermet Fernández** (Costa Rica) said that Costa Rica was convinced about the impact of the climate crisis on all human rights. However, the draft resolution should be more clearly focused on human rights and ambitions for action to tackle climate change. During the negotiations, his delegation had put forward a number of proposals to bring the text into alignment with the Paris Agreement. He regretted to note that those proposals had not been taken on board. It was also regrettable that the draft resolution made no reference to the right to work or the contributions to climate justice made by human rights defenders. His delegation also found it strange that the draft resolution referred to resolution 76/300 of the General Assembly but failed to mention the Council's resolutions on the right to a clean, healthy and sustainable environment. It was also unfortunate that the draft resolution failed to recognize the legal autonomy of the Paris Agreement and was, in some respects, incompatible with international treaty law. The delegation of Costa Rica therefore dissociated itself from a possible consensus on the seventh, ninth and twelfth preambular paragraphs and on paragraphs 3 and 9. In the view of his delegation, the principle of common but differentiated responsibilities was unrelated to States' human rights obligations. For that reason, it wished to dissociate itself from the consensus on the eleventh preambular paragraph. The delegation of Costa Rica called on the sponsors to ensure that future versions of the resolution on that subject took into account the human rights approach and all the relevant provisions of international law.

114. *Draft resolution [A/HRC/56/L.14/Rev.1](#) was adopted.*

The meeting rose at 6.05 p.m.