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President: Mr. Zniber(Morocco)

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* Reissued for technical reasons on 8 November 2024.

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The meeting was called to order at 10 a.m.

Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development (*continued*)
([A/HRC/56/L.9/Rev.1](#), [A/HRC/56/L.17](#), [A/HRC/56/L.19/Rev.1](#), [A/HRC/56/L.26](#),
[A/HRC/56/L.41](#), [A/HRC/56/L.42](#), [A/HRC/56/L.43](#), [A/HRC/56/L.44](#) and [A/HRC/56/L.45](#))

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

Draft resolution [A/HRC/56/L.9/Rev.1](#): Human rights and the civilian acquisition, possession and use of firearms

2. **Ms. Tincopa** (Observer for Peru), introducing the draft resolution on behalf of the main sponsors, namely Ecuador and her own delegation, said that the Council's first resolution on the topic had highlighted the importance of regulating the civilian acquisition, possession and use of firearms in the light of numerous and extensive abuses and violations of the right to life and to security. Successive resolutions, broader in scope, had addressed the impact of the problem on civil, political, economic, social and cultural rights and recognized the need for preventive approaches and comprehensive public policies to address the underlying root causes and risk factors leading to gun violence. The draft resolution before the Council drew on an assessment of previous resolutions and successive reports on the subject that had been produced by the Office of the United Nations High Commissioner for Human Rights (OHCHR) at the request of the Council. It placed greater emphasis on the human rights impact of gun violence linked to gangs and transnational organized crime, taking into account growing concern about the problem and the threat it presented.

3. The draft resolution acknowledged that increased civilian access to firearms could lead to increased levels of violence and insecurity, while fear of victimization was an important motivation for the acquisition of firearms by civilians, generating a vicious circle in which persons in vulnerable or marginalized situations were usually worst affected. It also addressed the subject of participation in cultural life and in the conduct of public affairs. Indeed, it contained a request for the High Commissioner to prepare a report on the impact of civilian acquisition, possession and use of firearms and the underlying root causes and risk factors driving firearms-related violence on the right to participate in cultural life and the right to take part in the conduct of public affairs, particularly for individuals in vulnerable or marginalized situations. Reiterating the commitment of the main sponsors to keeping the topic on the Council's agenda, she invited the States members of the Council to adopt the draft resolution by consensus.

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

5. **Mr. Bichler** (Luxembourg), making a general statement before the decision, said that the Council's approach to the topic had evolved with successive resolutions. The draft resolution encompassed not only the regulation of civilian firearms, but also the need to tackle root causes and risk factors linked to firearms-related violence in order to minimize their impact on human rights. Luxembourg supported the choice of thematic focus by the main sponsors, including the impact of civilian possession and use of firearms on the right to participate in cultural life and the right to take part in the conduct of public affairs. The report requested of the High Commissioner would allow for a better understanding of the impact of the problem on individuals in vulnerable or marginalized situations and would hopefully include recommended measures for their protection. His delegation welcomed the recognition of the crucial role played by businesses in the manufacture, marketing, sale and transfer of firearms, which engaged their human rights responsibilities. He hoped that the constructive spirit shown by the main sponsors would allow the Council to maintain its consensus on the issue.

6. **Ms. Benda** (United States of America), making a statement in explanation of position before the decision, said that the issue of gun violence was of the utmost importance. The United States had too often experienced horrendous mass shootings, and it grieved for victims and their families. Gun violence could affect anyone and had a disproportionate effect on

certain communities, including the black community in the United States. Her Government stood and would continue to stand in solidarity with others against gun violence. To that end, in 2023, President Biden had established the White House Office of Gun Violence Prevention to reduce gun violence and implement and expand upon executive and legislative actions that had been taken to save lives. On 25 June 2024, the Surgeon General had released a landmark advisory, declaring firearms violence to be a public health crisis. The Government recognized the urgency of public safety, and the Federal Bureau of Investigation conducted firearms background checks. The authorities responded aggressively to gun violence. At the same time, it was necessary to pursue solutions for curbing gun violence that were consistent with the law and did not infringe upon the Second Amendment to the Constitution, which guaranteed the right of citizens to keep and bear arms. The Biden Administration was committed to developing meaningful reforms that better guarded public safety without infringing on constitutional rights.

7. Decisions regarding the civilian acquisition, possession and use of firearms and ammunition were solely under the sovereign jurisdiction of each individual country. While her delegation joined the consensus on the draft resolution, which highlighted important concerns, it dissociated itself from all references to ammunition, considering that ammunition was a subject more appropriately addressed in other forums and through other instruments. For example, the United States had participated actively in establishing the Global Framework for Through-life Conventional Ammunition Management. In addition, the United States dissociated itself from the eleventh preambular paragraph and paragraph 2 because the language therein was vague, undefined and unsupported. Her delegation was also concerned about the ambiguous references to diversion and control, which it understood as referring to the enforcement of regulations consistent with United States law. That the United States joined the consensus on the draft resolution should not be taken as an endorsement or expression of support for any legal claims advanced by States in other forums. Further points of clarification 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.

8. *Draft resolution A/HRC/56/L.9/Rev.1 was adopted.*

Draft decision A/HRC/56/L.17: Enhancing the support capabilities of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, established by Human Rights Council resolution 26/9

9. **Mr. Espinosa Cañizares** (Observer for Ecuador), introducing the draft decision, said that the current session marked 10 years since the adoption of resolution 26/9, by which the Council had established the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights and conferred upon it a clear mandate to draw up a legally binding international instrument on business and human rights. During those 10 years, the working group had held nine annual sessions, and several drafts of the legally binding instrument had been prepared. Despite substantive divergences, the working group had been encouraged by the adoption by consensus of recommendations and conclusions at the end of each of its sessions and, above all, by the commencement of article-by-article negotiations in October 2023.

10. The draft decision, in keeping with the recommendations adopted by the working group at its ninth session, contained a request for additional human, technical and financial assistance, which was necessary to advance the process of drafting the legally binding instrument. The draft decision was concise, balanced and of a strictly procedural nature, with careful consideration given to all proposals and suggestions received. Ecuador remained committed to continuing in its role as Chair-Rapporteur of the working group, whose success would depend on the joint efforts of a larger number of countries and stakeholders. As such efforts would be facilitated by the enhanced support capabilities that the working group had requested, he invited the Council to adopt the draft decision by consensus.

11. **The President** announced that nine States had joined the sponsors of the draft decision.

General statements made before the decision

12. **Ms. Powis de Tenbossche** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, said that the draft decision included important elements for the implementation of the conclusions and recommendations of the working group's ninth session and would contribute to the Chair-Rapporteur's efforts to advance the process. Her delegation particularly welcomed the strengthening of OHCHR in the area of business and human rights and the possibility of additional legal expertise, which would help ensure that the legally binding instrument was legally sound and consistent with international human rights law. It was also pleased to note the inclusion of a clear timeline for supporting the work of the Chair-Rapporteur and for presenting a progress report to the Council. The draft decision reflected the Chair-Rapporteur's commitment to taking constructive steps towards the drafting of the legally binding instrument. New impetus in the activities of the working group should allow for the emergence of an instrument that could be implemented in line with the Guiding Principles on Business and Human Rights and that could attract broad cross-regional support. The European Union stood ready to work constructively with all stakeholders to further the efforts of the working group and thus supported the draft decision.

13. **Ms. Fuentes Julio** (Chile) said that the draft decision was an important one, in that it sought to give practical and decisive impetus to the development of a legally binding instrument on business and human rights. As the working group had now existed for 10 years, the proposed procedural changes were necessary to ensure that it achieved its goal. The Guiding Principles on Business and Human Rights had undoubtedly had a major impact, as they had been recognized in the laws of several countries, including her own. However, since business activities transcended borders, it was crucial that progress should be made in developing a binding legal framework on the topic. Chile therefore supported the draft decision and had joined the sponsors, with a view to making substantive progress in the negotiation of the legally binding instrument. Her delegation called upon the members of the Council to support the draft decision.

14. **Mr. Bonnafont** (France) said that, with the growing internationalization of business, an idea had emerged of the particular responsibility of global enterprises. His delegation was therefore grateful for the work undertaken by the delegation of Ecuador towards the negotiation of a treaty on the human rights obligations of transnational corporations. The draft decision envisaged a clear programme of meetings and intersessional consultations, allowing for the best possible preparation of the working group's annual sessions. It responded fully to the expectation that the drafting of the treaty would be constructive and transparent, but also ambitious and pragmatic, drawing on a range of expertise. In 2017, France had adopted pioneering legislation on corporate due diligence. It had strongly supported the European directive on the same subject, adopted by the Council of the European Union in May 2024. His Government therefore recognized the importance of international standards, supplementary to the Guiding Principles on Business and Human Rights, to ensure that all international corporations respected human rights and fundamental freedoms. France had joined the sponsors of the draft decision and noted with satisfaction that the friends of the Chair of the working group had done likewise, signalling strong cross-regional support for the process. France would continue to actively engage with the friends of the Chair and invited the Council to adopt the draft decision by consensus.

15. **Ms. Arias Moncada** (Honduras) said that Honduras had been actively involved in the negotiation of the legally binding treaty and supported all initiatives to strengthen the working group's activities, improve its efficiency, and broaden the participation of stakeholders. Given the complexity of the negotiations, her delegation recognized the need for the working group to receive additional assistance and welcomed its call for increased human, technical and financial resources. Considering that the drafting of a legally binding treaty on transnational corporations and other business enterprises in respect of human rights was a priority, Honduras would continue to support the efforts of the Chair-Rapporteur and of all other countries that had constructively engaged in the process. Her delegation hoped that, by strengthening the process, the working group would be able to overcome the challenges it faced. Honduras joined the consensus on the draft decision.

16. *Draft decision [A/HRC/56/L.17](#) was adopted.*

Draft resolution A/HRC/56/L.19/Rev.1: The promotion and protection of human rights in the context of peaceful protests

17. **Mr. Lauber** (Observer for Switzerland), introducing the draft resolution on behalf of the main sponsors, namely Costa Rica and his own delegation, said that, in 2011, the President of the Swiss Confederation, addressing the high-level segment of the Council, had expressed praise and admiration for those who had taken to the streets to peacefully exercise their freedom of expression and freedom of assembly. Although the Council had first adopted a resolution on the topic of peaceful protest in the wake of the Arab Spring, the draft resolution before the Council remained highly relevant. Peaceful demonstrations and other forms of assembly continued to dominate the news, as protesters took to the streets with the aim of effecting change. Over the years, Council resolutions on the topic had drawn on the work of OHCHR and the Human Rights Committee, on academic research, on the reports of civil society and, above all, on the work of the special procedure mandate holders. Although based on Council resolution 50/21, adopted by consensus in 2022, the draft resolution contained new elements drawn from the Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests. As its title indicated, the Model Protocol was an instrument designed to enhance the protection of human rights before, during and after peaceful protests – in particular the rights to freedom of peaceful assembly, expression and association, as well as the rights to life and to physical integrity – and it had been developed for and with the participation of law enforcement officials.

18. Having held informal and bilateral consultations, the main sponsors considered that the draft resolution before the Council reflected the best possible compromise. They regretted the five amendments that had been submitted, including three that had been submitted previously in respect of resolution 50/21 and rejected by the Council. The aim of the amendments was to change the letter and the spirit of the draft resolution. By voicing their demands on the streets, protesters were exercising their rights. They helped to stimulate a healthy democratic debate and to hold Governments accountable. They should not do so at the risk of their lives or their physical integrity. His delegation therefore hoped that the Council would adopt the draft resolution by consensus.

19. **Ms. Khusanova** (Observer for the Russian Federation), introducing the proposed amendments contained in documents [A/HRC/56/L.41](#), [A/HRC/56/L.42](#), [A/HRC/56/L.43](#), [A/HRC/56/L.44](#) and [A/HRC/56/L.45](#), said that the draft resolution addressed an important and topical issue. Thanks to the mass media, the general public was well aware of the extreme violence and cruelty used by law enforcement officers in dispersing peaceful assemblies, including peaceful protests. Such violence was particularly common in European countries that declared themselves to be great advocates of human rights and democratic freedoms. The Russian Federation was committed to complying with its obligations under international human rights law, including respect for the right of peaceful assembly under the International Covenant on Civil and Political Rights. Unfortunately, the sponsors of the draft resolution had applied a rather biased interpretation of that instrument. As her delegation had repeatedly stated, references to “peaceful protests” should be brought into line with article 21 of the Covenant, which used the term “peaceful assembly”. For that reason, it had proposed the amendment contained in document [A/HRC/56/L.41](#).

20. Participants in peaceful assemblies, including in the form of peaceful protests, should of course enjoy their human rights, and taking part in such activities should not be a pretext for their persecution. However, the right of peaceful assembly was not an absolute right. Article 21 of the Covenant provided that restrictions could be placed on its exercise, provided they were in conformity with the law and “necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others”. It was therefore clear that the organizers and leaders of peaceful assemblies, including peaceful protests, should cooperate with the authorities before, during and, if necessary, after such events. Such responsible conduct was vital for maintaining public order and ensuring the health and safety of participants. With those considerations in mind, the delegation of the Russian Federation had submitted the amendment contained in document [A/HRC/56/L.42](#).

21. The Russian delegation also deemed it necessary to remind the sponsors of the draft resolution of the principle of *lex specialis*, according to which specific laws should prevail

over general ones, notably in the case of armed conflict, where international humanitarian law should take precedence. The suggestion that international humanitarian law and international human rights law were complementary in armed conflict situations was incorrect from a legal point of view. The amendment contained in document [A/HRC/56/L.43](#) was intended to rectify that mistake.

22. The amendment contained in document [A/HRC/56/L.44](#) recognized that States did not all have the same human rights obligations under international law. Rather, their obligations differed according to the internationally binding instruments that they had ratified. Therefore, when encouraging States to take certain actions, it was necessary to move away from legally abstract references to human rights obligations, in phrases such as “human rights-oriented training” and “human rights-compliant facilitation”.

23. The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by General Assembly resolution 53/144, defined the rights and responsibilities of those who defended human rights. Unfortunately, the term “human rights defender” was often used by those who carried out unlawful acts, thus undermining the concept of human rights defenders. Protection should be provided for those who genuinely needed it, in line with the Declaration. Her delegation saw no added value in identifying “women and girl human rights defenders” as a separate category. In the light of those concerns, it had introduced the amendment contained in document [A/HRC/56/L.45](#).

24. The Russian Federation called on all members of the Council who had a responsible attitude to human rights obligations under international law and international humanitarian law to support the amendments. Despite having many more misgivings regarding the draft resolution, her delegation had decided to focus purely on the most problematic provisions. The Russian Federation reserved the right to interpret the draft resolution in accordance with its international legal obligations in the sphere of human rights and its domestic legislation.

25. **Mr. Guillermet Fernández** (Costa Rica) said that the main sponsors did not accept any of the proposed amendments. They requested a vote on the amendments, would vote against them, and recommended that all members of the Council should do likewise.

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

27. **Mr. Guillermet Fernández** (Costa Rica) said that the sponsors’ aim had always been to propose innovative approaches and solutions to facilitate peaceful protests with an increasingly strong focus on human rights. His delegation was convinced of the continued relevance of the resolution on that topic. Peaceful protests as a form of freedom of assembly continued to dominate the news. Protesters took to the streets and occupied universities for multiple causes, but all with the same aim: change and the pursuit of justice. In addition to the references to the Model Protocol and its three supplementary components, the draft resolution also incorporated important elements on women and girl human rights defenders, clearly underlining the need for everyone to be able to participate fully in protests without fear of reprisals. The text also contained a call to refrain from and cease measures that violated human rights, including biometric or digital surveillance based on group affiliation and the targeted use of spyware in the context of protests. It was crucial that new technologies were used in a way that respected human rights and ensured the proper facilitation of protests and did not become tools of repression or discrimination. The draft resolution reaffirmed the absolute prohibition of torture, even when protests were no longer peaceful. Following constructive, open and transparent negotiations, a balanced text had been achieved, with additions that strengthened the human rights framework in the context of peaceful protests. As in previous years, his delegation called for the adoption of the draft resolution by consensus.

28. **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 rights to freedom of peaceful assembly and of association were guaranteed to all. It was the primary responsibility of States to promote and protect those rights, including in the context of assemblies such as peaceful protests. The international community had rightly recognized that peaceful protests

both online and offline could make positive contributions to the development and strengthening of democratic systems. Many countries, including States members of the European Union, had historically benefited from the constructive social and political role of peaceful protests. Therefore, the European Union paid close attention to the issue and continued to fight against the criminalization in all parts of the world of individuals and groups solely for having organized and taken part in peaceful protests or observed, monitored or recorded protests and the designation of such individuals as threats to national security. The draft resolution provided a timely update of Council resolution 50/21 and built upon the Model Protocol for Law Enforcement Officials presented by the Special Reporter on the rights to freedom of peaceful assembly and association at the Council's fifty-fifth session. His delegation welcomed the request for the global consultation on the role of different stakeholders in promoting the application of the technical and practical toolkit as well as the support of country-level application of the practical toolkit for law enforcement officials. It was regrettable that, despite the constructive approach to the negotiation process, amendments to the draft resolution had been submitted. The European Union supported the draft resolution as presented and would join the consensus on it.

29. **Ms. Fuentes Julio** (Chile) said that, in accordance with article 21 of the International Covenant on Civil and Political Rights, the right to peaceful assembly allowed people to express themselves collectively and constituted a fundamental element of a participatory governance system based on democracy, human rights, respect for the law and pluralism. However, as the Special Rapporteur had reported to the Council, the world was witnessing a widespread, systematic and concerted global attack on civic space as authoritarianism, populism and anti-rights narratives increased. The spread of armed conflicts, the serious environmental crisis, the weakening of electoral processes, and emerging and unregulated digital technologies all added to the threats to the enjoyment of the right to peaceful assembly, making the draft resolution under consideration all the more necessary and urgent. Chile appreciated the special attention paid in the draft resolution to the role of human rights defenders, including women and girls, in peaceful protests. It had witnessed the positive role that human rights defenders could play in the process of building fairer and more peaceful societies with greater environmental justice and full enjoyment of human rights. Her delegation also appreciated the references to the Model Protocol and its three supplementary components, which were a tangible result of the work of the Council. For those reasons, the delegation of Chile invited the members of the Council to join the consensus on the draft resolution and to vote against the proposed amendments.

30. **Ms. González Nicasio** (Dominican Republic) said that her delegation had appreciated the open and consultative negotiations on what was such an important issue. The draft resolution addressed the fundamental question of human rights in the context of peaceful protests clearly and efficiently. The Dominican Republic appreciated the objective of the draft resolution, namely, assisting States to better implement their human rights obligations and commitments by providing and promoting the Model Protocol for Law Enforcement Officials. The protection and promotion of human rights were fundamental pillars of any society that aspired to justice and peace. Law enforcement officials played a vital role in protecting those rights. Her delegation was convinced that the draft resolution would help strengthen democracy through citizen participation, awareness and prevention of violence. The adoption of the draft resolution was a necessary step for member States towards compliance with their human rights obligations and commitments and an investment in peace, justice and prosperity. Her delegation therefore urged all members of the Council to support the draft resolution by consensus.

31. **Ms. Liutikaitė** (Lithuania) said that her delegation warmly welcomed the draft resolution, which provided a timely update of consensus Council resolution 50/21 and acknowledged that peaceful protests could make a positive contribution to democratic processes, sustainable peace and more just societies. The draft resolution recognized the importance of digital technology in mobilizing and organizing assemblies, while highlighting the need for transparency and accountability in law enforcement operations during protests. Her delegation regretted the fact that, despite the constructive and inclusive process of informal negotiations, several amendments had been presented that were not aligned with the goals of the draft resolution and only served to weaken the promotion and protection of human rights in the context of peaceful protests. As a traditional sponsor of the resolution on

that topic, the delegation of Lithuania strongly supported the draft resolution as drafted by the main sponsors and called on all members of the Council to adopt it by consensus.

32. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/56/L.41](#).

33. **Mr. Bichler** (Luxembourg), making a statement in explanation of vote before the voting, said that the resolution on human rights in the context of peaceful protests had its origins in the Arab Spring. Peaceful protests involved large-scale demonstrations by individuals united by the same cause and the same objective, namely, to make their Governments understand that they wanted change. What distinguished the draft resolution currently before the Council was its focus on the reaction of States faced with such demonstrations. Unfortunately, in many contexts and circumstances, and for a variety of reasons, demonstrations were met with violence, the excessive use of force and repression in general. Over the years, the text of the resolution had evolved, and its authors had always been careful to emphasize what was specific to peaceful demonstrations and what was more generally applicable to all assemblies. For that reason, the amendment under consideration, which sought, among other changes, to replace references to “assemblies, such as peaceful protests” with “peaceful assemblies that may be realized, inter alia, in the form of peaceful protests” was simply another attempt to change the nature and direction of the text as a whole. Peaceful protests against Governments did not simply concern the right to freedom of peaceful assembly, but a whole range of other human rights: freedom of opinion and expression, freedom of association, political participation, the absolute prohibition of torture or other cruel, inhuman or degrading treatment or punishment, and women’s rights. Although demonstrations during which violence was committed were no longer protected under article 21 of the International Covenant on Civil and Political Rights, the individuals taking part remained protected by international human rights law. For that reason his delegation would vote against the proposed amendment and called on all members of the Council to do the same.

34. *At the request of the representative of Costa Rica, a recorded vote was taken.*

In favour:

China, Cuba, Eritrea, Viet Nam.

Against:

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

Abstaining:

Algeria, Bangladesh, Benin, Burundi, Cameroon, Côte d’Ivoire, Ghana, Kuwait, Kyrgyzstan, Malaysia, Maldives, Morocco, Qatar, Somalia, Sudan, United Arab Emirates.

35. *The proposed amendment contained in document [A/HRC/56/L.41](#) was rejected by 25 votes to 4, with 16 abstentions.*

36. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/56/L.42](#).

37. **Ms. Schroderus-Fox** (Finland), making a statement in explanation of vote before the voting, said that her delegation fully supported the draft resolution as presented by the main sponsors and deeply regretted that the proposed amendment had been put forward for consideration. The two new paragraphs proposed in the amendment aimed to hinder the exercise of the rights of freedom of peaceful assembly, of expression and of association and thus ran counter to the fundamental pillars of democracy. The right to peaceful assembly was a human right, not an optional privilege. The content of the proposed amendment had no basis in international law, and its rationale went against States’ positive obligation to facilitate peaceful assemblies and protect demonstrators. The organizers or leaders of an assembly were not responsible for the behaviour of the participants. The amendment completely disregarded the key principle of individual liability supported by international human rights law. The amendment did not recognize that procedural requirements to exercise the right of

peaceful assembly must meet the three-part test of article 21 of the International Covenant on Civil and Political Rights, in particular the principles of necessity and proportionality. Cooperation with the authorities was neither a prerequisite nor a condition for peaceful assemblies under international law. Lastly, the amendment made reference to special duties and responsibilities of the organizers and leaders of peaceful assemblies. That terminology was ambiguous and could be used for the purposes of malign interference in the exercise of human rights, including the right to peaceful assembly. For those reasons, her delegation would vote against the proposed amendment and called on all members to do the same.

38. *At the request of the representative of Costa Rica, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, China, Cuba, Eritrea, Indonesia, Malaysia, Viet Nam.

Against:

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

Abstaining:

Benin, Burundi, Cameroon, Côte d'Ivoire, Ghana, India, Kuwait, Kyrgyzstan, Maldives, Morocco, Qatar, Somalia, Sudan, United Arab Emirates.

39. *The proposed amendment contained in document [A/HRC/56/L.42](#) was rejected by 23 votes to 8, with 14 abstentions.**

40. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/56/L.43](#).

41. **Ms. Fuentes Julio** (Chile), making a statement in explanation of vote before the voting, said that her delegation did not support the proposed amendment and was alarmed at the way in which it relativized the obligations of States with respect to international human rights law. Suggesting that the domestic law of States “should” be in line with their international obligations ignored the foundations of the international architecture. No nuances should be accepted in that regard: domestic law “must” be aligned with the international obligations of States. Her delegation was also concerned about how the amendment under consideration proposed to limit the applicability of international human rights law in the context of armed conflict. While it was clear that the parties to a conflict were bound by international humanitarian law, the other branches of international law, and especially international human rights law, remained in full force. International human rights law and international humanitarian law shared the common objective of respecting the dignity and humanity of all. Consequently, the two were complementary and mutually reinforcing in situations of armed conflict, as the Human Rights Committee had pointed out in its general comment No. 36 (2018) on the right to life. That was of particular relevance considering that international humanitarian law had no specific provisions regulating peaceful assembly in the context of armed conflict. For those reasons, the delegation of Chile would vote against the proposed amendment and urged all members of the Council to do the same.

42. *At the request of the representative of Costa Rica, a recorded vote was taken.*

In favour:

China, Eritrea, Viet Nam.

Against:

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

* The delegation of the Gambia subsequently informed the Council that it had intended to vote against the proposed amendment.

Abstaining:

Bangladesh, Benin, Burundi, Cameroon, Côte d'Ivoire, Ghana, India, Indonesia, Kuwait, Kyrgyzstan, Malaysia, Maldives, Morocco, Qatar, Somalia, Sudan, United Arab Emirates.

43. *The proposed amendment contained in document [A/HRC/56/L.43](#) was rejected by 25 votes to 3, with 17 abstentions.*

44. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/56/L.44](#).

45. *At the request of the representative of Costa Rica, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, China, Cuba, Eritrea, India, Indonesia, Malaysia, Viet Nam.

Against:

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

Abstaining:

Benin, Burundi, Cameroon, Côte d'Ivoire, Ghana, Kuwait, Kyrgyzstan, Maldives, Morocco, Qatar, Somalia, Sudan, United Arab Emirates.

46. *The proposed amendment contained in document [A/HRC/56/L.44](#) was rejected by 24 votes to 9, with 13 abstentions.*

47. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/56/L.45](#).

Statements made in explanation of vote before the voting

48. **Mr. Bonnafont** (France) said that his delegation called for the proposed amendment to be rejected. As history had shown, human rights were almost never granted but were hard-won by people's movements and the actions of defenders. It was therefore of the utmost importance that the Council should reaffirm the obligation to protect not only the right to peaceful protest, but also the actions of defenders. Current events in too many countries were a reminder, if any were needed, that the Council must remain steadfast on that point. All over the world, human rights defenders were being subjected to threats, intimidation, denigration, torture, reprisals, enforced disappearance and even death. France particularly admired the courage and determination of women and young human rights defenders. It was the responsibility of the Council to recognize the struggle of those human rights defenders, who made an essential contribution to the practical application of international human rights instruments by promoting rights, warning of their violation and fighting against impunity. France was therefore astonished that an amendment had been presented to replace the term "human rights defenders" with the phrase "those who protect and promote universally recognized human rights" and to delete the reference to "women and girls human rights defenders", which was something that had been accepted in the Council for over 20 years. Indeed, the terms of reference of the Special Rapporteur on the situation of human rights defenders expressly included the consideration of gender issues and called for particular attention to be paid to women human rights defenders. The French delegation would therefore vote against the proposed amendment and called on all members of the Council to do the same.

49. **Ms. Del Colle** (Kingdom of the Netherlands) said that her delegation was taken aback by the proposed amendment, which sought to erase the important concept of human rights defenders from the draft resolution by either replacing it with significantly weaker language or deleting the reference outright. Earlier in the session, delegates of more than 70 States had spoken with one voice in support of human rights defenders, emphasizing that they were leaders of positive change, that their work was crucial in promoting and protecting human rights and democracy worldwide, and that their grassroots views informed decision-making

and enabled United Nations entities to effectively implement their mandates. The Council should celebrate and honour the achievements, courage and sacrifices of human rights defenders. The proposed amendment would do the opposite. The Council had the opportunity to send a strong message of solidarity with human rights defenders in all their diversity. The delegation of the Kingdom of the Netherlands would vote against the proposed amendment and called on all members of the Council to do the same.

50. *At the request of the representative of Costa Rica, a recorded vote was taken.*

In favour:

Algeria, China, Eritrea, Viet Nam.

Against:

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

Abstaining:

Bangladesh, Burundi, Cameroon, Côte d'Ivoire, Indonesia, Kuwait, Kyrgyzstan, Malaysia, Maldives, Morocco, Qatar, Somalia, Sudan, United Arab Emirates.

51. *The proposed amendment contained in document [A/HRC/56/L.45](#) was rejected by 26 votes to 4, with 14 abstentions.**

52. **The President** invited the Council to take action on draft resolution [A/HRC/56/L.19/Rev.1](#).

53. **Mr. Jiang Han** (China), making a statement in explanation of position before the decision, said that China supported the promotion and protection of freedom of assembly and freedom of association. International human rights instruments clearly stated that, in exercising their rights and freedoms, citizens should abide by the law and should not undermine national security, public safety, public order or the legitimate rights and freedoms of others. His delegation had participated actively in the consultations on the draft resolution and had put forward constructive amendments. Although some of those amendments had been accepted, the current draft resolution still had shortcomings. Firstly, it was unbalanced, failing to point out that peaceful demonstrations should be exercised within the framework of the law and that participants in peaceful protests should respect the rights and freedoms of others. Secondly, it included selective citations and arbitrary interpretations of the provisions of international human rights instruments. Thirdly, it contained highly controversial new elements. For those reasons, the Chinese delegation would not join the consensus on the draft resolution. It looked forward to working with the main sponsors towards a broader consensus text in consultations on future versions of the resolution.

54. *Draft resolution [A/HRC/56/L.19/Rev.1](#) was adopted.*

Draft resolution [A/HRC/56/L.26](#): Menstrual hygiene management, human rights and gender equality

55. **Mr. Kah** (Gambia), introducing the draft resolution on behalf of the Group of African States, said that, although the question of the interaction between menstrual hygiene, human rights and gender equality had already been examined by the Council, it remained a matter of concern, particularly in rural and remote areas where there were high levels of menstrual insecurity. It was important to guarantee optimal management of menstrual hygiene for women and girls living in such areas, with the aim of giving effect to their human rights, ensuring their socioeconomic empowerment and achieving gender equality. The importance of the draft resolution was evidenced by the cross-cutting nature of the issue, which affected not only the African continent but also the rest of the world. The Group of African States had

* The delegation of the Gambia subsequently informed the Council that it had intended to vote against the proposed amendment.

succeeded in conducting informal consultations in a spirit of openness and had taken into account the constructive recommendations made by all stakeholders to arrive at a balanced, inclusive and consensual text. It hoped that the Council would adopt the draft resolution by consensus.

56. **The President** announced that 12 States had joined the sponsors of the draft resolution.

57. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the States members of the European Union that were members of the Council, and making a general statement before the decision, said that the European Union, which welcomed the theme of the draft resolution, remained committed to the equal and full enjoyment of all human rights by all women and girls, as well as to their empowerment in a manner free from all forms of discrimination, including multiple and intersecting forms. Menstrual experiences were diverse and shaped by intersecting factors, and menstruation continued to be surrounded by gender stereotypes, negative social norms, stigma, misconceptions and taboos, and discriminatory practices in every society and in a range of contexts, including peace, conflicts, disasters and health crises. Good menstrual health led to better overall health and well-being for women and girls. Society as a whole benefited when women and girls were able to participate in all aspects of life and society, including during menstruation, in a full, equal and meaningful manner.

58. The European Union would have welcomed a stronger focus on menstrual health in the draft resolution. Several consensual resolutions of the Council and of the General Assembly and multiple conclusions of the Commission on the Status of Women contained explicit references to menstrual health and hygiene management. Similar references in the draft resolution would have signified acknowledgement of the needs of women and girls around the world, including in rural and remote areas. In future texts, the European Union would specifically welcome a reference to the outcome documents of the 30-year review of the implementation of the Programme of Action of the International Conference on Population and Development and the 30-year review of the implementation of the Beijing Declaration and Platform for Action, as well as the inclusion of references to access to sexual and reproductive health information and health-care services and evidence-based comprehensive sexuality education, and to gender-based violence.

59. **Mr. Guillermet Fernández** (Costa Rica), making a general statement before the decision, said that the draft resolution offered an important opportunity to give visibility to the menstruation-related challenges faced by women and girls, particularly those living in rural and remote areas. Persisting myths and negative perceptions and the lack of information and education around menstruation posed challenges to the development and empowerment of women and girls, while discrimination rooted in gender stereotypes undermined their potential and prevented their full enjoyment of human rights, including the rights to health, education and decent work. It was therefore essential to take action to improve menstrual hygiene in order to promote, respect and protect human rights and gender equality.

60. The draft resolution sought to encourage States to take measures to ensure the availability of accessible and affordable facilities, information and products for optimal and effective menstrual hygiene management and to eliminate or reduce all taxes on such products. Those measures would undoubtedly reduce period poverty and contribute to upholding the rights of women and girls. In order to address menstrual hygiene and its interplay with access to drinking water and sanitation and the rights to decent housing and to the highest attainable standard of physical and mental health, the right to a healthy, clean and sustainable environment must be upheld. His delegation regretted the absence of a reference to that right in the draft resolution and hoped that it would be included in future resolutions on the subject. His delegation reaffirmed its support for the draft resolution, which formed part of efforts to promote dignity in menstruation for all women and girls and called for its adoption by consensus.

61. **Ms. Taylor** (United States of America), speaking in explanation of position before the decision, said that her delegation, which would join the consensus on the draft resolution, wished to emphasize the importance of advancing menstrual health and hygiene as a fundamental aspect of promoting gender equality and enabling women and girls, in all their

diversity, to participate fully, equally and meaningfully in every aspect of society. Her delegation was, however, deeply disappointed that the draft resolution did not explicitly recognize or reference menstrual health or sexual and reproductive health, which were fundamentally interconnected and integral to addressing menstrual hygiene management. To understand the full needs of women and girls, it was critical to appropriately address health considerations and provide accurate information about menstruation. The use of an integrated approach was aligned with existing best practices in the global health community. The absence of such a reference was all the more perplexing given that other resolutions that were prominently cited in the draft resolution contained commitments explicitly addressing and promoting the discussion of menstrual health. Additional explanations would be set out in the general statement to be posted on the website of the Permanent Mission of the United States.

62. *Draft resolution A/HRC/56/L.26 was adopted.*

Agenda item 5: Human rights bodies and mechanisms (A/HRC/56/L.6)

Draft resolution A/HRC/56/L.6: The Social Forum

63. **Ms. Cordero Suarez** (Cuba), introducing the draft resolution, said that her delegation wished to acknowledge the constructive contribution made by a range of States and civil society organizations that recognized the importance of the Social Forum as a unique venue for open and constructive dialogue with the United Nations human rights system, one which allowed for the respectful exchange of views according to the rules of procedure. The Social Forum promoted the active participation of a wide range of civil society actors who recognized it as the ideal setting in which to present their ideas on relevant topics on an equal footing.

64. The draft resolution set out the proposed theme of the 2025 edition of the Forum, namely the contribution of education to the respect, promotion, protection and fulfilment of all human rights for all. The 2025 edition would be a space in which to engage in the broad, constructive and respectful exchange of lessons learned and best practices with regard to how education and training could contribute to eliminating all forms of discrimination, religious intolerance and xenophobia. Education was also fundamental in the promotion of the right to peace, the peaceful resolution of conflicts and the achievement of sustainable development and was a determining factor in addressing the root causes of problems in the area of human rights. By way of demonstrating the commitment of Cuba to ensuring efficiency in the Council's work, and in the light of the liquidity crisis facing the United Nations, in 2025 the Social Forum would meet for only two days. Her delegation hoped that the draft resolution would be adopted by consensus.

65. **The President** announced that 12 States had joined the sponsors of the draft resolution.

66. *Draft resolution A/HRC/56/L.6 was adopted.*

Agenda item 9: Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action (A/HRC/56/L.21)

Draft resolution A/HRC/56/L.21: Mandate of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement

67. **Mr. Kah** (Gambia), introducing the draft resolution on behalf of the Group of African States, said that the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, which had been established in 2021 pursuant to Council resolution 47/21, had a mandate to further transformative change for racial justice and equality in law enforcement globally, especially where relating to the legacies of colonialism and the transatlantic slave trade. It investigated government responses to peaceful anti-racism protests and violations of international human rights law and worked towards accountability and redress for victims. Its tasks included country visits, inclusive outreach and intersectional consultations with States, affected communities and stakeholders. During its first mandate,

between 2021 and 2024, the Expert Mechanism had, inter alia, conducted several country visits and one regional visit and sent nine communications to States regarding police violence. In its 2022 thematic report, it had emphasized the importance of disaggregated data collection by race or ethnic origin to drive and assess responses to systematic racism in law enforcement and the criminal justice system. In its 2023 thematic report, it had offered recommendations on reimagining policing to address systematic racism, close trust deficits and strengthen institutional oversight. Its third thematic report, on justice, accountability and redress, would be presented at the Council's fifty-seventh session. The Expert Mechanism had also engaged extensively with civil society through events and webinars. The Expert Mechanism required more time and resources to continue its work, including addressing the root causes of racism; it was therefore crucial that its mandate should be renewed until the Council's sixty-sixth session to continue advancing racial justice and equality in law enforcement. The Group of African States hoped that the draft resolution would be adopted by consensus.

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

General statements made before the decision

69. **Mr. Nkosi** (South Africa) said that the establishment of the Expert Mechanism had marked a significant moment in international efforts to combat racism, racial discrimination, xenophobia and related intolerance. The Expert Mechanism should serve as a game changer in furthering transformative change for racial justice and equality in the context of law enforcement globally, especially where relating to the legacies of colonialism and the transatlantic slave trade. It had completed commendable work during its first mandate. His delegation noted with appreciation the publication, in 2023, of the Expert Mechanism's working methods, which included coordination and collaboration with other human rights mechanisms, and wished to commend, inter alia, the transmission to States of nine requests for information in connection with specific cases of police violence and excessive use of force by law enforcement officials against Africans and people of African descent. It supported the Expert Mechanism's intersectional approach to investigating incidents of racism around the world. It was concerning that, despite global efforts, racism and racial discrimination continued to manifest themselves through, inter alia, social and economic inequalities, marginalization and hate speech in many parts of the world, targeted at Africans and people of African descent in particular. Racism and all other forms of discrimination had no place in any society; the lack of implementation of Council and General Assembly resolutions in that regard was a concern. His delegation fully supported the explicit request, as set out in the draft resolution, for the three members of the Expert Mechanism to participate in all of its country visits and consultations, given the complementary nature of their expertise. It urged OHCHR to strengthen administrative and substantive support for the Expert Mechanism and provide all the necessary resources for it to effectively fulfil its mandate to investigate incidents of racism and racial discrimination whenever they occurred. His delegation called for the adoption of the draft resolution by consensus.

70. **Ms. Taylor** (United States of America) said that the United States was deeply committed to promoting racial equity globally and had proudly sponsored the draft resolution in order to continue that work. While much progress had been made, so much remained to be done to confront history with the aim of building a better future. Her Government was working to address disparities across key areas of American life, including the economy, health, education, housing, environmental justice and community safety, and looked forward to working with other States that were also genuinely committed to improving ethnic and racial justice both at home and abroad. The United States had been pleased to host the Expert Mechanism for one of its first official visits and remained committed to working with it and other special procedures in the future.

71. **Mr. Guillermet Fernández** (Costa Rica) said that independent justice mechanisms that advocated for transformative change were key in the fight against racial injustice. Costa Rica supported action aimed at turning law enforcement agents into agents of change who ensured, in the exercise of their functions, that human dignity was respected and protected for everyone, without discrimination. States must guarantee that judicial systems were

comprehensive and impartial as a prerequisite to protecting human rights, the rule of law, good governance and democracy. His delegation supported the renewal of the Expert Mechanism's mandate. The aspirations of the Universal Declaration of Human Rights and the Durban Declaration and Programme of Action must become reality, and steps must be taken to address the historical roots of the inequalities and structural inequity that led to police violence, racial profiling, lack of access to justice and judicial systems with blind spots that excluded Africans and people of African descent. Efforts should continue to be made to coordinate the work of the different Durban mechanisms to find greater synergies. His delegation wished to reiterate its support for a second International Decade for People of African Descent.

72. **Mr. Jiang Han** (China) said that the elimination of all forms of racism and the equal enjoyment of dignity and rights for all formed the essence of the Charter of the United Nations and embodied international equity and justice. However, the pernicious legacy of colonialism and the slave trade had not yet been eradicated. White supremacy, racism and racial discrimination gave rise to widespread violations of the human rights of various groups, including people of African descent and people of Asian descent. States should adopt effective action to address systemic police violence and racial discrimination and provide effective reparations to the victims of the slave trade and colonialism and eliminate the breeding grounds of racism, which included poverty, social exclusion and social disparities. The delegation of China welcomed the draft resolution and would join the consensus thereon.

73. *Draft resolution A/HRC/56/L.21 was adopted.*

Agenda item 10: Technical assistance and capacity-building (A/HRC/56/L.2, A/HRC/56/L.10/Rev.1 and A/HRC/56/L.22)

Draft resolution A/HRC/56/L.2: Enhancement of technical cooperation and capacity-building in the field of human rights in Colombia to implement the recommendations of the Commission for the Clarification of Truth, Coexistence and Non-Repetition: follow-up to Human Rights Council resolution 53/22

74. **Mr. Gallón** (Observer for Colombia), introducing the draft resolution, said that the aim of the text was to give follow-up to the mandate that had been conferred on OHCHR in Council resolution 53/22 and supplement it based on the observations and recommendations that had arisen from the Office's activities in implementation of that resolution. The draft resolution invited Member and observer States, civil society organizations and all relevant stakeholders to continue to actively contribute to achieving peace in Colombia and to the efforts to implement the recommendations made by the Truth Commission. It also invited the United Nations High Commissioner for Human Rights to accompany the implementation of the recommendations set out in his report on technical assistance and capacity-building in Colombia (A/HRC/56/71) and of the recommendations presented to the Council on 2 April 2024 by the international human rights expert Antonia Urrejola with a view to removing the obstacles to the implementation of the 2016 peace agreement. The draft resolution also invited the High Commissioner to include in the report that would be presented to the Council at its fifty-ninth session an analysis of the technical cooperation and capacity-building provided, with a particular focus on victims, the fight against impunity, the protection of social leaders, human rights defenders and ex-combatants, the protection of children, security sector reform and the development of a culture of peace to replace the culture of war that had prevailed in Colombia for many years. It also referenced the urgent need for OHCHR to be provided with the resources allocated to it in order to enable it to fulfil its mandate. Colombians were tired of the violence and conflict that, over the course of more than 60 years, had robbed everyone, especially the most vulnerable, of the enjoyment of their human rights. However, they would never tire of striving to achieve a peace that was rooted in respect for and the protection and full realization of human rights for all Colombians.

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

General statements made before the decision

76. **Ms. Fuentes Julio** (Chile) said that her delegation welcomed the presentation of the draft resolution and the efforts being made to act on the recommendations made by the Truth Commission. International cooperation played an essential role in the pursuit of fairer and more equitable societies. It was thus especially important to adopt the draft resolution, which would broaden the scope of technical assistance and capacity-building and invite the High Commissioner to analyse the impact of those activities on the implementation of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace. Particularly welcome was the Council's recognition that efforts to address the structural causes of violence should integrate a gender- and ethnic-based approach. Chile was of the view that every step that made it possible to know the truth and obtain justice, reparation and guarantees of non-repetition should be taken. For that reason, it had again sponsored the draft resolution, which her delegation called on the Council to adopt by consensus.

77. **Mr. Bonnafont** (France) said that his country welcomed the renewal of an initiative that highlighted the Council's constructive role in the national reconciliation efforts to which the introduction of the draft resolution bore witness. The draft resolution also bore witness to the courage of the people of Colombia and to the determination of the country's Government to achieve a lasting peace after more than fifty years of conflict. There were still obstacles to the implementation of the Final Agreement, not least in respect of demobilized combatants, human rights defenders, Indigenous Peoples and people of African descent. Colombia nonetheless sought to show that change was possible, that social harmony was within reach and that peace could again prevail. It was therefore necessary to use every available United Nations mechanism to support Colombia, to help it consolidate the progress it had made and to ensure that the Final Agreement was a success. France had supported the peace process since 2012, when it had begun, and would continue to support Colombia as long as necessary. His delegation, too, called on the Council to adopt the draft resolution by consensus.

78. **Ms. Arias Moncada** (Honduras) said that her country welcomed the efforts made by Colombia to implement the Final Agreement and the recommendations made by the Truth Commission, the independent international human rights expert appointed by the High Commissioner to prepare a report on the obstacles to the implementation of the Final Agreement and OHCHR. The promotion of public policy on dismantling criminal organizations that included a human security approach from a human rights standpoint required considerable support from the international community and was of great interest to Honduras. In view of the cash-flow crisis affecting the United Nations, she welcomed the reiteration in the draft resolution of the Council's request to the Secretary-General that he should ensure that OHCHR was provided with all the resources necessary to facilitate the technical assistance envisaged by the Council in its resolution 53/22 and in the draft resolution. Technical assistance and capacity-building were important. Her country hoped that the adoption of the draft resolution, which it had been pleased to sponsor, would help Colombia achieve total peace.

79. **Ms. Taylor** (United States of America), noting that her country and Colombia shared values that underscored an overarching belief in the human rights of all individuals, said that it was an honour for the United States to accompany the peace process under way in Colombia. The Government of Colombia was to be commended for its efforts, informed by an ethnic- and gender-specific approach, to implement the Final Agreement and move the process of transitional justice forward. Earlier in 2024, the United States and Colombia had signed a memorandum of understanding pursuant to which the United States would partner with Colombia on work to centre women's issues and leadership throughout the peace process. The Colombian peace process, which involved the equal representation of women and men, the promotion of gender and racial equity and extensive consultations with civil society, was authentically inclusive, and the commitment of the United States to that process was unwavering. It supported the Colombian request for technical assistance and capacity-building and was proud to be a sponsor of the draft resolution.

80. **Mr. Guillermet Fernández** (Costa Rica), expressing his country's firm support for the draft resolution, said that Colombia had developed an exemplary model for the use of technical assistance and capacity-building. The draft resolution centred on the country's most urgent human rights needs and priorities. The steps that the Colombian authorities had taken

in follow-up to the recommendations made by the international human rights expert and the inclusion of those recommendations in the draft resolution were also commendable. Costa Rica welcomed the constant dialogue between the mechanisms created by the Council and OHCHR that characterized the process of enhancing technical cooperation and capacity-building in the field of human rights in Colombia. It also welcomed the draft resolution's emphasis on the international human rights expert's recommendation that the Attorney General's Office should create a group of independent experts to provide technical support during its investigations. The adoption of the draft resolution would clearly help the people and Government of Colombia move farther along the path towards total peace.

81. **Mr. Jiang Han** (China) said that the Government of Colombia was to be commended for its ongoing efforts to implement the Final Agreement and promote human rights in the country. China was in favour of the provision of technical assistance and capacity-building by OHCHR when, as in the case at hand – an unusual case that could not be considered a precedent for country-specific resolutions – the country concerned had requested enhanced technical assistance and capacity-building. China was therefore ready to support the draft resolution and continue working with the international community to promote the human rights of the Colombian people.

82. **Mr. Nkosi** (South Africa), welcoming the policy of total peace championed by the President of Colombia and his Administration, said that, although challenges remained, his delegation wished to pay tribute to the tireless work of civil society and victims' organizations to advance the implementation of the Final Agreement. As the South African authorities had noted during the visit that the Vice-President of Colombia had made to South Africa in 2023, South Africa would not waver in its support for those efforts. Technical assistance and capacity-building were a central component of the Council's work, but the draft resolution was particularly important, as Colombia, the country concerned, had of its own accord requested assistance. Its request derived directly from the needs and priorities that the country itself had identified. Accordingly, nothing could be more deserving of the Council's attention than helping Colombia take forward the recommendations for an initiative undertaken to shed light on decades of atrocities and restore the rights of more than 9 million victims. It had been an honour to learn that the Truth and Reconciliation Commission of South Africa had served as a model for the approach taken in Colombia.

83. *Draft resolution A/HRC/56/L.2 was adopted.*

Draft resolution A/HRC/56/L.10/Rev.1: Informing the Human Rights Council on the human rights adviser programme

84. **Mr. Sultanov** (Kyrgyzstan), introducing the draft resolution on behalf of the main sponsors, namely Latvia, Paraguay, Sierra Leone, Sweden, the United Kingdom and his own delegation, said that OHCHR field presences were an essential source of advisory services and other forms of support for countries wishing to improve their human rights situations. The human rights advisers at the field offices worked with United Nations country teams and resident coordinators to mainstream human rights across the United Nations system. The human rights adviser programme was a pivotal initiative that supported the robust enhancement of national capacities in addressing human rights challenges. The ultimate goal of the draft resolution was to increase awareness of the programme, which needed to be better understood by States, and shine a light on its key achievements, the challenges it faced and what it could do for all countries. A deeper understanding of the programme by the Council would help make it possible to focus more closely on providing support to countries that were underrepresented in Geneva. Prospective donors were invited to consider providing further support to the programme. His delegation hoped that the draft resolution, which had been prepared in such a way as to accommodate the widest possible range of positions, could be adopted by consensus.

85. **The President** said that 20 States had joined the sponsors of the draft resolution.

General statements made before the decision

86. **Ms. Osman** (Malaysia) said that human rights advisers helped States act on their human rights priorities by providing technical assistance. In Malaysia, for instance, OHCHR

and the human rights adviser had helped the country develop a national database that had made it possible to track progress towards the implementation of the recommendations that it had accepted within the framework of the periodic review of its human rights record. Human rights advisers should, of course, be deployed only at the explicit request of the State concerned. The focus of their work should be on the priorities identified by that State, and the programme should continue to draw on extrabudgetary resources. The main sponsors had accommodated some of her delegation's views, and in the draft resolution, which was now a balanced text, States were referred to as the primary bearers of responsibility for the promotion and protection of human rights. Accordingly, Malaysia would be pleased to join other States members of the Council in adopting it by consensus.

87. **Mr. Alimbayev** (Kazakhstan), commending the main sponsors for their constructive approach to negotiations on the text, said that the aim of the draft resolution was to draw the attention of the international community to the need to support the mainstreaming of human rights in United Nations country presences and thereby to enhance capacity-building in the field of human rights and strengthen national institutions for the protection and promotion of human rights. Kazakhstan called on the Council to adopt the draft resolution by consensus.

88. **Ms. Cordero Suarez** (Cuba), reiterating her Government's commitment to engaging in constructive cooperation on human rights, including with OHCHR, said that any activity undertaken in the field by the United Nations should be undertaken only at the request and with the consent of the State concerned. Those activities should also take place within the parameters defined by that State. The main sponsors had responded appropriately to the concerns expressed by delegations during the negotiation process. They had also been willing to hold several rounds of bilateral consultations with a view to drafting a text on which consensus could be reached. It would nonetheless be helpful for initiatives such as that proposed in the draft resolution to be submitted with more lead time, so that they could be considered with the necessary thoroughness. The consideration of the draft resolution under agenda item 10 was significant. It suggested that the human rights advisers were to focus only on the technical and capacity-building assistance requested by the States concerned. As a token of its commitment and constructive approach to cooperation with the human rights mechanisms of the United Nations, Cuba supported the adoption by consensus of the draft resolution.

89. **Mr. Jiang Han** (China), expressing appreciation for the main sponsors' efforts to take on board the constructive views expressed by a number of delegations, said that China had always supported the work done by OHCHR in the context of its mandate to provide technical assistance to States that requested it. China noted with appreciation that, in some countries, activities undertaken as part of the human rights adviser programme with those countries' consent had contributed to the promotion and protection of human rights, not least as a result of close communication and respect for national conditions and needs. It was thus clear that mutual trust, constructive dialogue and cooperation were the way to promote and protect human rights. China was ready to join the consensus on the draft resolution, in which the Council simply requested the High Commissioner to prepare a report on the current status and work of the human rights adviser programme and to present the report to the Council at its sixtieth session.

90. *Draft resolution [A/HRC/56/L.10/Rev.1](#) was adopted.*

Draft resolution [A/HRC/56/L.22](#): Technical assistance and capacity-building to improve human rights in Libya

91. **Mr. Kah** (Gambia), introducing the draft resolution on behalf of the Group of African States, said that the draft resolution, in which the Council requested OHCHR to continue to provide technical assistance and capacity-building to Libya as provided for by the Council in its resolution 52/41, had been prepared with the full participation of the State concerned. The draft resolution was a clear message from Libya that it respected its international obligations and was committed to improving the human rights situation in the country. The main sponsors called on the Council to adopt it by consensus.

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

93. **Ms. Taylor** (United States of America), making a general statement before the decision, said that her country, which strongly supported the continued provision of technical assistance and capacity-building to Libya, appreciated the Libyan Government's cooperation with OHCHR. The Libyan authorities should engage more closely with OHCHR to enhance protection of civic space. The United States was concerned about clampdowns on civil society and ongoing reports of extrajudicial killings, enforced disappearance, torture, increased gender-based violence and arbitrary arrests and detention. It looked forward to continuing to work with the international community to support Libyan efforts to improve its human rights situation.

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

95. **Ms. Abusedra** (Observer for Libya), thanking the delegation of the Gambia for its efforts to facilitate discussion of the draft resolution, said that Libya, in a bid to build the capacity of the national institutions responsible for the promotion of human rights, had sought to cooperate with OHCHR and the United Nations Support Mission in Libya. Constructive cooperation was important, and the draft resolution had been submitted by the Group of African States, of which Libya was a member, to help ensure that it would continue. Her delegation hoped that the draft resolution, which clearly reflected her country's determination to improve its human rights situation, would be adopted by consensus.

96. *Draft resolution [A/HRC/56/L.22](#) was adopted.*

The meeting rose at 12.20 p.m.