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President: Mr. Zniber(Morocco)

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The meeting was called to order at 3.05 p.m.

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 (continued) (A/HRC/56/L.16)

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.16: Situation of human rights in Eritrea

2. **Mr. Turbék** (Observer for Hungary), introducing the draft resolution on behalf of the European Union, said that the dire human rights situation in Eritrea showed no signs of improvement as patterns of gross violations persisted unabated. Eritreans continued to be subjected to enforced disappearance and arbitrary and incommunicado detention, while the country's indefinite national/military service amounted to forced labour and was linked to torture. The Government kept a tight control on all aspects of public life, and civic space remained completely closed without any independent media, civil society organizations or political opposition parties. Religious repression also continued to escalate. At the same time, the rule of law was inadequate and there was no independent judiciary or other accountability mechanisms.

3. Sadly, Eritrea continued its policy of non-engagement or very limited engagement. It had failed to cooperate with African and international human rights mechanisms and it had not responded to numerous requests to begin technical cooperation made by the Office of the United Nations High Commissioner for Human Rights (OHCHR) since its visit to the country in May 2022. Although Eritrea participated in the universal periodic review, the vast majority of recommendations made in previous review cycles had gone unimplemented, as had the recommendations of the treaty bodies. That lack of cooperation and the scale of human rights violations on the ground stood in stark contrast to the country's membership of the Human Rights Council, which came with a responsibility to uphold the highest human rights standards. The principles of sovereignty and non-interference in internal affairs did not free States from their obligations under international human rights law, and a country's lack of agreement with Council resolutions should not provide it with an easy tool to escape international scrutiny. The Council had a clear responsibility to speak out and to ensure continuous and consistent monitoring and reporting.

4. The text of the draft resolution was the outcome of an open, transparent and inclusive negotiation process. The sponsors had hoped to engage with the country concerned but their repeated invitations had gone unanswered. The door, nonetheless, remained open. He trusted that the draft resolution would be adopted by consensus.

5. **The President** announced that six States had joined the sponsors of the draft resolution.

General statements made before the voting

6. **Mr. Jiang Han** (China) said that his country had always believed that differences in the field of human rights should be addressed through constructive dialogue and cooperation, and that the work of the Council needed to be guided by the principles of universality, impartiality, objectivity and non-selectivity. China opposed the politicization of human rights issues and the open exertion of pressure. By forcibly extending the mandate of the Special Rapporteur on the situation of human rights in Eritrea, the draft resolution ignored the efforts and progress made by the Government of Eritrea in the promotion and protection of human rights and its clear and repeated requests for the discontinuance of the mandate. Such interference in the internal affairs of another country was a source of grave concern. For that reason, his delegation called for a vote on the draft resolution and hoped that other delegations would join China in voting against it.

7. **Ms. Hysi** (Albania) said that her country remained deeply concerned about the human rights situation in Eritrea and the persistent violations reported by the Special Rapporteur, OHCHR and other United Nations experts. It was unfortunate that the Eritrean authorities

had shown little willingness to address those concerns and that dissenting voices continued to be repressed and silenced. She wished to echo the Special Rapporteur's warning that, if the persistent violations were not addressed, the cycle of suffering and repression would continue, stifling the country's potential for peace and development. For that reason, the situation in Eritrea merited the continued scrutiny of the Council. While welcoming the participation of Eritrea in the latest universal periodic review cycle, her delegation was troubled by its lack of meaningful cooperation with other bodies, and reiterated the call, made in the draft resolution, for the Government of Eritrea to strengthen cooperation with United Nations human rights mechanisms, in line with the principle of non-selectivity. It also hoped that the Government would reconsider its policy of non-engagement with the Special Rapporteur, grant him full access to the country and implement his recommendations. If the draft resolution were adopted, it would give Eritrea another chance to prove that it had an earnest desire to engage with United Nations human rights mechanisms. Albania would vote in favour of the text and hoped other members of the Council would do likewise.

8. **Mr. Foradori** (Argentina) said that the violations reported by the Special Rapporteur on the situation of human rights in Eritrea and other United Nations experts included arbitrary detention, inhuman detention conditions, enforced disappearance, summary executions and sexual and gender-based violence. Moreover, freedom of opinion and expression, of conscience and religion, and of peaceful association were severely compromised, and the country had held no elections since its independence in 1993. There was no evidence to indicate that Eritrea had taken any measures to investigate and prevent the reported violations. Unfortunately, Eritrea continued to pursue its policy of limited engagement with human rights mechanisms and it had not responded to repeated requests from a number of special procedure mandate holders, including the Special Rapporteur on the right to freedom of opinion and expression and the Special Rapporteur on torture. The country's lack of cooperation had also been noted by OHCHR, the Human Rights Committee and the African Commission on Human and Peoples' Rights. Eritrea had failed to implement the vast majority of the recommendations made by those bodies and by States during the universal periodic review. The principles of sovereignty and non-interference did not free States from their obligations under international human rights law, and membership of the Human Rights Council entailed a responsibility to uphold the highest human rights standards. The draft resolution gave Eritrea another chance to cooperate meaningfully with United Nations human rights mechanisms. The gravity of the circumstances and the lack of any sign of improvement meant that the situation demanded continuous and consistent monitoring and reporting on the ground, and the only way to achieve that end was to renew the mandate of the Special Rapporteur. Argentina intended to vote in favour of the draft resolution and invited other delegations to do the same.

9. **Ms. Taylor** (United States of America) said that the grave human rights situation in Eritrea was rooted in the absence of fundamental freedoms, democracy and the rule of law. The draft resolution sought to open the severely constrained civil society space in a country where reports of arbitrary detention and enforced disappearance were commonplace and where persons practising a religion not sanctioned by the State continued to face arrest. Members of the Eritrean military had perpetrated atrocities in northern Ethiopia, including war crimes and crimes against humanity. Those responsible needed to be held accountable. The United States was proud to be one of the sponsors of the draft resolution, which sought to extend the mandate of the Special Rapporteur on the situation of human rights in Eritrea and which was a clear call from the international community to encourage Eritrea to respect human rights and allow independent civil society organizations to operate. She urged other Council members to join her delegation in voting in favour of its adoption.

10. **Mr. Hassan** (Sudan) said that the Sudan always rejected and voted against resolutions that were adopted against the will of the State concerned, as was the case of the present draft resolution on the situation of human rights in Eritrea. All States had the right to set their own priorities and to choose policies that best addressed their own circumstances and the challenges they faced. Eritrea had, in fact, made considerable efforts to advance social justice and cooperate with United Nations agencies. The Sudan strongly upheld the principle that the purpose of the Council was to promote and protect human rights without politicization, selectivity or double standards. He therefore called on members to vote against the draft

resolution and to put an end to the mandate of the Special Rapporteur on the situation of human rights in Eritrea.

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

12. **Mr. Ghirmai** (Eritrea) said that, on the basis of the Special Rapporteur's biased report on the situation of human rights in Eritrea, the European sponsors of the draft resolution had presented an intrusive, sovereignty-violating text that reflected their refusal to acknowledge anything positive coming out of Eritrea. Time and again, African voices had been suppressed in the Council, in a blatant continuation of historical injustices. Moreover, the draft resolution came at a time when Eritrea was presenting its second voluntary national review which showcased its successes towards implementing the Sustainable Development Goals, despite the unilateral coercive measures imposed by members of the Council.

13. People in Eritrea were currently celebrating the thirtieth anniversary of the national service programme as well as the crowning achievements in the current Tour de France of the Eritrean cyclist, Biniam Girmay, who was one of the hundreds of thousands who had completed the national service programme and who stood as a testament to its success. At the same time, certain groups within the Council and the global order were exhibiting the same hubris and arrogance as the colonial powers that had preceded them. They believed that they could single out, humiliate, diplomatically isolate, and unilaterally coerce others with impunity. It was difficult to see that as anything other than a form of systemic prejudice. Yet, despite decades-long assaults on its people and Government, using human rights as a pretext, Eritrea remained undeterred. It did not seek validation from the United Nations, only fair treatment. He urged that justice and equality should prevail within the Council and that members should vote against the draft resolution.

Statements made in explanation of vote before the voting

14. **Mr. Antwi** (Ghana) said that, although his delegation acknowledged the vital contribution that special procedure mandate holders made to the work of the Human Rights Council, it remained concerned about the persistent disagreements among Council members regarding the effectiveness of country-specific mandates adopted without the agreement of the State concerned. In fact, the holders of such mandates did not receive the cooperation and support they required. His delegation would abstain from voting on the draft resolution, firstly because the references to northern Ethiopia fell outside the scope of the country-specific mandate. Concerns in that regard needed to be addressed in the light of objections made by Ethiopia itself. Secondly, his delegation was of the belief that the Council needed to recalibrate its approach towards Eritrea, which had been on the Council agenda for more than 12 years. Greater attention needed to be devoted to providing technical assistance and to building capacity and trust, with a focus on fostering genuine and constructive dialogue in a spirit of partnership and shared responsibility. He urged Eritrea to build on the positive momentum generated by its recent universal periodic review and hoped it would follow through on its commitment to implement the recommendations arising out of the review process.

15. **Mr. Simas Magalhães** (Brazil) said that his country continued to follow the human rights situation in Eritrea very closely. He commended Eritrea for its recent participation in the universal periodic review and encouraged it to engage with other mechanisms of the Human Rights Council as well as with OHCHR. Brazil believed that the extension of the mandate of the Special Rapporteur on the situation of human rights in Eritrea could be beneficial to addressing the country's pressing challenges and would therefore vote once again in favour of the draft resolution. His delegation was particularly concerned by accounts of political, ethnic and religious persecution, including through unlawful detention and enforced disappearance. Special attention needed to be paid to reports of the involvement of Eritrean forces in the commission of human rights violations in the Tigray region of Ethiopia. The draft resolution offered an important opportunity for the Government to cooperate with OHCHR in order to strengthen the protection of human rights in Eritrea.

16. **Ms. Cordero Suarez** (Cuba) said that the draft resolution was an example of the double standards that prevailed in the treatment of human rights. Her country was invariably opposed to punitive, selective and politically motivated resolutions that were adopted without

the agreement of the State concerned. The mandate of the Special Rapporteur on the situation of human rights in Eritrea had shown itself to be ineffective, inefficient and doomed to failure. In the middle of the financial crisis currently afflicting the United Nations, vast sums were being wasted that would be better employed to support national policies for the promotion and protection of human rights.

17. Her delegation firmly opposed the use of item 2 of the Council agenda to promote political action against developing States. Countries that insisted on doing so merely contributed to undermining the credibility of the Council, which increasingly seemed to be imitating the discredited practices that had led to the collapse of the Commission on Human Rights. Only through constructive cooperation, respectful dialogue and the strengthening of the universal periodic review mechanism could the Council effectively achieve its purpose of upholding all human rights. Cuba wished to reiterate its support for the principles of international law and the Charter of the United Nations, including respect for the sovereignty of States and non-interference in their internal affairs. Those principles were complemented by the inalienable right of peoples to self-determination and to the free choice of an economic, political and social system that best responded to their particular needs. The countries of the global South did not need any more political interference. They required technology transfer, capacity-building, special and differentiated treatment and external investment under favourable terms. Above all, they required the sponsors of the text to uphold their commitment to provide official development aid. For all those reasons, her delegation would vote against the draft resolution.

18. *At the request of the representative of China, a recorded vote was taken.*

In favour:

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

Against:

Algeria, Burundi, China, Cuba, Eritrea, India, Somalia, Sudan.

Abstaining:

Bangladesh, Benin, Cameroon, Côte d'Ivoire, Gambia, Georgia, Ghana, Indonesia, Kazakhstan, Kuwait, Kyrgyzstan, Malawi, Malaysia, Maldives, Morocco, Qatar, South Africa, United Arab Emirates, Viet Nam.

19. *Draft resolution A/HRC/56/L.16 was adopted by 20 votes to 8, with 19 abstentions.*

20. **The President** invited delegations to make statements in explanation of vote or general statements on any of the draft resolutions considered under agenda item 2.

21. **Mr. Ghirmai** (Eritrea) said that when a Government opposed Western interests, challenged the hegemony of the Western countries or refused to conform to their expectations, it was swiftly labelled a “regime”. That label often triggered a ruthless policy of regime change that was characterized by bullying, coercion, and at times, direct aggression. Since 2009, a bloc of countries had relentlessly pursued a regime change agenda against Eritrea. They had applied severe political pressure, imposed unilateral economic sanctions and sought to diplomatically isolate and corner Eritrea into submission. Their efforts had been aimed at humiliating Eritrea simply because it refused to bow to their agenda.

22. There was no need to look any further than the Council, where the state of affairs was profoundly disheartening. A declining global order had coerced an entire bloc to align with its directives with the sole purpose of suppressing a small yet resilient African nation that defiantly rejected the remnants of colonization. The voting patterns within the Council exposed the patronizing and coercive stance of the collective West towards some members. Member States were pressured into voting under duress. It was widely acknowledged that if votes were conducted by secret ballot, the outcomes would vary significantly each time. In a Council ostensibly dedicated to promoting and safeguarding human rights, member States were denied the fundamental freedom to vote according to their conscience. The Council must urgently reform itself and embrace the truth before assuming the moral high ground over others; its current façade was nothing short of a mockery. Certain countries within the

global governance structure must not continue dictating terms and imposing their “long-arm jurisdiction” wherever and whenever they pleased. The steady erosion of member States’ confidence over time posed a grave threat to the Council’s credibility and integrity, casting a shadow over its purported mission of justice and fairness.

Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development (continued) (*continued*)
 (A/HRC/56/L.4, A/HRC/56/L.15, A/HRC/56/L.35 and A/HRC/56/L.36)

Draft resolution A/HRC/56/L.4, as orally revised: Promoting and protecting the enjoyment of human rights by seafarers

23. **Mr. Sorreta** (Observer for the Philippines), introducing the draft resolution, as orally revised, said that seafarers were the backbone of the global shipping industry. Life at sea was fraught with risks to their rights, safety and well-being, and those risks were compounded by crises such as pandemics and attacks against commercial ships. The draft resolution addressed the silent human rights situation in the maritime industry. It urged stakeholders to protect and promote the rights and freedoms of seafarers at all times, including their right to life, and to eliminate all forms of forced or compulsory labour. It also called on States to designate seafarers and other maritime personnel as key workers.

24. Currently, 2 per cent of the world’s shipping crews were female, and that number was growing. The draft resolution recognized the need for the maritime sector to prepare for a future with greater inclusivity. It called on stakeholders to foster an environment where women seafarers were safe and their rights respected. While the draft had undergone early, broad and inclusive consultations, his delegation had still encountered some rough seas in the process, but with the support of partners and an abiding commitment to cooperation, it had charted a course to what was a balanced, cohesive and meaningful text. By adopting the draft resolution, the Council would lend its weight and moral authority to upholding the rights and dignity of 1.9 million seafarers who toiled silently in faraway waters. He hoped that the members of the Council would adopt the draft resolution by consensus.

25. **The President** said that 17 States had joined the sponsors of the draft resolution, which had no programme budget implications.

26. **Mr. Pecsteen de Buytswerve** (Belgium), making a general statement before the decision on behalf of the States members of the European Union that were members of the Council, said that the European Union welcomed the initiative and thanked the delegation of the Philippines for presenting a draft resolution on that subject for the first time in the Council, thus providing an opportunity to discuss the numerous challenges faced by all seafarers, including women. Such dangers were often overlooked. Therefore, it was necessary to hold a broader discussion among United Nations entities and to further enhance cooperation among international organizations. However, the International Labour Organization and the International Maritime Organization should remain the primary forums for addressing questions on seafarers’ rights. The European Union had a long-standing commitment to preventing abusive practices on board ships, improving employment and working conditions for seafarers, making the maritime profession more attractive and ensuring compliance with established training standards.

27. The draft resolution prioritized the effective implementation of existing standards and mechanisms to prevent human rights violations at sea. His delegation especially welcomed the references to the United Nations Convention on the Law of the Sea and the Guiding Principles on Business and Human Rights and the designation of seafarers and other marine personnel as key workers. It had taken note of the sponsors’ stated reasoning for the use of the term “high-risk areas” in the text, which was intended to refer to the high level of exposure to risks to safety and life due to war, military tension, hostilities, pirate activity and other circumstances causing immediate danger to visiting vessels and their crews. The European Union reiterated, however, that the Maritime Labour Convention, 2006, as amended, was the applicable framework, where the term “war zone” was used. It therefore interpreted the draft resolution within that established understanding. The European Union encouraged all members of the Council to adopt the draft resolution by consensus.

28. **Ms. Savitri** (Indonesia), making a general statement before the decision, said that, as one of the largest sources of global seafarers, Indonesia shared the sponsors' strong commitment to the promotion and protection of the rights of seafarers worldwide. It had been a top priority in her country's foreign policy and diplomacy to provide protection for its citizens abroad, including seafarers. The difficult and challenging circumstances faced by seafarers reaffirmed the need for all States, businesses and other relevant stakeholders to recognize, respect and fulfil their fundamental rights. For that reason, Indonesia had sponsored General Assembly resolution 75/17 on international cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains, adopted in 2020. That resolution urged Member States to designate seafarers and other marine personnel as key workers. She was pleased that the same wording had also been reflected in the draft resolution under consideration.

29. Her delegation welcomed the inclusion in the draft resolution of the United Nations Convention on the Law of the Sea as the comprehensive international regime governing all uses of the ocean and seas and their resources. Paragraph 4 of the text included a reference to "high-risk areas", a term that had not been defined in international law; her delegation considered that the use of that term would not set any precedent to justify unlawful action or activities. Her delegation hoped that the adoption of the draft resolution by the Council would reinforce the global commitment to advancing the human rights of seafarers and to ensuring their safe, decent and secure living and working conditions. Indonesia had joined the sponsors of the draft resolution and supported its adoption by consensus.

30. **Mr. Jiang Han** (China), making a general statement before the decision, said that China attached great importance to the protection of the rights of maritime personnel and had participated constructively in the consultations on the draft. His delegation was of the view that the United Nations Convention on the Law of the Sea, which was cited in the text, was the comprehensive legal instrument governing the oceans and seas, but that it had no direct bearing on the enjoyment of human rights by seafarers. It was concerned therefore by the selective citation of irrelevant international law in the text, which went beyond the scope of the draft resolution. Furthermore, the reference to "unlawful acts against the safety of maritime navigation" was vague and did not meet the requirements of Council resolutions in terms of accuracy and standardization. His delegation was of the view that reference should be made only to the relevant international convention so as to reflect the spirit of the rule of law and ensure the effective promotion of the rights of maritime personnel in accordance with existing international law.

31. The Chinese delegation had put forward a number of reasonable proposals with regard to the text, some of which had been incorporated by the sponsors during the constructive consultations. Although his delegation believed that the text still contained some problematic elements, it was ready to join the consensus on the draft resolution, as orally revised, in the interest of strengthening dialogue and cooperation among all parties with a view to jointly promoting and protecting the rights of maritime personnel. His delegation would continue to uphold the principles of objectivity, impartiality, non-selectivity, non-confrontation and non-politicization and would work with all parties to advance global human rights governance in a more equitable, just, reasonable and inclusive direction.

32. **Ms. Taylor** (United States of America), speaking in explanation of position before the decision, said that her delegation was pleased to join the consensus on the draft resolution. She thanked the Philippines for raising awareness of the plight of seafarers, who often came from poor backgrounds and worked in dangerous and difficult conditions. Any attack on seafarers anywhere in the world was unacceptable. Her delegation called on member States to respect international law and rulings, and joined the Philippines in decrying the human rights abuses that threatened the well-being of seafarers, including women seafarers. She welcomed the Council's continued work to advance discussions on such an important human rights priority. Nonetheless, her delegation wished to state its position on a few points.

33. Issues that affected seafarers' human rights could also affect their internationally recognized labour rights. However, not all labour rights were also human rights. Human rights and labour rights stemmed from different international instruments and different bodies of law and entailed different international obligations. Her delegation held that the labour rights issues raised in the draft resolution were comprehensively addressed by other relevant

bodies within the United Nations system, such as the International Labour Organization and the International Maritime Organization, which had the necessary technical expertise. In her delegation's view, the Council and OHCHR were not the appropriate bodies to provide technical assistance on such matters.

34. The right to the opportunity to gain one's living by work which one freely chose or accepted, as provided for in the International Covenant on Economic, Social and Cultural Rights, did not necessarily include decisions on whether to sail or to continue sailing on high-risk waters. She agreed, however, that such decisions should not negatively affect a seafarer's employment competitiveness or future deployment. While States had an obligation to promote and protect the enjoyment of human rights, the Guiding Principles on Business and Human Rights did not create an obligation for States to ensure that business enterprises respected human rights. Nonetheless, her delegation expected non-State actors such as shipping industry stakeholders to respect the enjoyment of human rights, in line with the Guiding Principles.

35. *Draft resolution A/HRC/56/L.4, as orally revised, was adopted.*

Draft resolution A/HRC/56/L.15, as orally revised: Technology-facilitated gender-based violence

36. **Mr. Pecsteen de Buytswerve** (Belgium), introducing the draft resolution, as orally revised, on behalf of Albania, the Plurinational State of Bolivia, Kazakhstan, Kyrgyzstan, Morocco and his own delegation, said that it was a concise, procedural text, with one single purpose. In the text, the Council requested that the Human Rights Council Advisory Committee should prepare a study on technology-facilitated gender-based violence and its impact on women and girls, highlighting good practices and making recommendations on how to address the issue. The consultations had demonstrated that the problem addressed by the draft resolution was a priority for all delegations. The sponsors had listened to the views of the various delegations and had adjusted the text while respecting the concise nature and balance of the draft. That notwithstanding, two amendments had, regrettably, been submitted. The sponsors had proposed oral revisions of the text and had held repeated discussions with the delegations that had submitted the amendments in order to seek a solution, unfortunately to no avail. He thus called on all delegations to support the adoption of the draft resolution as presented and orally revised.

37. **Ms. Macdonal Alvarez** (Observer of the Plurinational State of Bolivia), continuing the introduction of the draft resolution, said that, in the almost 30 years since the Fourth World Conference on Women in Beijing, the digitalization of society had revolutionized the way in which people interacted and communicated. Despite the many benefits of technology, it had also led to threats and challenges, including technology-facilitated gender-based violence. Such violence was committed through or amplified by the use of information and communication technologies. In 2023, the United Nations Educational, Scientific and Cultural Organization (UNESCO) had reported that 58 per cent of women and girls had been harassed online or on social media. Violence facilitated by technology had a gender dimension. It not only gave rise to psychological, physical and emotional suffering, it also forced women and girls to self-censor, disconnect or reduce their interaction online, thus limiting their participation in life. The main sponsors were grateful to all those who had made constructive contributions. They had respected the variety of positions expressed and had sought to use language conducive to consensus. Her delegation urged all States and the international community to join efforts to combat gender-based violence and asked all members of the Council to support the draft resolution as presented.

38. **The President** invited the representative of Qatar to introduce the proposed amendments contained in documents *A/HRC/56/L.35*, as orally revised, and *A/HRC/56/L.36*.

39. **Mr. Al-Muftah** (Qatar), speaking on behalf of the States members of the Gulf Cooperation Council, said that his delegation had taken part in the informal consultations on the draft resolution with the intention of producing a text that could be adopted by consensus. The countries of the Gulf Cooperation Council considered all forms of violence against women and girls to be a social scourge to be countered with all available means and had

strengthened the protective framework and developed initiatives and programmes to combat that form of violence. In their efforts to combat violence against women and girls, they sought to ensure that the language used was as clear as possible when it came to referring to the victims and the nature of such violence. They had thus submitted the proposed amendment contained in document [A/HRC/56/L.35](#), as orally revised, with the aim of maintaining a clear and unambiguous approach to specifically addressing violence against women and girls, as had been the case in previous resolutions. “Violence against women and girls” more accurately described the group most affected by such violence. It was proposed to replace the phrase “technology-based violence and its impact on women and girls” with “violence against women and girls that occurs through or is amplified by the use of technology” in order to emphasize that technology could be used as a means to exacerbate violence.

40. The proposed amendment contained in document [A/HRC/56/L.36](#) highlighted the importance of involving the Special Rapporteur on violence against women and girls, its causes and consequences in the preparation of the requested study, as she had the necessary competence in that particular area, including in collecting information and making recommendations. Her participation in the study would thus add considerable value. His delegation believed that the proposed amendments would strengthen the draft resolution and ensure that it met the specific needs of those it sought to protect.

41. **Mr. Pecsteen de Buytswerve** (Belgium), speaking on behalf of the sponsors of the draft resolution, said that he wished to voice his surprise at seeing the wording of the last-minute amendments, which sought to introduce language that had not been discussed beforehand. Instead of clarifying matters, the proposed amendment created a great deal of ambiguity and might have implications that could not be foreseen at the current juncture. It would be wisest to retain the language already used and agreed upon within the United Nations for over 30 years. The sponsors could not accept the proposed amendments and requested that they should be put to a vote. They would vote against them and called upon all the members of the Council to do the same.

42. **The President** announced that 20 States had joined the sponsors of the draft resolution, which had no project budget implications. He invited the members of the Council to make general statements on the draft resolution, as orally revised, and the proposed amendments.

43. **Mr. Dan** (Benin) said that combating violence against women had been a national priority for Benin since 2016. In 2021, his country had adopted a dedicated law on gender-based violence and the protection of women. His delegation thus unreservedly supported the draft resolution, whose purpose was to foster a better understanding of gender-based violence facilitated by technology and its impact on girls and women, in order to better combat such practices. His delegation would vote against the proposed amendments.

44. **Ms. Fuentes Julio** (Chile) said that her delegation was grateful to the main sponsors for presenting the draft resolution and endeavouring to clarify how gender-based violence had different effects on women, girls, children and men. Information and communication technologies had huge potential to empower women and girls worldwide, providing them with access to essential services, education and information. However, such technologies also brought an increased risk of violence and violations against women and girls; adolescent girls who had access to online technologies were especially vulnerable to sexual and gender-based violence. The new technologies nonetheless represented a clear opportunity to advance towards gender equality. Ensuring that all could participate in activities online without fear of threats or abuse was essential to guaranteeing that women and girls could exercise their rights, including the right to freedom of expression. Chile had thus joined the sponsors of the draft resolution and her delegation appealed to the members of the Council to reject the proposed amendments and adopt the draft resolution by consensus.

45. **Ms. Liutikaitė** (Lithuania) said that her delegation welcomed the draft resolution as presented by the main sponsors. Sexual and gender-based violence, both offline and online, in peacetime as well as in crisis and conflict, was a major violation of human rights and continued to be a barrier to women’s and girls’ full and equal enjoyment of all human rights. The draft resolution called for a comprehensive study to develop a deeper understanding of technology-facilitated gender-based violence, identify global good practices and formulate

actionable recommendations to address the issue. Despite the constructive, inclusive and open process of informal negotiations, the Council still had two amendments before it. The draft resolution was fully in line with the United Nations agreed language on gender-based violence and addressed all pertinent aspects comprehensively. Lithuania called on all members of the Council to vote against the proposed amendments.

46. **Mr. Alimbayev** (Kazakhstan) said that technology-facilitated violence had a gender dimension, targeting the physical, psychological or sexual integrity of women and girls. It could take place online, but also manifested itself in physical spaces. It hindered women's full and meaningful participation in public, economic and political life and was therefore an obstacle to achieving gender equality. Efforts must be intensified to eliminate all forms of violence and discrimination against women and girls in the public and private spheres, both online and offline, which were amplified by the use of digital technologies. The draft resolution was a short text and procedural in nature, and called for a study on the issue by the Human Rights Council Advisory Committee, which was composed of regional experts. Throughout the negotiation process, the main sponsors, including his own delegation, had made every effort to ensure that the draft resolution reflected the views and concerns of all delegations in order to achieve a balanced text and to garner broad support for its adoption. He called upon all members of the Council to adopt the draft resolution by consensus.

47. **Ms. Stasch** (Germany) said that gender-based violence could consist of physical, mental or economic harm or of sexual violence inflicted in public or in private, online or offline. It could take the form of threats, coercion or manipulation. The rapid progress of technology had allowed perpetrators to utilize many new channels and make survivors encounter many new varieties of harm, with long-term repercussions. Technology-facilitated gender-based violence was a grave violation of human rights that persisted at all levels of society and in all geographical contexts. As the world evolved, so did the forms of violence within it. As the means for violations expanded, so must the human rights system, especially at a time when opponents of rights and equality were growing louder. There was a need to be especially clear on terminology and in the international community's united stance against gender-based violence. Therefore, her delegation welcomed the draft resolution and looked forward to the contributions it would bring to the understanding of the topic. It looked forward to joining the consensus on the draft as presented; it deeply regretted the very late introduction of new amendments and would vote against them.

48. **Ms. Arias Moncada** (Honduras) said that her delegation was confident that the draft resolution would contribute to efforts to achieve the effective enjoyment of all human rights, as well as Sustainable Development Goal 5 on gender equality. In that regard, it recognized the great challenges that remained to stop all forms of violence and discrimination against women and girls. It appreciated the particular focus on digital technologies, given that their misuse had the potential to exacerbate violence and discrimination, including through trafficking, cyberbullying and sexual and gender-based violence, and even political violence. Her delegation welcomed the request to the Advisory Committee to prepare a report with input from different stakeholders, particularly civil society organizations engaged in defending human rights. She hoped that it would identify best practices to address violence and discrimination against women and girls facilitated by digital technologies and to promote full gender equality in the public and private spheres. She wished to highlight the important work done by the Working Group on the issue of human rights and transnational corporations and other business enterprises, the Special Rapporteur on the right to privacy and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and their contributions to the draft resolution.

49. **Ms. Savitri** (Indonesia) said that information and communication technologies presented both opportunities and challenges for all women and girls. It was crucial to address obstacles created by technology that potentially amplified threats against women and girls while assessing and utilizing those technologies. Indonesia shared the concerns expressed about online and offline violence, harassment and discrimination against women and girls, especially those committed, assisted, aggravated or amplified by the use of technology. To that end, it agreed on the need to conduct a study on those phenomena and their impact on women and girls. Recommendations from such a study would help States reinforce their policies to tackle those issues. Her delegation believed that the Special Rapporteur on

violence against women and girls, its causes and consequences was the most appropriate mandate holder to undertake that task. The mandate given to the Advisory Committee under the draft resolution should be executed in cooperation with the Special Rapporteur. It was important to maintain language that could be accepted by as many countries as possible to ensure the effective implementation of the mandates provided by the Council's resolutions. Therefore, her delegation supported the proposed amendments contained in documents [A/HRC/56/L.35](#) and [A/HRC/56/L.36](#).

50. **Mr. Alhayen** (Kuwait) said that the delegations of the States members of the Gulf Cooperation Council had participated in the informal consultations in order to specifically address violence against women and girls and to add clarity to the text of the draft resolution. They had proposed an amendment to replace the phrase "technology-facilitated gender-based violence and its impact on women and girls" with the phrase "violence against women and girls that occurs through or is amplified by the use of technology". The proposed amendment contained in document [A/HRC/56/L.36](#) sought to emphasize the importance of including the Special Rapporteur on violence against women and girls, its causes and consequences in the preparation of the requested study. The mandate of the Special Rapporteur gave her the necessary competence in the field of violence against women and girls, including collecting information and submitting reports and recommendations on violence against women and girls. By the nature of the tasks she undertook in fulfilment of her mandate, the Special Rapporteur had a wealth of experience. Her participation in the preparation of the study would bring important added value. The complementarity of the mandates of the Advisory Committee and the Special Rapporteur would create an integrated approach that ensured the achievement of the desired objectives. It would also enhance the effectiveness of the desired response in the context of protecting women and girls from violence that occurred or was exacerbated by the use of technology. His delegation believed that the proposed amendments would strengthen the text of the draft resolution and ensure that it met the specific needs of those it aimed to protect. It therefore called on Council members to vote in favour of the amendments.

51. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/56/L.35](#).

Statements made in explanation of vote before the voting

52. **Ms. Schroderus-Fox** (Finland) said that her delegation supported the draft resolution as presented by the main sponsors. It was very topical as everyone's lives became increasingly digitalized. Unfortunately, evidence showed that the digital revolution had exacerbated existing and even created new forms of gender inequalities and oppression. Her delegation deeply regretted that the proposed amendment had been put forward for consideration. First of all, the formulation suggested in the amendment was not agreed language from anywhere. Violence against women and girls was one type of gender-based violence, not the other way around. Emphasizing the term "gender-based violence" rather than "violence against women and girls" highlighted why violence occurred rather than against whom it occurred, which was essential in addressing the root causes of such violence. The draft resolution attempted to capture the violence women and girls experienced as a result of gender discrimination, expectations, stereotypes and norms. Using the term "gender-based violence" was important, as it underlined the fact that many forms of violence against women and girls were rooted in power inequalities between women and men. The term "gender-based violence" had been used for decades and was established and agreed language from several Council and General Assembly resolutions.

53. The term "technology-facilitated" was widely used by United Nations agencies and encompassed a wide range of technologies, both online and offline. It was also consensual language from Council resolution 55/10. It covered violence that happened through any type of technology, such as phones, doorbells, Global Positioning System (GPS) tracking devices, drones or recording devices that were not connected to the Internet. Using the term "technology-facilitated" reflected the rapidly evolving technologies. The proposed amendment also sought to delete the request for the study to assess the impact of technology-facilitated gender-based violence on women and girls, which would affect the relevance of

the study. For those reasons, Finland would vote against the proposed amendment and called on all other delegations to do the same.

54. **Ms. Taylor** (United States of America) said that the United States joined the main sponsors in opposing the proposed amendment. The important draft resolution under consideration brought to light a nefarious form of gender-based violence that could include cyberstalking, online harassment and non-consensual sharing of intimate images. Those and other related acts were all aimed at silencing women and girls, both online and offline. That human rights concern had only become more urgent with the rapid rise of highly capable generative artificial intelligence models.

55. Technology-facilitated gender-based violence perpetuated gender inequality, inflicting psychological, emotional and sometimes physical harm on individuals. “Technology-facilitated gender-based violence” was the most accurate terminology to describe the phenomenon and was agreed language from Council resolution 55/10, entitled “Role of States in countering the negative impact of disinformation on the enjoyment and realization of human rights”, which had been adopted by consensus. It had been documented in reports of the Secretary-General, was used by United Nations agencies and was defined by an expert group convened by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the World Health Organization. “Technology-facilitated gender-based violence” reflected the online-offline continuum of violence in which it occurred and was broad enough to be inclusive of both existing and future technologies.

56. Her delegation welcomed the draft resolution’s focus on the need for comprehensive strategies, including legal measures, technological safeguards and societal education to create safer online environments for women and girls and all individuals, particularly from marginalized and vulnerable populations. It strongly encouraged the Council to vote against the amendments and retain the existing language in the draft resolution.

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

In favour:

Algeria, Argentina, Bangladesh, Cameroon, Eritrea, Gambia, Indonesia, Kuwait, Malaysia, Maldives, Morocco, Qatar, Somalia, Sudan, United Arab Emirates.

Against:

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

Abstaining:

China, Côte d’Ivoire, Dominican Republic, Ghana, India, Paraguay.

58. *The proposed amendment contained in document A/HRC/56/L.35 was rejected by 24 votes to 15, with 6 abstentions.*

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

Statements made in explanation of vote before the voting

60. **Ms. Hysi** (Albania) said that the changes put forward in the proposed amendment would unduly task the Special Rapporteur on violence against women with cooperating on the preparation of the report requested from the Advisory Committee, which would set an unwanted precedent and undermine the independence of special procedures. To ensure the independence of thematic special rapporteurs, they should have the freedom to decide on the topics they addressed in their reports as long as those topics fell within their mandates. In contrast, the Advisory Committee could only conduct studies when explicitly tasked by the Council to do so. The draft resolution already explicitly requested the Advisory Committee to collaborate with all relevant stakeholders without singling out any specific mandate holder, as was the current practice. That, of course, included the Special Rapporteur, who held a very

relevant mandate for the study in question. However, such collaboration also applied to many other mandate holders within the United Nations system, such as the Special Rapporteur on the right to privacy, the Special Rapporteur on the right to freedom of opinion and expression, the Working Group on discrimination against women and girls and the Working Group on business and human rights. It would go against the Council's practice and set an unwanted precedent to request the Advisory Committee to prepare a study in cooperation with only one of the special procedures. Similar resolutions mandating the Advisory Committee to prepare a report had not requested such close cooperation with just one of the special procedures. Her delegation therefore strongly urged all the members of the Council to vote against the amendment.

61. **Mr. Honsei** (Japan) said that the proposed amendment of paragraph 1 of the draft resolution put forward in document [A/HRC/56/L.36](#) would set an unacceptable precedent. It was essential for special mandate holders to maintain full independence with regard to the reports that they decided to work on, and tasking them with specific reports and studies was not acceptable. Moreover, including a Special Rapporteur in the study would entail programme budget implications. There was also a need to ensure the independence of the Advisory Committee, which must be able to work independently from special procedures. Therefore, Japan would vote against the proposed amendment and supported the original text of the draft resolution.

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

In favour:

Algeria, Argentina, Bangladesh, Cameroon, Cuba, Eritrea, Gambia, Ghana, Indonesia, Kuwait, Malaysia, Maldives, Morocco, Qatar, Somalia, Sudan, United Arab Emirates.

Against:

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

Abstaining:

China, Côte d'Ivoire, Paraguay.

63. *The proposed amendment contained in document [A/HRC/56/L.36](#) was rejected by 26 votes to 17, with 3 abstentions.*

64. **The President** invited the Council to take action on draft resolution [A/HRC/56/L.15](#), as orally revised.

65. **Mr. Jiang Han** (China), speaking in explanation of position before the decision, said that the widespread application of science and technology brought great opportunities for economic and social development, but also risks and challenges. Science and technology should always be developed in a manner conducive to the progress of human civilization and must not be misused for malicious purposes, such as the infliction of violence on women and girls. In view of the above, his delegation would join the consensus on the draft resolution. At the same time, some delegations still had concerns about the wording of the draft resolution and he hoped that the main sponsors would continue to engage in constructive dialogue with all parties in order to appropriately resolve differences.

66. *Draft resolution [A/HRC/56/L.15](#), as orally revised, was adopted.*

Agenda item 5: Human rights bodies and mechanisms (continued) ([A/HRC/56/L.23](#))

Draft decision [A/HRC/56/L.23](#): Plastic pollution implications on the full enjoyment of human rights

67. **Ms. Rodriguez Ramirez** (Observer for Panama), introducing the draft decision on behalf of the main sponsors, namely Costa Rica, Ecuador, Peru and her own delegation, said that the international community was currently facing a global environmental crisis linked to

plastic pollution. The entire life cycle of plastic had a negative impact on people and the environment, and on the full enjoyment of human rights, including the right to life, the right to the highest attainable standard of physical and mental health, the right to food, the right to adequate housing, the rights to safe drinking water and sanitation, the right to equality and non-discrimination and the right to a clean, healthy and sustainable environment. That situation disproportionately affected workers, children, women, persons of African descent, Indigenous Peoples, coastal communities, people living in poverty, waste pickers and other vulnerable or marginalized groups, thus exacerbating existing inequalities. The negative impacts of plastic pollution had not only been detrimental to the well-being of current generations; future generations would also be harmed if the current challenge was not addressed through a human rights-based approach to find effective solutions.

68. The Council was mandated to serve as a forum for dialogue on thematic issues on all human rights. In turn, the Advisory Committee had been established to function as a think tank and could formulate proposals for further studies within the scope of work established by the Council. The Council and its mechanisms, including the Advisory Committee, therefore had the competence to examine the impact of plastic pollution on the full enjoyment of human rights. The draft decision before the Council was short and procedural. It aimed to request the Advisory Committee to prepare a comprehensive study on the impact of plastic pollution on the full enjoyment of human rights, based on a comprehensive approach that addressed the full life cycle of plastics, and to present it to the Council at its sixty-sixth session. That process would provide an opportunity for all States and other relevant stakeholders, including special procedures, to contribute their views and analysis to the study.

69. The main sponsors had held an informal consultation on the draft decision along with bilateral discussions and had made the necessary amendments to address the concerns of those and other delegations and to reach consensus on the important issue, with due consideration for all the different views presented by States, representatives of civil society and other stakeholders. She hoped that the draft decision would be adopted by consensus.

70. **The President** said that 23 States had joined the sponsors of the draft decision.

General statements made before the decision

71. **Mr. Guillermot Fernández** (Costa Rica) said that Costa Rica was committed to sustainability and environmental protection at the national and international levels. The Council was called on to address the issue of plastic pollution in the context of the triple global crisis of biodiversity loss, climate change and pollution. The draft decision was a positive step in that direction. Plastic pollution not only degraded the world's marine and terrestrial ecosystems, but also had direct and profound consequences for the full enjoyment of human rights. Microplastics had been found in drinking water, food and even in the air people breathed, exposing them to harmful chemicals that could affect reproductive, endocrine and neurological health. The proposed draft decision requested the Advisory Committee to prepare a study on the life cycle of plastics that could eventually generate valuable input for effective public policies. His delegation urged the Council to recognize that the fight against the continuation of plastics was integral to ensuring respect for all human rights.

72. **Ms. Singh** (India) said that she wished to thank the main sponsors for their constructive discussions. At the current stage, however, her delegation believed that the scope of the draft decision under consideration was too broad. Many aspects of the draft needed to be discussed in the appropriate forum, namely the United Nations Environment Programme (UNEP), where discussions on an international legally binding instrument on plastic pollution, including in the marine environment, were under way. Given the novelty of the topic, it was also important that definitions were agreed on in the appropriate forum – UNEP – where all Member States could participate on an equal footing and reach agreement on the basic protections to be provided before the human rights aspects were discussed. While having discussions on such matters, it was also important that the concerns of the developing countries were taken into consideration, including on the principles of common but differentiated responsibilities and respective capacities and the Rio Declaration on Environment and Development. The draft decision tasked the Council and the Advisory Committee with pursuing further studies on that issue. In the current liquidity crisis it was

understood that some of the future meetings of the Advisory Committee would have to be postponed. Her delegation would therefore dissociate itself from the draft decision.

73. **Mr. Jiang** Han (China) said that plastic pollution was a major environmental challenge facing the international community and inevitably had an impact on the enjoyment of human rights. His Government attached great importance to the fight against plastic pollution and had continued to improve its laws and regulations and imposed a comprehensive ban on the import of plastic waste. The Government had also implemented a successful programme to manage plastic products that were susceptible to leakage to the environment. It had launched, in collaboration with the International Network for Bamboo and Rattan, an initiative to use bamboo instead of plastic and had taken the lead in revising the technical guidelines for the environmental management of plastic wastes, thus contributing to the global reduction of plastic pollution.

74. States were currently negotiating and making good progress on a legally binding international instrument to combat plastic pollution, with UNEP playing a leading role in those efforts. The relevant discussions in the Council must not affect the intergovernmental negotiation process. He wished to draw attention to the report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes (A/78/169). The follow-up study that the draft decision under consideration was calling for would inevitably duplicate the content of that report. Nevertheless, his delegation was ready to join the consensus on the draft decision. China hoped that all sides would continue to focus on the process of intergovernmental negotiations on a legal instrument to combat plastic pollution. The report of the Advisory Committee should take full account of the results of previous studies in the relevant areas and propose new ideas and solutions from a different perspective to the greatest possible extent.

75. *Draft decision A/HRC/56/L.23 was adopted.*

76. **The President** invited delegations to make statements in explanation of vote or position or general statements on any of the draft resolutions and decisions considered under agenda item 5.

77. **Mr. Foradori** (Argentina) said that his delegation wished to thank Costa Rica, Ecuador, Panama and Peru for the presentation of draft decision A/HRC/L.23. In March 2022, the United Nations World Environment Assembly had adopted resolution 5/14 entitled “End plastic pollution: Towards an international legally binding instrument”. The resolution had established an intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, which had already held four meetings. Although his delegation had supported draft decision A/HRC/L.23 in order to promote consensus, he was concerned that it overlapped with the negotiations currently taking place in the above-mentioned committee. Therefore, there must be no aspects of the work to be undertaken under the decision just adopted by the Council that could prejudge or be used to influence the course of the negotiations in the intergovernmental committee. On the contrary, once the intergovernmental negotiating committee had completed the negotiation process, its results should feed back into the work done by the Council in the relevant overlapping areas.

The meeting rose at 4.50 p.m.