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Held at the Palais des Nations, Geneva, on Wednesday, 3 April 2024, at 2.30 p.m.

President: Mr. Zniber(Morocco)

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The meeting was called to order at 2.30 p.m.

Agenda item 1: Organizational and procedural matters ([A/HRC/55/L.27](#) as orally revised)

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

Draft decision [A/HRC/55/L.27](#), as orally revised: Postponement of the implementation of certain activities mandated by the Human Rights Council

2. **The President** said that draft decision [A/HRC/55/L.27](#) had been prepared on the basis of a letter dated 15 March 2024 from the Office of the United Nations High Commissioner for Human Rights (OHCHR), in which the High Commissioner requested the Council to take a formal decision to postpone certain mandated activities owing to the current liquidity crisis affecting the United Nations Secretariat. The affected activities were listed in an annex to the draft decision.

3. *Draft decision [A/HRC/55/L.27](#), as orally revised, 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/55/L.20/Rev.1](#) as orally revised)

Draft resolution [A/HRC/55/L.20/Rev.1](#), as orally revised: Advancing human rights in South Sudan

4. **Mr. Manley** (Observer for the United Kingdom), introducing the draft resolution, as orally revised, on behalf of the main sponsors, namely Albania, Norway, the United States of America and his own delegation, said that, by adopting the text, the Council would decide to extend the mandate of the Commission on Human Rights in South Sudan for a further period of one year. There was an ongoing need for the mandate as, according to reports from every major United Nations body dealing with South Sudan, the human rights situation in the country continued to be grave. The Commission's role in support of human rights, accountability and the rule of law remained as vital as it had been when the Council had established that body by consensus in 2016, and was all the more important as South Sudan prepared to hold its first-ever elections. That role was unique and could not be replaced, either by the national institutions of South Sudan or by the transitional justice mechanisms envisaged in the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, which in any case had yet to be established.

5. Regrettably, continuing differences regarding the extension in full of the Commission's mandate had made it impossible to reach consensus with South Sudan on a single consolidated text. Nonetheless, he was grateful to the delegation of South Sudan for its genuinely constructive approach and substantive feedback, which had allowed certain changes to be made to the draft resolution. He welcomed the Government's full cooperation with the Commission and noted that, as in previous years, South Sudan was calling for greater technical assistance. Accordingly, his delegation also supported draft resolution [A/HRC/55/L.34/Rev.1](#). Both resolutions were necessary to ensure a comprehensive and holistic approach to improving human rights in South Sudan, a process that required technical assistance, capacity-building and strong human rights scrutiny. He encouraged the Council to adopt the draft resolution and, if a vote was requested, to vote in favour of the text.

6. **The President** announced that 16 States had joined the sponsors of the draft resolution.

General statements made before the voting

7. **Mr. Hassan** (Sudan) said that his Government appreciated the progress that South Sudan had made in implementing the Revitalized Agreement, particularly by pursuing legislative reforms, promoting transitional justice and organizing elections. The OHCHR report on technical assistance and capacity-building for South Sudan ([A/HRC/55/77](#)) noted

a general reduction in armed conflict-related violence against civilians since the signing of the Agreement. The promotion and protection of human rights in a particular country was the responsibility of the State concerned. It was a continuous process and no country in the world was entirely free from unfavourable human rights situations. South Sudan continued to cooperate with OHCHR and with the Commission on Human Rights in South Sudan and had constantly reiterated its desire to reach a consensual resolution under agenda item 10. Unfortunately, however, no consensus had been reached, and proposals made by the Minister for Foreign Affairs and the Minister of Justice of South Sudan during the current session of the Council had been rejected. His delegation had hoped for a single unified text rather than two separate resolutions on the same situation in the same State. He therefore called for a vote and invited all members of the Council to join his delegation in voting against the draft resolution.

8. **Ms. Micael** (Eritrea) said that her delegation reiterated its view that resolutions focusing on situations in specific countries were ineffective tools for promoting and safeguarding human rights. As stated in General Assembly resolution 60/251, the work of the Human Rights Council should be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights. In that regard, she commended South Sudan for its participation in the universal periodic review mechanism of the Human Rights Council. Her delegation was concerned about the existence of two mandates for one country, under agenda items 2 and 10. In consultation with the delegation of South Sudan, the sponsors of the draft resolution could have considered addressing all issues in a single text on technical assistance and capacity-building, under item 10, which was the approach supported by South Sudan itself. In the light of the recent visit to the country by the Commission on Human Rights and of the engagement and constructive cooperation shown by South Sudan, it would have been appropriate to accommodate its desires as the country concerned. For those reasons, her delegation wished to join the delegation of the Sudan in calling for a vote on the draft resolution.

9. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that he strongly commended the Commission on Human Rights in South Sudan for the important work it was doing. The Commission's report (A/HRC/55/26) was very clear: the situation remained dire. Despite the extension of the transition period, little progress had been made with regard to the institutions that were supposed to change the circumstances of people on the ground, and the elections planned for December 2024 were surrounded by many unresolved issues and disagreements. The risk of further violence persisted. While appreciating other delegations' engagement on the text, he would have hoped for a single consensual resolution prolonging the Commission's mandate as it stood. It was vital that the mandate should cover investigation, reporting and monitoring, as currently enshrined in the draft resolution.

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

11. **Mr. Deng** (Observer for South Sudan) said that his delegation wished to express its thanks to the main sponsors for the understanding and cooperation they had shown during the informal and bilateral consultations, as well as to other delegations whose valuable contributions had improved the draft resolution. Although it had not been possible to reach a consensus, South Sudan would continue to cooperate, negotiate and engage in constructive dialogue, which it believed was the best way to resolve all issues relating to human rights.

12. The draft resolution incorporated several positive and balanced provisions whereby the Council would welcome the continued cooperation of South Sudan with OHCHR, the special procedures of the Human Rights Council and the Commission on Human Rights in South Sudan and would recognize the country's accession to a number of core regional and international human rights treaties. Nonetheless, the text recycled and maintained the language of previous resolutions, with only minor changes. In particular, it failed to duly reflect the progress made in the promotion and protection of human rights and the implementation of the Revitalized Agreement, such as the training and deployment of the first contingent of the unified forces, the submission of bills to parliament for the establishment of a truth and reconciliation commission or changes to the judicial system that would help to ensure an effective and timely response to violations and abuses of human

rights and international humanitarian law, including conflict-related sexual violence and sexual and gender-based violence.

13. Most significantly, consensus had not been achieved on three points which, if agreed, would lead the Government to consent to the renewal of the Commission's mandate for a period of one year. Those points were that the Commission should share the names of individuals and entities accused of human rights violations so as to enable the Government to evaluate the evidence against them; should monitor and report on the human rights situation in South Sudan but relinquish its powers of investigation to the Government and the United Nations Mission in South Sudan; and should not expand its mandate into monitoring the implementation of the Revitalized Agreement. Under the Agreement, that duty had been conferred on the reconstituted Joint Monitoring and Evaluation Commission. In the light of the absence of agreement on those points, his delegation called upon members of the Council to vote against the draft resolution.

14. **Mr. Mao Yizong** (China), speaking in explanation of vote before the voting, said that China had consistently opposed the imposition of country-specific human rights resolutions that did not enjoy the consent of the country concerned. The Government of South Sudan had made positive progress in the promotion and protection of human rights, notably by implementing the Revitalized Agreement and cooperating with international human rights bodies. Regrettably, the current draft resolution ignored those achievements just as it ignored the objections of South Sudan to the text, which contained many contradictory elements that discredited the country's human rights record and would violate the Council's principles of equality, respect, objectivity, impartiality, non-politicization and non-selectivity. The Council should not be used as a platform to exert political pressure or to interfere in a country's internal affairs under the pretext of human rights. China would vote against the draft resolution and called upon other members of the Council to do likewise.

15. *At the request of the representatives of Eritrea and the Sudan, a recorded vote was taken.*

In favour:

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

Against:

Algeria, Burundi, China, Côte d'Ivoire, Cuba, Eritrea, Somalia, Sudan.

Abstaining:

Bangladesh, Benin, Brazil, Cameroon, Gambia, Ghana, India, Indonesia, Kazakhstan, Kuwait, Malawi, Malaysia, Maldives, Morocco, Qatar, South Africa, United Arab Emirates, Viet Nam.

16. *Draft resolution A/HRC/55/L.20/Rev.1, as orally revised, was adopted by 21 votes to 8, with 18 abstentions.*

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

([A/HRC/55/L.1/Rev.1](#), [A/HRC/55/L.2](#), [A/HRC/55/L.3](#), [A/HRC/55/L.4](#), [A/HRC/55/L.5](#), [A/HRC/55/L.7](#), [A/HRC/55/L.8/Rev.1](#), [A/HRC/55/L.10](#), [A/HRC/55/L.11](#), [A/HRC/55/L.12](#), [A/HRC/55/L.15](#) and [A/HRC/55/L.16](#))

Draft resolution [A/HRC/55/L.1/Rev.1](#): Mandate of Special Rapporteur on the human right to a clean, healthy and sustainable environment

17. **Mr. Guillermet Fernández** (Costa Rica), introducing the draft resolution on behalf of the main sponsors, namely Maldives, Morocco, Slovenia, Switzerland and his own delegation, said that the human right to a clean, healthy and sustainable environment had been recognized by the Council in 2021 in its resolution 48/13 and had been reaffirmed the following year in General Assembly resolution 76/300. The international community had

thus established an indisputable link between the State, the environment and the full enjoyment of human rights.

18. The mandate of Special Rapporteur had existed for 12 years and had addressed, on the basis of scientific evidence, issues such as clean air, potable water, adequate sanitation, healthy nutrition and biodiversity. Seeking to build on that progress, the current draft resolution not only renewed the mandate but also updated its name to reflect the recognition of the human right to a clean, healthy and sustainable environment. Similarly, in 2011, following the recognition of the human rights to safe drinking water and sanitation, the Council had changed the name of the relevant mandate. He wished to thank all the States and civil society organizations that had participated so constructively in the negotiations on the draft resolution, which he hoped would be adopted by consensus.

19. **The President** announced that 15 States had joined the sponsors of the draft resolution.

General statements made before the decision

20. **Ms. Rasheed** (Maldives) said that the focus of the main sponsors had been on producing a short technical text to extend the mandate. In particular, they recognized the valuable contributions that the Special Rapporteur had made towards advancing an understanding of the procedural elements related to the right to a clean, healthy and sustainable environment, especially the rights to information, public participation and justice in environmental matters. The proposed change in the name of the mandate reflected recent developments such as Council resolution 48/13 and General Assembly resolution 76/300. The recent adoption by consensus of Council resolution 52/23 also highlighted the need to update the name in order to advance States' collective objectives. She hoped that the text would be adopted by consensus.

21. **Mr. Bonnafont** (France) said that the Council had pioneered the recognition of the right to a healthy environment in October 2021. That position had enjoyed overwhelming support in the General Assembly the following year. The current proposal to renew the mandate and to change its name to "Special Rapporteur on the human right to a clean, healthy and sustainable environment" was entirely legitimate and would help to structure the work of the Council in that regard. It was important, in fact, to keep the attention of the international community focused on the human rights impact of climate change and environmental destruction, which already affected millions of people around the world, particularly vulnerable persons in the poorest countries. The law was not set in stone but underwent a process of continuous development to accommodate human progress and the new challenges facing humankind. The scale of the global ecological crisis made it incumbent upon the Council to act, also in the interests of future generations. For those reasons, his delegation supported the draft resolution and hoped it would be adopted by consensus.

22. **Ms. Fuentes Julio** (Chile) said that the mandate of Special Rapporteur had greatly contributed to the normative consolidation of the human right to a clean, healthy and sustainable environment, which had been recognized by the Council in 2021 and by the General Assembly in 2022. As the Secretary-General of the United Nations had stated a few months earlier, the era of global warming had ended and the era of global boiling had arrived. The climate emergency was having a disastrous impact on the human rights of the most vulnerable, and in that context her delegation particularly welcomed the text's explicit mention of the importance of consultations between the mandate holder and environmental human rights defenders. Chile was proud to sponsor the draft resolution and hoped that the Council would adopt it by consensus.

23. **Mr. Mao Yizong** (China) said that China attached great importance to environmental rights and was committed to promoting green development and harmonious coexistence between human beings and nature. It had actively pursued international initiatives to that end, including climate change mitigation and environmental protection projects, inter alia as part of the country's Belt and Road Initiative. In a spirit of constructive dialogue and cooperation, his delegation had participated actively in the consultations on the draft resolution and, although it had divergent views on the formulation of certain passages, it would join the consensus. He hoped that the Special Rapporteur would work in accordance with

internationally agreed concepts such as the principle of common but differentiated responsibilities and respective capabilities. The mandate holder should also pay close attention to the long-standing concerns of developing countries and should urge developed countries to fulfil their commitments, take the lead in reducing emissions and provide financial, technical and capacity-building support to developing countries.

Statements made in explanation of position before the decision

24. **Mr. Tyagi** (India) said that protecting the environment and living in harmony with nature had been part of his country's cultural ethos since antiquity. India was deeply committed to the promotion and protection of human rights, including in the context of the environment, and had been involved in significant environmental protection initiatives at the global level. His delegation had participated constructively throughout the negotiations on the draft resolution and, although some of its proposals had been incorporated, certain key concerns persisted.

25. Resolutions of the Human Rights Council and the General Assembly could not of themselves create legally binding obligations. Only through conventions and treaties did States parties commit to a new human right and undertake the concomitant obligations. Currently there were no agreed definitions of the terms "clean", "healthy" or "sustainable", which remained open to subjective interpretation. India had abstained from voting on Council resolution 48/13 and, although it had voted in favour of General Assembly resolution 76/300, it had dissociated itself from paragraph 1, in which the Assembly recognized the right to a clean, healthy and sustainable environment as a human right.

26. In the case of Council resolution 52/23, India had dissociated itself from the paragraphs that referred to States' obligations in respect of the right to a clean, healthy and sustainable environment but did not differentiate between States that recognized the right and those that did not, and that also failed to acknowledge that the right had yet to be negotiated at the intergovernmental level. Similar references were contained in paragraphs 4 (a), (c) and (e) of the current draft resolution. India remained steadfast in its support of all efforts towards furthering international cooperation on environmental protection. However, for the reasons he had outlined, it could not support the draft resolution in its entirety. It would join the consensus but dissociated itself from paragraphs 4 (a), (c) and (e).

27. **Ms. Taylor** (United States of America) said that her Government had long recognized the important relationship between human rights and environmental protection. A healthy environment supported the well-being and dignity of people around the world. However, unlike previous renewals of the mandate, the current draft resolution presupposed the existence of a human right to a clean, healthy and sustainable environment and requested the Special Rapporteur to study the human rights obligations relating thereto. In line with her delegation's explanation of position on Council resolution 52/23, her Government believed that, unless and until there was a transparent process through which Governments consented to be bound by the right to a clean, healthy and sustainable environment, such a right had not yet been established. Any action in that regard needed to be carried out in a manner consistent with international law. To that end, the United States would support the creation of an intergovernmental working group to discuss how to reach a common understanding of the definition and nature of such a right that could be universally considered a right under international law.

28. **Mr. Honsei** (Japan) said that, as a country prone to natural hazards, Japan shared the understanding that climate change and environmental degradation were urgent global matters that posed a significant risk to the enjoyment of human rights. However, recognition of the right to a clean, healthy and sustainable environment was not the only means of protecting and promoting human rights in relation to the environment. For its part, Japan was committed to advancing concrete actions to address climate change and would provide support for developing countries to achieve global net zero emissions by 2050.

29. In July 2022, having considered the political significance of the notion of the enjoyment of a clean, healthy and sustainable environment, Japan had voted in favour of General Assembly resolution 76/300. However, despite the adoption of that resolution and

of Council resolution 48/13, it was not yet appropriate to assert the existence of universally agreed language regarding the definition and scope of those concepts under international law.

30. His delegation regretted that the draft resolution modified the title of the mandate, without considering the respective concerns of States. It understood the expression “human rights obligations relating to the enjoyment of the human right to a clean, healthy and sustainable environment” as pertaining solely to States that had consented to be legally bound by such obligations. Without any universal understanding of the content, scope and legal nature of that right, it could not be said to be legally binding under international human rights law or customary law. The draft resolution did not alter the context of acceptance of international law. On that basis and in the light of the political and moral objectives of the text amid the ongoing climate crisis, Japan would join the consensus.

31. *Draft resolution A/HRC/55/L.1/Rev.1 was adopted.*

Draft resolution A/HRC/55/L.2: Mandate of Special Rapporteur on the right to privacy

32. **Ms. Stasch** (Germany), introducing the draft resolution on behalf of the main sponsors, namely Austria, Brazil, Liechtenstein, Mexico and her own delegation, said that the protection of people’s privacy was at the very heart of guaranteeing their human rights. Accepting the inherent right to privacy and personal data protection was essential for fostering a society in which freedom and human rights could thrive. However, modern technology was increasingly challenging that right. Privacy was no longer just a matter of protecting sealed letters from being opened by third parties or of safely storing medical files; it required measures to safeguard electronic communication and ensure that smart watches were not broadcasting personal information to the world. With artificial intelligence on the rise, privacy concerns were growing, which made the work of the Special Rapporteur on the right to privacy all the more important. That mandate was essential in order to keep the Council abreast of the ever-changing nature of challenges to the right to privacy.

33. **Mr. Da Silva Nunes** (Brazil), continuing the introduction of the draft resolution, said that the mandate of Special Rapporteur on the right to privacy had been established in 2015 and renewed in 2018 and 2021. The draft text under consideration was the tenth resolution on the right to privacy brought before the Council. The sponsors were confident that the well-balanced draft resolution would help to ingrain the right to privacy in international human rights law. The sponsors encouraged the Council to adopt the draft resolution by consensus, thereby extending the mandate of Special Rapporteur.

34. **The President** said that 16 additional States had joined the sponsors of the draft resolution.

35. **Mr. Guillermet Fernández** (Costa Rica), making a general statement before the decision, said that challenges to the right to privacy and other human rights associated with the development and implementation of new technologies, as outlined in the draft resolution, should continue to be addressed from a human rights perspective. His delegation would like the Special Rapporteur to analyse in more detail the area of neurotechnology, insofar as it allowed the human brain to be connected directly to digital networks through devices and procedures that could be used to access, monitor and manipulate the human nervous system. The mandate holder should also continue to examine the use of spyware and its negative impact on human rights and fundamental freedoms. Costa Rica continued to advocate the imposition of a global moratorium on the sale and transfer of spyware until robust regulations were in place to ensure that it was used in accordance with international human rights standards. His delegation was deeply concerned about the use of highly sophisticated, intrusive tools to monitor, intimidate and silence human rights defenders, journalists and political opponents through practices that undoubtedly violated the rights to privacy and freedom of expression and could endanger the lives of hundreds of people, jeopardize press freedom and undermine democracy, peace, security and international cooperation. His delegation therefore encouraged the members of the Council to adopt the draft resolution without a vote.

36. **Mr. Bestafka-Cruz** (United States of America), speaking in explanation of position before the decision, said that his delegation supported the important role of the Special Rapporteur on the right to privacy in promoting and protecting privacy rights, including in

connection with the challenges arising from new and emerging technologies in an increasingly data-driven environment. As established in Human Rights Council resolution 46/16 of 23 March 2021, the term “right to privacy” should be understood, for the purposes of the Special Rapporteur’s mandate, to refer to the right as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights.

37. *Draft resolution A/HRC/55/L.2 was adopted.*

Draft resolution A/HRC/55/L.3: The right to food

38. **Mr. Quintanilla Román** (Cuba), introducing the draft resolution, said that the text was an updated version of the Council’s previous resolutions on the right to food and was balanced, inclusive and action-oriented. New elements included references to the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas. The draft resolution also addressed the consequences of malnutrition, recognized the contribution of artisanal and small-scale fishers and the need for them to receive technical, technology transfer and capacity-building support, and reiterated the importance of strengthening international cooperation and of fulfilling official development assistance commitments. The world produced enough food for everyone. However, waste and unsustainable production and consumption patterns resulted in its unequal distribution. Food should not be used as an instrument of political or economic pressure. States should refrain from unilateral measures that endangered the food security and nutrition of affected countries. The Cuban delegation was open to debate and to considering different points of view, based on respect and an understanding of the needs of developing countries, whose main challenges included the eradication of poverty and food insecurity. His delegation trusted that the draft resolution would be adopted without a vote.

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

40. **Mr. Guillermet Fernández** (Costa Rica), making a general statement before the decision, said that his delegation welcomed the references in the draft resolution to poverty, environmental degradation, biodiversity loss and the impact of climate change as factors that threatened livelihoods and the enjoyment of human rights. Positive additions to the text included the references to Indigenous Peoples, the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas and small- and medium-scale farmers and artisanal and small-scale fishers. The fact that hunger and malnutrition continued to affect millions of people in all regions of the world despite there being adequate resources for everyone was unethical and immoral. His delegation therefore joined the call for the international community to address the multiple factors that aggravated conditions for vulnerable populations and had a negative impact on economic, social and cultural rights, and to support the creation of sustainable food systems for all. It called on the Council to adopt the draft resolution by consensus.

41. **Ms. Taylor** (United States of America), speaking in explanation of position before the decision, said that the draft resolution rightly acknowledged the hardships being faced by millions of people. The Famine Early Warning Systems Network estimated that 152 million people around the world were in need of humanitarian food assistance in 2024. The United States would continue to provide support to those who needed it most. Her delegation was, however, disappointed that the draft resolution contained problematic language that did not belong in a resolution focused on human rights. As a result, it would dissociate itself from the fourteenth preambular paragraph. Sanctions were an important, appropriate and effective diplomatic tool for responding to malign activity and addressing threats to peace and security while promoting accountability for those who abused human rights, undermined democracy or engaged in corrupt activities. The United States was not alone in that view or in that practice.

42. The United States recognized the right of everyone to an adequate standard of living, including food, as reflected in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. Her Government’s position

with respect to the Covenant was addressed further in the general statement to be posted online at the conclusion of the Council's session. Trade language negotiated or adopted by the General Assembly and the Economic and Social Council had no relevance for United States trade policy, obligations or commitments or for the agenda of the World Trade Organization. That included calls to adopt approaches that might undermine incentives for innovation, such as technology transfer, that were not both voluntary and on mutually agreed terms. Her delegation respected the importance of promoting access to food and understood that efforts to do so could involve distinct approaches. It did not understand references to international humanitarian law in such resolutions to supplant States' existing obligations under international humanitarian law, including separate obligations related to the use of starvation as a weapon of war and the obligation to refrain from attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population.

43. *Draft resolution A/HRC/55/L.3 was adopted.*

Draft resolution A/HRC/55/L.4: Mandate of Special Rapporteur in the field of cultural rights

44. **Mr. Quintanilla Román** (Cuba), introducing the draft resolution, said that Cuba believed that the promotion and protection of cultural diversity were essential to ensuring full respect for cultural rights. Far from weakening universal values, cultural diversity contributed to their richness and strength. The importance of maintaining the mandate of Special Rapporteur in the field of cultural rights was clear. The draft resolution provided for the renewal of the mandate for a further three years and stressed the importance of respecting the Council's institution-building package and the Code of Conduct for Special Procedure Mandate Holders of the Human Rights Council. Compliance with the Code was not optional; it was an obligation for all special procedure mandate holders, including the Special Rapporteur in the field of cultural rights, in order to ensure impartiality, non-selectivity, non-politicization and objectivity in their work. His delegation called on the Council to adopt the draft resolution without a vote, as was customary.

45. **The President** said that 23 States had joined the sponsors of the draft resolution.

46. **Ms. Taylor** (United States of America), making a general statement before the decision, said that her delegation was proud to join the consensus on the renewal of the mandate of Special Rapporteur in the field of cultural rights. It appreciated Special Rapporteur Alexandra Xanthaki's work over the previous three years, including on access to science, a key priority of United States policy on science and technology. Her delegation also appreciated the support of the 65 States that had signed the joint statement on cultural preservation issued at the Council's fifty-third session. The United States recognized that cultural diversity strengthened nations and was working to address its history of suppressing the cultural heritage of Indigenous persons and other marginalized communities. Her delegation encouraged States to evaluate their past and current practices and ensure that all people had the right to practise their culture.

47. *Draft resolution A/HRC/55/L.4 was adopted.*

Draft resolution A/HRC/55/L.5: Effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights

48. **Mr. Quintanilla Román** (Cuba), introducing the draft resolution, said that the text before the Council was qualitatively superior to previous resolutions on the topic. It reflected with greater clarity and intention the impact of foreign debt on the realization of human rights, including the right to development. The text focused on the urgency of addressing the problem of foreign debt and its lack of sustainability by adopting debt relief measures that would allow countries to allocate available resources to the implementation of national development and human rights policies rather than the repayment of onerous sums, which only perpetuated poverty. The draft resolution emphasized the importance of addressing not only the responsibility of States, but also that of international financial institutions and private creditors. One particularly interesting addition was the reference to the need for reform of the global financial architecture, which was unjust and antidemocratic. A range of States, groups

of States and civil society organizations had participated in the consultations on the draft resolution. The Cuban delegation remained open to dialogue and to approaches that would strengthen multilateralism. It regretted that some developed countries still did not recognize the obvious link between foreign debt and the enjoyment of human rights. Their arguments were increasingly untenable and disconnected from reality. His delegation called on the members of the Council to support the draft resolution.

49. **The President** said that 13 States had joined the sponsors of the draft resolution, which had no programme budget implications.

Statements made in explanation of vote before the voting

50. **Mr. Honsei** (Japan) said that his delegation was concerned about the implication in the draft resolution that the burden of foreign debt could be used by Governments as a pretext for not fulfilling their obligation to improve their countries' human rights situations. Of course, Japan shared concerns about the "debt trap" caused by the granting of loans to low-income countries with no regard to debt sustainability. However, such questions should be addressed in the appropriate forums, not in the Council. His delegation could not support the draft resolution, which fell outside the scope of the Council's mandate, and therefore wished to request a vote and would vote against it.

51. **Mr. Guillermet Fernández** (Costa Rica) said that it was essential for the Council to take concrete action to address the difficult financial situations faced by developing countries, in many cases because of foreign debt. His delegation welcomed the references in the draft resolution to the promotion of policies aimed at fostering debt financing, debt relief and debt restructuring and the important link with the 2030 Agenda for Sustainable Development. Both the Secretary-General and the High Commissioner for Human Rights had highlighted the need to take measures to restructure the international financial system and develop a financial system based on human rights and sustainable development. The Costa Rican delegation agreed that it was necessary to adopt comprehensive strategies to address the multiple dimensions of poverty and inequality and that the debt burden could limit countries' capacity to implement the public policies necessary for their development. Although his delegation regretted that the text did not better reflect the primary responsibility of States for fulfilling their human rights obligations, it would nonetheless vote in favour of the draft resolution.

52. **Ms. Taylor** (United States of America) said that the United States acknowledged the potentially harmful effects of excessive debt burdens on developing countries. It had been a major advocate of timely debt treatments and of grant programmes that did not add to the debt burden of developing States. However, her delegation did not agree with the underlying premise of the draft resolution that foreign debt was "a serious impediment to the realization of all human rights". The draft resolution did not distinguish between human rights and fundamental freedoms in general, which should be unequivocally respected and protected, and economic, social and cultural rights in particular, which were to be progressively realized, as recognized in the International Covenant on Economic, Social and Cultural Rights. Her delegation was concerned about the implication that Governments could use their foreign debt burden as a pretext for failing to live up to their human rights obligations. Even in the case of progressively realized human rights, States should make every effort to live up to their commitments. Furthermore, debt-related issues fell outside the scope of the mandate and expertise of the Council. Other forums, including the International Monetary Fund, the World Bank, the Paris Club, the Group of 20 and the Global Sovereign Debt Round Table, had the appropriate technical competencies to better address the consequences of sovereign indebtedness. The United States had been and would remain one of the world's most generous development donors. Her delegation would vote against the draft resolution and hoped other member States would do the same.

53. **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 remained worried about the growing debt burden borne by many poor and middle-income countries and was fully committed to creating much-needed fiscal space for the full implementation of the 2030 Agenda and the realization of human rights. At the same time, it aspired to continue working towards a strengthened international financial architecture in

which people could prosper and human rights were guaranteed. Adequate financial resources were important for the fulfilment of States' human rights obligations. However, the Council was not the appropriate forum in which to substantively address debt sustainability. Furthermore, the European Union firmly believed that States always had the primary responsibility for protecting, respecting and fulfilling human rights. While economic crises, poverty and financial pressures could impede their sustainable development, economic circumstances should not be invoked by States to shirk their responsibility to respect, protect and fulfil the civil, cultural, economic, political and social rights of their populations or to excuse active violations of human rights. The European Union therefore could not support the draft resolution but remained committed to constructive dialogue on that important issue.

54. **Mr. Foradori** (Argentina) said that it was important to avoid interpretations that made compliance with international human rights obligations conditional on the availability of economic resources. It was unacceptable for Governments to cite the repayment of foreign debt as a reason for not guaranteeing the full enjoyment of internationally recognized human rights. States had a responsibility to promote respect for human rights in accordance with the international obligations that they had voluntarily undertaken. His delegation believed that the draft resolution could be used to call into question the primary responsibility of States with regard to the promotion and protection of human rights. It would therefore abstain from voting on the draft resolution, which it considered overly broad, but remained committed to dialogue on that important issue in all appropriate forums.

55. *At the request of the representative of Japan, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, Benin, Brazil, Burundi, Cameroon, Chile, China, Costa Rica, 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, Bulgaria, Finland, France, Georgia, Germany, Japan, Lithuania, Montenegro, Netherlands (Kingdom of the), Romania, United States of America.

Abstaining:

Argentina, Belgium, Luxembourg, Morocco.

56. *Draft resolution [A/HRC/55/L.5](#) was adopted by 31 votes to 12, with 4 abstentions.*

Draft resolution [A/HRC/55/L.7](#): The negative impact of unilateral coercive measures on the enjoyment of human rights

57. **Mr. Kafeero** (Observer for Uganda), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that it was largely composed of text from the previously adopted resolution on the topic, with some new language informed by developments in the human rights field. Specifically, reference was made in the preambular paragraphs to the establishment of the Sanctions Research Platform by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights as a comprehensive online reference tool dedicated to collecting articles, reports, videos, research material and information on the topic. The draft resolution referred to the importance of access to justice as a precondition for exercising human rights and a safeguard that ensured fairness and equality. It also introduced language on the growing risk of overcompliance with unilateral coercive measures among financial institutions and third parties beyond the original State imposing the sanctions.

58. Despite divergent views on the matter, it should at least be acknowledged that unilateral coercive measures in the form of economic sanctions and secondary sanctions had far-reaching implications for the enjoyment of human rights by the general population of targeted States. It was well established that the poorest and most vulnerable people in the least developed and developing countries were the most affected by unilateral coercive measures, which were often imposed by developed countries. The draft resolution

condemned that inhuman approach; under no circumstances should people be deprived of their basic means of survival or access to critical infrastructure, services and goods on account of unilateral coercion by another State that was economically powerful. The Council should condemn that unfortunate practice loudly and clearly. The reports of the Special Rapporteur and the OHCHR summary report on the biennial panel discussion on unilateral coercive measures and human rights, held during the fifty-fourth session of the Council, reaffirmed that unilateral coercive measures and legislation and secondary sanctions were contrary to international law, international humanitarian law, international human rights law, the Charter of the United Nations and the norms and principles governing peaceful relations among States. The sponsors invited all members of the Council to support the draft resolution.

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

60. **Mr. Quintanilla Román** (Cuba), making a general statement before the voting, said that the updated draft resolution would contribute to the efforts of the Council, the Special Rapporteur and OHCHR to call for the elimination of unilateral coercive measures, which were illegal under international law and constituted the main obstacle to the development of the countries concerned. His delegation welcomed the fact that the draft resolution included a request to States to refrain from drawing up unilateral lists, such as the list of States that allegedly sponsored terrorism drawn up unilaterally by the United States Department of State. A group of special procedure mandate holders of the Council had recently denounced the Department's list as being non-transparent and contrary to universally recognized principles, such as the sovereign equality of States, non-interference in the internal affairs of States and the peaceful settlement of disputes. The unilateral elaboration of such lists had a negative impact on the rights to life, food, health and education and on economic and social rights, including the right to development. His delegation wished to take the opportunity to condemn once again the impact of the economic, commercial and financial embargo imposed by the Government of the United States against Cuba, which constituted a massive, flagrant and systematic violation of the human rights of the Cuban people. The embargo had been taken to new extremes, including in the context of the coronavirus disease (COVID-19) pandemic, with the cruel aim of creating shortages and need among the Cuban people in order to provoke social unrest. For those reasons, the Cuban delegation would vote in favour of the draft resolution and invited all Council members to do the same.

Statements made in explanation of vote before the voting

61. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said it was regrettable that the proposals submitted by countries that were not members of the Movement of Non-Aligned Countries had not been accommodated, in particular a proposal to reflect the fact that sovereignty and unilateral coercive measures could not be used by States as a justification for human rights violations. The European Union rejected the fundamental misconception in the draft resolution that all unilateral measures, without distinction, negatively impacted the enjoyment of human rights. The draft resolution entirely disregarded the targeted nature of sanctions and the rationale behind them. Sanctions were one of the tools used as part of the European Union's foreign policy to defend human rights and preserve international peace and security, complementing political dialogue and other instruments. The European Union's sanctions were imposed and implemented in accordance with international law, were targeted at those responsible for wrongful policies or actions, were based on clear listing criteria and legally robust evidence and were regularly reviewed. Designated persons and entities or targeted third States could challenge restrictive measures before the Court of Justice of the European Union. Sanctions were designed to avoid any adverse humanitarian consequences, including for civilian populations or food security in third countries around the globe. They never targeted the delivery of humanitarian aid, food, medicine or other emergency supplies. To further prevent and mitigate the unintended impacts of its sanctions, including overcompliance, the European Union worked closely with private operators, international organizations and other regulators. The European Union remained open to collaborating with the Non-Aligned Movement to address the many misconceptions on which initiatives regarding unilateral coercive measures were based. However, given the nature and content

of draft resolution [A/HRC/55/L.7](#), his delegation was compelled to call for a vote; the States members of the European Union that were members of the Council would vote against it.

62. **Ms. Taylor** (United States of America) said that the draft resolution did nothing to serve the Council's purpose of advancing respect for and protection of human rights. Sanctions were not punitive; they were a legitimate, appropriate and effective tool for disrupting and deterring human rights violations and abuses, promoting accountability and responding to threats to peace and security. United States sanctions were designed to promote accountability for human rights violations and abuses and to effect positive change in behaviours that inhibited the realization of human rights. The United States applied sanctions with those specific objectives in mind and in accordance with international law. The draft resolution disregarded the sovereign right of States to freely conduct their economic relations and to protect legitimate national interests, including by taking action in response to national security concerns. It also attempted to undermine the international community's ability to respond to acts that were offensive to international norms.

63. The United States was mindful of the potential unintended consequences of sanctions and had taken concrete steps to mitigate them, both domestically and at the United Nations. United States sanctions programmes were focused on constraining the ability of bad actors to take advantage of financial systems or to threaten the United States, its allies and partners or civilians, not on preventing bona fide humanitarian-related trade assistance or activities. The United States often intentionally excluded those types of activities from its sanctions programmes. It had also co-authored the landmark Security Council resolution 2664 (2022), adopted in December 2022, which excluded humanitarian efforts from all United Nations sanctions regimes, thus facilitating the delivery of humanitarian aid to those in need while helping to ensure that aid was not diverted or abused by malicious actors. Most importantly, the Security Council resolution made it easier for humanitarian actors to provide urgent assistance. Some of the loudest voices promoting the false narrative around unilateral coercive measures were, at the same time, obstructing any meaningful implementation of United Nations sanctions, if not blatantly violating them. As a result, the United States was sometimes forced to rely on the use of domestic sanctions, in coordination with its partners, to advance objectives that promoted international peace and security. Humanitarian crises and human rights abuses around the world were rooted in the policies and misguided priorities of the leadership of the countries targeted, not the response of the international community. For those reasons, the United States would vote against the draft resolution and encouraged other States to do the same.

64. **Mr. Guillermet Fernández** (Costa Rica) said that, in keeping with its long-standing tradition of defending and promoting human rights and international law, his Government had historically rejected the imposition of unilateral and extraterritorial measures by any State against another State, through political, economic, military or other means, which were not authorized by the competent international bodies in accordance with the Charter of the United Nations. His Government reiterated its long-standing position that international inclusion, dialogue and cooperation should be prioritized as the most effective tools for promoting friendly relations among States and their peoples. The only way to achieve development was through full respect for the rule of law, with strong democratic institutions, the separation of powers and an environment that fostered accountability and ensured the effective protection and promotion of the human rights of all.

65. However, the imposition of unilateral coercive measures did not relieve States of their international obligation to provide their citizens with basic individual guarantees, in line with their international human rights obligations. His delegation was concerned about wording in the draft resolution linking access to justice and the enjoyment of human rights with the application of unilateral coercive measures. While unilateral coercive measures were undoubtedly illegal, they could not legitimately be considered an obstacle to access to justice. His delegation called on all States to reflect on how best to do away with such unilateral policies, which hindered the well-being of populations, especially the most vulnerable. His delegation would vote in favour of the draft resolution.

66. **Mr. Mao Yizong** (China) said that unilateral coercive measures were at odds with international law and the basic norms of international relations. Their use was a hegemonistic practice based on power politics, to which China had always been firmly opposed. Such

measures had a grave impact on the economic and social development of sanctioned countries and seriously jeopardized their people's basic right to survival and development. At the same time, the increasing number of secondary sanctions and the growing prevalence of overcompliance served to further expand the scope of unilateral coercive measures and exacerbate their pernicious consequences. The international community should unite in boycotting such measures and opposing the human rights violations they produced. It was regrettable that some Western countries that imposed unilateral coercive measures continued to ignore the serious harm and immeasurable humanitarian consequences that their own unlawful acts had caused in sanctioned countries, finding excuses for their actions and unjustifiably obstructing relevant resolutions. China would vote in favour of the draft resolution and called on all States members of the Council to do the same in order to uphold international justice.

67. **Mr. Foradori** (Argentina) said that his Government opposed the use of unilateral coercive measures, which was contrary to the basic principles of international law, including the Charter of the United Nations and General Assembly resolution 2625 (XXV) concerning friendly relations and cooperation among States. However, in his delegation's view, the focus of the draft resolution was regrettable, as it implied that States targeted by unilateral coercive measures could use them as a justification for failing to guarantee the full enjoyment of human rights. States had a responsibility to promote respect for human rights in accordance with their international obligations. Moreover, the draft resolution contained references to concepts whose meaning and implications had not been clarified and on which there was no general consensus, such as the concept of "overcompliance" with unilateral coercive measures. In addition, the draft referred to development as an integral part of human rights. That assertion could be interpreted to mean that development was a prerequisite for States' compliance with their human rights obligations, a view that Argentina did not share. The draft resolution also included language welcoming the efforts of the open-ended Working Group on the Right to Development, which was currently seeking to develop a legally binding international instrument on the right to development, an initiative that his Government did not support. Furthermore, the Human Rights Council was not the appropriate forum for addressing the consequences of failures to comply with international law such as those that might arise when unilateral coercive measures were applied in a manner contrary to established norms. Lastly, his delegation saw no need to call for the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights to study the possibility of establishing a mechanism to assess, document, report on and follow up on complaints submitted by individuals and States; such a request would go beyond the mandate established for that special procedure. For those reasons, his delegation would abstain from voting on the draft resolution.

68. **Ms. Fuentes Julio** (Chile) said that her delegation supported the draft resolution. Unilateral coercive measures were not in keeping with the spirit of the Charter of the United Nations or the principles governing peaceful relations between States. Such measures could have a negative impact on the enjoyment of human rights and on free trade and cooperation between States, threatening the achievement of the Sustainable Development Goals. Unilateral coercive measures often had a disproportionate effect on the most vulnerable groups and could trigger serious humanitarian consequences. Multilateralism, peaceful dispute settlement and constructive dialogue between States under the auspices of the United Nations were the guiding principles of the foreign policy of Chile. Accordingly, the Chilean delegation supported the draft resolution's adoption. However, its position should not be interpreted as support for any regimes or individuals responsible for serious human rights violations that had been subjected to unilateral coercive measures. Her delegation reiterated its call for the discussion on unilateral coercive measures and their impact on human rights to remain impartial and objective and categorically rejected any politicization of the draft resolution.

69. *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, Dominican Republic, 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.

70. Draft resolution [A/HRC/55/L.7](#) was adopted by 32 votes to 14, with 1 abstention.

Draft resolution [A/HRC/55/L.8/Rev.1](#): Support systems to ensure community inclusion of persons with disabilities

71. **Ms. Duncan** (Observer for New Zealand), introducing the draft resolution on behalf of the main sponsors, namely Mexico and her own delegation, said that, through the draft resolution, the Council would call on States to take a range of measures to establish and implement support systems for persons with disabilities in order to respect, protect and fulfil their human rights by ensuring their inclusion in the community on an equal basis with others and without discrimination. It would also decide that future debates and reports should focus on the rights of persons with disabilities in relation to digital technologies and devices and on disability-inclusive infrastructure, including transport and housing. Further, it would seek to improve accessibility at the Council by requesting a study on the feasibility of making all Council resolutions fully accessible, including by making them available in easy-to-understand language. In all countries, there was room to improve to ensure that persons with disabilities were able to exercise their right to live independently and be included in the community, in accordance with the Convention on the Rights of Persons with Disabilities. She looked forward to the draft resolution's adoption by consensus.

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

General statements made before the decision

73. **Ms. Schroderus-Fox** (Finland) said that her delegation welcomed draft resolution [A/HRC/55/L.8/Rev.1](#) and wished to thank the main sponsors for presenting a balanced text on such an important and timely topic. The draft resolution reflected the recognition that human rights-based care and support systems were essential for enabling persons with disabilities to participate in society fully and effectively on an equal basis with others. The starting point of the Convention on the Rights of Persons with Disabilities and of the draft resolution under consideration was the inclusion, individual autonomy and independence of persons with disabilities.

74. Through the draft resolution, the Council would call upon States to take a wide range of measures to establish and implement support systems to ensure community inclusion, such as making available adequate, accessible and affordable housing, accessible transport and assistive technologies, including digital and new technologies and mobility aids. It would also ask States to ensure the meaningful involvement of persons with disabilities and their representative organizations in the design, implementation, monitoring and evaluation of care and support systems in line with the Convention on the Rights of Persons with Disabilities. Her delegation welcomed the fact that the draft resolution also took due account of the specific rights and needs of women and girls with disabilities, who were both givers and receivers of care and support. It also welcomed the steps taken to move towards ensuring that all Council resolutions were made available in accessible formats. The study requested in the draft resolution could lay the groundwork for other multilateral forums to move in the same direction. She wished to echo the draft resolution's call for States to consider mandating international sign interpretation and captioning for all meetings of the Council. Her delegation supported the draft resolution and hoped that it would be adopted by consensus.

75. **Ms. Duncan Villalobos** (Costa Rica) said that article 19 of the Convention on the Rights of Persons with Disabilities, which recognized the human right to live independently

and to be included in the community, was one of the cornerstones of that instrument. Her delegation therefore welcomed the draft resolution, in particular its message that support and care systems must be based on human rights and that a human rights-based approach should underpin the development of disability-inclusive policies, products and services. Persons with disabilities, including children with disabilities, must be involved in all stages of the design and implementation of new technologies, especially because of the challenges that innovations such as neurotechnology could pose for their ability to exercise their free will, freedom of opinion and expression and right to privacy, *inter alia*. She wished to draw attention to the particular situation of women and girls with disabilities, who, as pointed out in the draft resolution, faced multiple, aggravated and intersecting forms of stigmatization and discrimination and were disproportionately vulnerable to acts of violence, including sexual violence and gender-based abuse. Her delegation encouraged the members of the Council to adopt the draft resolution without a vote.

76. **Mr. Staniulis** (Lithuania) said that his Government accorded the utmost importance to the rights of persons with disabilities and welcomed efforts to combat all forms of discrimination and ensure that persons with disabilities had equal access to services and were able to enjoy their right to live independently and to be included in society on an equal footing with others. His delegation wished to express its firm support for the reports that would be mandated through the draft resolution. More information about the implementation of the United Nations Disability Inclusion Strategy across the programmes and operations of OHCHR would be helpful. Furthermore, the thematic study on the rights of persons with disabilities and digital technologies and devices, and the subsequent study on disability-inclusive infrastructure, including transport and housing, would provide additional sources of information for States and other stakeholders on how to better design programmes for persons with disabilities. In addition, the study on the administrative procedures and budget needed to make all Human Rights Council resolutions fully accessible would be of great benefit for the Council's future work. Resolutions were the key outcomes of the Council's sessions and they should be accessible to all members of society. The draft resolution should be adopted by consensus.

77. **Ms. Taylor** (United States of America) said that her delegation welcomed the draft resolution's focus on support systems to ensure that persons with disabilities were able to live in their communities as independently as possible, in accordance with article 19 of the Convention on the Rights of Persons with Disabilities. Persons with disabilities were important contributors to society and were often the providers of care and support, not just the recipients. The draft resolution would be an important tool in efforts to ensure that community-based disability support systems protected the autonomy and inclusion of persons with disabilities and their ability to make free choices. Her delegation wished to thank the main sponsors for taking up the call from civil society and persons with disabilities to increase accessibility at the Council itself. While it was disappointing that the United Nations Office at Geneva would not implement the proposed mandate to ensure that all Council resolutions were converted to easy-to-read and accessible formats for persons with intellectual disabilities and those who were blind or had visual impairments, it was encouraging that, through the draft resolution, the Council would nonetheless push for progress by mandating a feasibility study in that regard. It was the responsibility of the Council, as the premier human rights body of the United Nations, to serve as a model of accessibility and inclusivity for all. She looked forward to the adoption of the draft resolution by consensus.

78. **Ms. Fuentes Julio** (Chile) said that the right to have access to adequate support and care systems, encompassing the right to provide care, the right to receive care and the right to self-care, was enshrined in international human rights law. The givers and receivers of support and care must be recognized as rights holders empowered to exercise autonomy and agency. Access to support and care for persons with disabilities was also essential to ensure that no one was left behind in the implementation of the 2030 Agenda for Sustainable Development and was specifically recognized as a means to achieve gender equality in target 5.4 of the Sustainable Development Goals and in the report of the Secretary-General entitled "Our Common Agenda" (A/75/982). Her Government had historically supported and sponsored the previous iterations of the draft resolution under consideration as part of its commitment to an inclusive society based on the reform of care systems to address the

structural inequalities faced by persons with disabilities. Her delegation called on the members of the Council to adopt the draft resolution by consensus.

79. **Mr. Han Xincheng** (China) said that persons with disabilities were important members of the human family. The draft resolution under consideration would help countries to promote the social inclusion of persons with disabilities on an equal footing with others. His delegation wished to stress that States should implement specific measures to that end in a way that took due account of their national conditions and social systems and should encourage the promotion of the rights of persons with disabilities in different ways and from different perspectives. China had long given high priority to the rights of its 85 million citizens with disabilities and was committed to international cooperation in that field. His delegation was pleased to note that the draft resolution called for the Council's next annual interactive debate to be held on the theme of digital technologies and devices and was ready to share its views in that regard and engage in future exchanges on key issues, such as accessible construction. China was willing to work with all parties in taking concrete measures to eliminate the difficulties faced by persons with disabilities and truly realize the goal of leaving no one behind. His delegation supported the adoption of the draft resolution by consensus.

80. **Ms. Rolón Candia** (Paraguay) said that the urgent need to step up efforts to include persons with disabilities in the community and in all systems of care was undeniable, as underscored by the draft resolution. By adopting the draft, the Council would reaffirm its support for the principle of non-discrimination and the right of persons with disabilities to full participation and inclusion in society, individual autonomy and independence, in accordance with articles 19 and 30 of the Convention on the Rights of Persons with Disabilities. In the light of major challenges such as the impact of the COVID-19 pandemic, climate change and the vulnerability of certain populations, such as women and children, the draft resolution focused on the implementation by States of mechanisms that promoted the exercise of the rights of persons with disabilities in a comprehensive manner. Her delegation welcomed the inclusion of references to the opportunities that new technologies represented for promoting the participation of persons with disabilities in all areas of society and the initiative to take steps towards improving the accessibility of the Council itself. She encouraged the members of the Council to adopt the draft resolution by consensus.

81. *Draft resolution [A/HRC/55/L.8/Rev.1](#) was adopted.*

Draft resolution [A/HRC/55/L.10](#): Right to work

82. **Mr. Gamaleldin** (Observer for Egypt), introducing the draft resolution on behalf of the main sponsors, namely Greece, Indonesia, Mexico, Romania and his own delegation, said that the right to work was essential for the realization of other human rights and was inseparable from and inherent in human dignity and social justice. It also allowed for the satisfaction of human needs and the enjoyment of values that were central to a dignified life. Previous iterations of the draft resolution had focused on a spectrum of issues intertwined with the right to work, such as the right to work as it applied to women, persons with disabilities and young people, and also the impact of climate change. In recent years, the world had witnessed a multitude of international crises and financial challenges, including conflicts, pandemics and natural disasters, which had forced millions of people around the world to seek alternative livelihoods in the informal economy. The current draft resolution therefore focused on the realization of the right to work in the context of the informal economy.

83. **The President** announced that 28 States had joined the sponsors of the draft resolution.

84. *Draft resolution [A/HRC/55/L.10](#) was adopted.*

Draft resolution [A/HRC/55/L.11](#): Role of States in countering the negative impact of disinformation on the enjoyment and realization of human rights

85. **Ms. Filipenko** (Observer for Ukraine), introducing the draft resolution on behalf of the main sponsors, namely Japan, Latvia, Lithuania, Poland, the United Kingdom, the United States of America and her own delegation, said that the Council had initiated the adoption of

resolutions on disinformation in 2022 to draw attention to the ways in which disinformation affected all human rights and to offer guidelines for tackling the problem from a rights-based perspective, focusing on the crucial role that States could play in both preventing and countering disinformation. States were encouraged to play a proactive role in facilitating a multidimensional and multi-stakeholder approach, as the only viable path to countering disinformation, and were called upon to refrain from engaging in, spreading or manufacturing disinformation through hybrid influence operations and to condemn such acts. Since the adoption of the previous resolution, the issue had remained relevant, as the challenges faced by States multiplied with the rapid evolution of new technologies, including generative artificial intelligence. The updated text advocated better safeguards for information integrity during electoral processes and also touched upon the critical importance of effective media and information literacy.

86. **The President** announced that 11 States had joined the sponsors of the draft resolution.

General statements made before the decision

87. **Ms. Duncan Villalobos** (Costa Rica) said that her delegation welcomed the draft resolution, which would further efforts to tackle disinformation using a human rights-based approach. Disinformation took multiple forms, including defamation campaigns aimed at undermining the rights of women and girls, ethnic minorities and human rights defenders, and conspiracy theories concerning health policy and vaccinations. States had a duty to take preventive and other measures to tackle the negative impact of disinformation, which imperilled human rights. The draft resolution covered important issues that should be considered in the fight against disinformation, including artificial intelligence, all aspects of which must be viewed through a human rights lens. Her delegation appreciated the inclusion in the draft resolution of references to misogyny, xenophobia, racism and racial discrimination as practices that were exacerbated by disinformation, as well as the reference to the use of restrictions on Internet services to hinder access to online information.

88. **Mr. Bonnafont** (France) said that, since the adoption of Council resolution 49/21 in 2022, interference with information had proliferated. In the face of large-scale disinformation campaigns designed to undermine confidence in democratic processes and institutions, States had a greater responsibility than ever to counteract the manipulation of information and promote universal access to reliable information. The text of the draft resolution was balanced and fully reflected new challenges such as generative artificial intelligence. It rightly emphasized States' responsibility to combat all forms of disinformation while promoting and protecting human rights, including freedom of expression and of opinion, both online and offline. Disinformation had become a global phenomenon that affected everyone, although journalists and human rights defenders were particularly vulnerable to it. His delegation welcomed the strengthening of the provisions of the draft resolution pertaining to disinformation campaigns targeted at women and would continue to promote a systemic response to that issue. It hoped that the Council's work would be closely coordinated with the Secretary-General's efforts to develop a Code of Conduct for Information Integrity on Digital Platforms. The draft resolution concerned one of the newest and most urgent international challenges in the area of human rights. His delegation called upon the members of the Council to adopt the draft resolution by consensus.

89. **Mr. Staniulis** (Lithuania) said that disinformation had remained a global phenomenon since the Council had first adopted a resolution on the subject in 2022, and no State was immune to its negative effects. The use of digital technologies amplified the spread of harmful information to multiple audiences; that posed a growing risk, especially during elections and armed conflicts. The growing trend of online disinformation targeted at women and girls was alarming. It was of the utmost importance for States to refrain from conducting or sponsoring disinformation campaigns domestically or transnationally and to ensure that their response to such campaigns complied with international human rights law. At a time when disinformation and hybrid attacks posed a substantial threat to human rights values and public trust, it was essential to increase cooperation among States and other stakeholders to develop effective strategies and mechanisms to detect and counteract the spread of false

information. His delegation wished to encourage all members of the Council to adopt the draft resolution by consensus.

90. **Mr. Tummers** (Kingdom of the Netherlands) said that, during 2024, the citizens of more than 60 countries would go to the polls. Against that backdrop, the shadow that disinformation campaigns cast over societies loomed large. While the high number of elections being held in 2024 could provide a vital opportunity to strengthen the fundamental principles of democracy, it also presented an opportunity for disinformation campaigns to further erode public trust in democracies and institutions with the aim of fragmenting societies and inciting discrimination, xenophobia, intolerance and violence. States needed to step up their efforts to address the challenge posed to society by disinformation, while at the same time ensuring that the laws and policies put in place to counter disinformation respected, protected and fulfilled human rights rather than undermining them. Countering disinformation should not be used as a pretext to unduly limit freedom of expression or to discredit factual and accurate information; an enabling environment for free expression and the free flow of information was key to countering disinformation. That careful balance was reflected in the strong and nuanced text of the draft resolution, which his delegation strongly supported and hoped would be adopted by consensus.

91. **Ms. Taylor** (United States of America) said that the United States was particularly cognizant of the corrosive effects that disinformation, a global phenomenon with a range of harmful consequences, could have on democracy in a year during which more than half of the world's population would vote in national elections. The ever-increasing speed and ubiquity of false narratives developed and disseminated through new technologies could pose a genuine threat to freedoms, human rights and trust in societal and governmental institutions worldwide. Disinformation not only undermined civic engagement, democratic processes and institutions but could also further confuse and restrict civic discourse in less open societies. Efforts to counter disinformation should not be used as a pretext to restrict human rights, close civic space or justify censorship or Internet shutdowns. Her delegation firmly supported the draft resolution and looked forward to its adoption.

92. **Ms. Fuentes Julio** (Chile) said that disinformation and its impact on human rights had increased exponentially and, even more seriously, had become a direct cause of violations of international human rights law and international humanitarian law. Any restrictions on Internet access or on the online dissemination of reliable information affected a range of human rights directly and indirectly by altering people's ability to make informed decisions. In that connection, her delegation welcomed the current iteration of the draft resolution, which had been updated to respond to the challenges that recent technological developments posed to the fight against disinformation, particularly in the context of armed conflict. Her delegation wished to stress the importance of taking a human rights-based approach to the issue and called on the members of the Council to adopt the draft resolution by consensus.

93. **The President** said that five States had joined the sponsors of the draft resolution.

94. **Mr. Mao Yizong** (China), speaking in explanation of position before the decision, said that disinformation was the common enemy of the international community. The Government of China firmly opposed disinformation and called on all countries to strengthen their cooperation in addressing the harm caused by disinformation. For political purposes, some countries fabricated and disseminated disinformation; under the guise of human rights, they interfered in the internal affairs of other countries and sought to smear and discredit them, imposed unilateral coercive measures and violated the human rights of the citizens of other countries. Such disinformation also had a serious negative impact on the work of international human rights mechanisms and undermined their credibility, an issue that required the attention of the Council.

95. Although his delegation had actively participated in the consultations on the draft resolution, the constructive amendments it had proposed had not been taken into account. The draft resolution was unbalanced and placed a one-sided emphasis on freedom of expression while failing to reflect the root causes of disinformation or to point out its negative impact on the work of international human rights mechanisms. The solutions proposed in the draft resolution thus would not be truly effective in resolving the problem; indeed, they might

even increase the spread of disinformation. His delegation therefore wished to dissociate itself from the consensus on the draft resolution.

96. *Draft resolution A/HRC/55/L.11 was adopted.*

Draft resolution A/HRC/55/L.12: Adequate housing as a component of the right to an adequate standard of living, and the right to non-discrimination in this context

97. **Ms. Schroderus-Fox** (Finland), introducing the draft resolution on behalf of the main sponsors, namely Brazil, Germany, Namibia and her own delegation, said that everyone had the right to live in a decent home in peace, security and dignity. As the title of the Council's resolutions on the subject had underlined for years, non-discrimination was essential in the context of housing.

98. The draft resolution focused on the rights of persons with disabilities and reflected the recognition that, for such persons, choosing where and with whom to live, being part of a community and having access to adequate and accessible housing were central to a dignified life and to achieving autonomy, participation, inclusion and non-discrimination. The draft resolution also referred to many continuing challenges in the full realization of the right to adequate housing, including armed conflicts, disasters, climate change, evictions, unaffordability and homelessness, which often disproportionately affected persons with disabilities. By adopting the draft resolution, the Council would call upon States to ensure that the principles of equality and non-discrimination were respected when fulfilling the right to adequate housing, to ensure that persons with disabilities had access to support services and independent living and to take measures to make housing accessible. In line with the Convention on the Rights of Persons with Disabilities, States would also be called upon to closely consult with and actively involve persons with disabilities and their representative organizations in all areas of housing policy and design. She hoped that the members of the Council would adopt the draft resolution by consensus.

99. **The President** said that 21 States had joined the sponsors of the draft resolution, which had no programme budget implications.

General statements made before the decision

100. **Ms. Haque** (Bangladesh) said that, with a view to addressing long-standing discrimination in the area of adequate housing, States should take urgent and immediate measures to address homelessness, in accordance with existing international human rights commitments and obligations. The Government of Bangladesh had implemented the Ashrayan initiative, which was aimed at eradicating homelessness to ensure inclusive growth. Under the initiative, beneficiaries were provided with ownership of both land and a home and were offered opportunities to raise their standard of living through skills development, training, microfinance, income-generating activities and access to health-care and family planning services. To date, more than 550,000 families had been provided with land and houses, and 12 out of 64 districts had been declared free of homelessness and landlessness. Addressing homelessness through ensuring standard housing for all was achievable for all States and warranted concerted efforts. Her delegation would join the consensus on the draft resolution and called upon all members of the Council to do the same.

101. **Mr. Scappini Ricciardi** (Paraguay) said that his delegation welcomed the draft resolution's emphasis on accessibility, non-discrimination and the inclusion of persons with disabilities, with a view to supporting such persons' exercise of their right to adequate housing as a component of the right to an adequate standard of living. Ensuring that persons with disabilities could choose where and with whom to live, be part of a community and have access to adequate housing were essential ways of respecting their diversity and enabling them to live dignified and independent lives. His delegation welcomed the inclusion in the text of references to financial barriers and the serious and wide-ranging forms of discrimination faced by persons with disabilities owing to the shortage of accessible housing. It also welcomed the expression of concern that persons with psychosocial and intellectual disabilities were disproportionately vulnerable to homelessness. His delegation urged the members of the Council to adopt the draft resolution by consensus.

102. **Ms. Taylor** (United States of America), speaking in explanation of position before the decision, said that her delegation strongly supported the draft resolution and its message on the importance of adequate housing for all, particularly the focus on what States could do to further protect the rights of persons with disabilities in that regard. The United States placed great emphasis on the need for States to do more to combat discrimination and to protect the right of all individuals to be treated equally before the law, including in relation to adequate housing.

103. While joining the consensus on the draft resolution, her delegation wished to note its concerns about certain provisions of the text, including the twelfth preambular paragraph and paragraphs 1 (g), (k), (o), (s) and (t). It also noted that the Convention on the Rights of Persons with Disabilities provided the relevant framework for States that were parties to it; however, the draft resolution contained certain provisions that did not accurately reflect the content of the Convention or other human rights instruments. Her delegation also wished to note its concern that the draft resolution inaccurately suggested that certain principles, such as those of proportionality and necessity, were relevant considerations in all instances involving the provision of adequate housing and decisions relating to evictions. Lastly, some provisions were inconsistent with the principles of federalism, which left matters such as eviction, zoning and community planning to local governments, notwithstanding federal law prohibiting discrimination. Further points of clarification on other human rights issues, including economic, social and cultural rights, were provided in the general statement to be posted on the website of the Permanent Mission of the United States at the conclusion of the Council's session.

104. *Draft resolution A/HRC/55/L.12 was adopted.*

Draft resolution A/HRC/55/L.15: Torture and other cruel, inhuman or degrading treatment or punishment: effective national legislative, administrative, judicial or other measures to prevent acts of torture

105. **Mr. Petersen** (Observer for Denmark), introducing the draft resolution, said that 2024 marked the fortieth anniversary of the adoption of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The draft resolution therefore focused on prevention, which was a key element of the Convention and of the overall fight against torture, and on ensuring effective national legislative, administrative, judicial and other measures to prevent and combat all acts of torture, including in places of detention and other places where persons were or might be deprived of their liberty. It also emphasized the essential part played by effective domestic mechanisms of oversight in the prevention of torture and encouraged States to apply internationally agreed rules, principles and protocols as preventive measures. Denmark had a long and proud tradition of sponsoring resolutions on torture and did not take that responsibility lightly; it handled each resolution with care and respect for the common objective of eradicating torture and other ill-treatment. His delegation hoped that the Council would adopt the draft resolution by consensus.

106. **The President** said that 16 States had joined the sponsors of the draft resolution, which had no programme budget implications.

107. **Ms. Fuentes Julio** (Chile), making a general statement before the decision, said that, in the context of torture, a focus on prevention was of great importance. Her delegation therefore welcomed the references in the draft resolution to the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the Principles on Effective Interviewing for Investigations and Information-Gathering (the Méndez Principles) and the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), all of which strengthened the obligations of States in the area of prevention.

108. Her delegation wished to draw attention to the reference to “personnel in places of deprivation of liberty”, who played a central role in safeguarding the humanity, dignity and integrity of persons deprived of their liberty. Forty years after the adoption of the Convention against Torture, the draft resolution presented a road map for continuing efforts to prevent and eradicate the practice. Given her country's own historical context and the importance it traditionally attached to multilateral efforts to combat torture, her delegation was proud to be

one of the sponsors of the draft resolution and called upon the members of the Council to adopt the text by consensus.

109. *Draft resolution A/HRC/55/L.15 was adopted.*

Draft resolution A/HRC/55/L.16: Prevention of genocide

110. **Mr. Hovhannisyan** (Observer for Armenia), introducing the draft resolution, said that it was a manifestation of the continuing and resolute commitment of Armenia to international efforts for genocide prevention and a call to prevent human rights violations from deteriorating into the egregious crime of genocide. The Council's contribution to those efforts was pertinent and urgent, given the gross human rights abuses that were occurring around the world.

111. The text of the draft resolution reflected, inter alia, the fact that genocide and other mass atrocities were often committed within the context of armed conflict and that impunity was a significant risk factor for genocide, war crimes and crimes against humanity. It also acknowledged the contribution of the International Court of Justice regarding the prevention and punishment of the crime of genocide. Moreover, it contained a decision to convene, at the Council's fifty-eighth session, a panel discussion on early warning and genocide prevention, a request to the Secretary-General to prepare a follow-up report, and an invitation for the Special Adviser to the Secretary-General on the Prevention of Genocide to participate in an interactive dialogue with the Council.

112. His Government believed strongly in the international community's joint mission to ensure the application of justice that the victims of genocide and their descendants deserved, including with regard to recognition, accountability, truth, reparation, guarantees of non-recurrence and preservation of historical memory.

113. **The President** said that 21 States had joined the sponsors of the draft resolution.

General statements made before the decision

114. **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 draft resolution included a number of important elements in the context of the prevention of genocide. The European Union welcomed, in particular, the new paragraphs on the role of the International Court of Justice and on the prohibition, under international humanitarian law, of the starvation of civilians as a method of warfare. The European Union was pleased to see that the text included a clear reference to the link between impunity and the risk of atrocity crimes. Although it would have preferred more robust language on elements of the responsibility to protect and on the role of the Council in the prevention of genocide, it considered the draft resolution to be an important part of the international community's efforts to fight genocide and other atrocity crimes. It therefore strongly supported the draft resolution and urged the other members of the Council to do the same.

115. **Mr. Bonnafont** (France) said that the extreme gravity of the crime of genocide could be understood through the etymology of the word "genocide" itself, which denoted the extermination of a group of people from the face of the Earth. Genocide was systematic, methodical, planned and organized; its seeds were planted in people's minds by the designation of an "other" to be hated, cast out from society and ultimately eradicated. There was therefore a crucial need to identify, report and address the early warning signs of genocide, a crime so serious that it threatened international peace and security. It was no coincidence that the Convention on the Prevention and Punishment of the Crime of Genocide had been the first human rights treaty. It must be recognized not only that genocides had taken place in the modern era, beginning with the Holocaust, but also that genocidal impulses continued to be present in too many contemporary societies. Vigilance was required. Genocide must not go unpunished.

116. France was among the signatories to the Ljubljana-The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes and Other International Crimes, which marked a milestone in the fight against impunity for the perpetrators of the most serious crimes. His

delegation hoped that the members of the Council would adopt the draft resolution by consensus.

117. **Ms. Taylor** (United States of America) said that, as President Biden had noted, when hatred went unchecked and the governmental and societal checks and balances that protected fundamental freedoms were lost, violence and mass atrocities could result. The United States remained committed to the prevention of genocide globally and to holding those responsible to account when the threshold criteria for a determination of genocide were reached. Through the draft resolution, the Council would reaffirm its commitment and that of the international community to the prevention of atrocities. Her delegation regretted, however, that the draft resolution did not go further in addressing all war crimes, crimes against humanity and genocide and in recognizing the role of the Council and other parts of the United Nations system in their prevention. The United States encouraged the international community to remain steadfast and vigilant in its commitment to prevent and respond to humankind's most heinous acts.

118. **Ms. Duncan Villalobos** (Costa Rica) said that the prevention of genocide and other mass atrocities was a fundamental responsibility of all States. The Council's work on the issue, including through its mechanisms, was therefore of particular relevance and was an essential tool in the early warning system for identifying situations that might constitute genocide. Her delegation therefore welcomed the decision contained in the draft resolution to convene a panel discussion on the issue. The decisions of the International Court of Justice and the International Criminal Court were important for holding the perpetrators of genocide to account and for ending impunity. When States failed to respect international humanitarian law and international human rights law, they put their own humanity at risk. The tools for preventing genocide and other mass atrocities were available; States simply required the will to use them. The work of the Council was one of those tools, as was the draft resolution; her delegation urged the members of the Council to adopt it by consensus.

119. **Ms. Fuentes Julio** (Chile) said that, in the context of genocide, prevention and early warning mechanisms meant the difference between life and death. Her delegation welcomed the arrangements set out in the draft resolution for the Council to hold, during its fifty-eighth session, a panel discussion aimed at improving the effectiveness of the United Nations early warning and genocide prevention mechanisms. Her delegation called upon the members of the Council to adopt the draft resolution by consensus.

120. **Mr. Mao Yizong** (China) said that the crime of genocide was universally recognized as a grave international crime against the fundamental rights and conscience of humankind. China firmly condemned the crime of genocide and was opposed to political manipulation on the issue. Despite some differences of opinion on specific wording in the text, his delegation would join the consensus on the draft resolution.

121. **Mr. Quintanilla Román** (Cuba) said that some delegations had called for the text of the draft resolution to include more robust wording regarding the responsibility to protect. While that concept had been included in the 2005 World Summit Outcome adopted by the General Assembly in its resolution 60/1, no consensus had been reached since then on its implementation. Until such a consensus was achieved, it would not be possible to move forward on the issue, in particular within the Council, where not all States Members of the United Nations were represented. Since the adoption of resolution 60/1, Cuba had consistently called for the issue to be dealt with by the General Assembly. It hoped that all countries would reflect on the issue in the current context, in which States advocated efforts to prevent genocide while at the same time witnessing, on television and through social media, the commission of genocide against the Palestinian people in the Gaza Strip. His delegation supported the consensus on the draft resolution.

122. *Draft resolution [A/HRC/55/L.16](#) was adopted.*

The meeting rose at 5.40 p.m.