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President: Mr. Lauber (Switzerland)

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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/59/L.2](#), [A/HRC/59/L.6](#), [A/HRC/59/L.8](#), [A/HRC/59/L.9](#), [A/HRC/59/L.11](#), [A/HRC/59/L.13](#) and [A/HRC/59/L.14](#))

Draft resolution [A/HRC/59/L.2](#): Mandate of Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

1. **Ms. Eyheralde Geymonat** (Observer for Uruguay), introducing the draft resolution on behalf of the main sponsors, namely Brazil, Chile, Colombia, Costa Rica, Mexico and her own delegation, said that the draft was a procedural text intended to extend the mandate of Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity for three years, in keeping with the original terms of the mandate, which had been created nine years earlier following joint efforts by States and civil society organizations from all regions of the world. The mandate holders had not only contributed to the fight against such violence and discrimination, but had also helped to promote respect for the dignity and equality of all persons by providing technical advice in support of States' efforts to protect human rights. The main sponsors encouraged all States to reaffirm their commitment to combating discrimination and violence against all persons by supporting the draft resolution.
2. **Mr. Da Silva Nunes** (Brazil), continuing the introduction of the draft resolution, said the Council must ensure that the Independent Expert could continue to protect persons subjected to violence and discrimination because of their sexual orientation and gender identity. That task concerned specific, serious situations that required dedicated monitoring by the Council, which could not turn a blind eye to violence and discrimination against any vulnerable group, as such conduct was unacceptable under international human rights law. The mandate holders, hailing from Asia, Latin America and Africa, had produced 17 valuable thematic reports and conducted numerous official visits. More, not less, must be done for persons in vulnerable situations. The main sponsors hoped that the Council would adopt the draft resolution by consensus.
3. **The President** announced that eight States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$2,155,800.

General statements made before the voting

4. **Mr. Gómez Martínez** (Spain), speaking on behalf of the States members of the European Union that were members of the Council, said that all human beings were born free and equal in dignity and rights. However, every day around the world people faced violence, discrimination and stigmatization because of their sexual orientation or gender identity. Consensual same-sex relationships were criminalized in many countries, and in some were punishable by death. People were being punished simply for who they were and whom they loved. The Independent Expert on sexual orientation and gender identity was at the forefront of efforts to combat such violence and discrimination worldwide.
5. The draft resolution did not create special rights for certain individuals or any new system of special protection. Rather, it concerned the equal protection of all persons against violence and discrimination under existing international human rights law and the Universal Declaration of Human Rights. Sexual orientation and gender identity were among the grounds of discrimination prohibited by international human rights law. He wished to recall that, in line with the Vienna Declaration and Programme of Action, cultural, traditional or religious values could not be invoked to justify any form of discrimination, including discrimination against lesbian, gay, bisexual, transgender and intersex persons.
6. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that her country, a plurinational State based on cultural and social diversity, was committed to the elimination of all forms of discrimination. No person should be subjected to violence, exclusion or discrimination for any reason, including sexual orientation or gender identity. Her Government had made recent strides in addressing discrimination against lesbian, gay,

bisexual, transgender and intersex persons through laws and policies, including the Gender Identity Act, but recognized that more must be done to achieve equal protection. It was concerned about the international rise of far-right movements and the increase in stigmatizing, exclusionary and intolerant speech. Her delegation supported the renewal of the mandate of Independent Expert because of the support that the Independent Expert could provide to States in their efforts to address persistent challenges. However, it also respected different views and did not seek to impose its own vision on other States. Only through constructive, open dialogue and respect for universal human rights principles could progress be made towards ensuring a life free of discrimination for all. Her delegation supported the draft resolution and called for its adoption by consensus.

7. **Ms. Hysi** (Albania) said that Albania supported the renewal of the mandate of Independent Expert and wished to commend the current and previous mandate holders on their work, which had been marked by professionalism, inclusivity and a commitment to constructive dialogue. The mandate had been renewed twice since its establishment in 2016, with greater support from the international community each time. The Independent Expert worked in cooperation with States, offering technical assistance and engaging in meaningful dialogue. The current mandate holder had visited Albania in July 2024 at the invitation of her Government and had held constructive meetings with stakeholders and provided useful recommendations. The mandate provided a platform for dialogue, fostered international cooperation and helped States fulfil their human rights obligations. It contributed to the achievement of the Sustainable Development Goals, particularly those related to equality, justice and strong institutions, and sent a clear message that violence and discrimination had no place in society. The draft resolution was a procedural one that would simply renew the mandate, without introducing new elements or obligations. By voting in favour of it, as Albania would do, Council members would reaffirm their shared commitment to the universality of human rights.

8. **Ms. Karic** (Switzerland) said that Switzerland, a member of the Group of Friends of the mandate of Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, fully supported the mandate and its extension. No one should be subjected to violence or discrimination on the basis of sexual orientation or gender identity. However, because such acts were being committed around the world against lesbian, gay, bisexual and transgender persons, the Council had a duty to address the matter and ensure that all individuals, without distinction, could enjoy their rights and fundamental freedoms. The prohibition of discrimination under various international conventions was rooted in the statement, set forth in article 1 of the Universal Declaration of Human Rights, that all human beings were born free and equal in dignity and rights. Discrimination on the basis of sexual orientation or gender identity was thus prohibited under international human rights law. Her delegation called on all Member States to recognize and support the mandate of Independent Expert and to contribute to the protection and promotion of the rights of lesbian, gay, bisexual and transgender persons by engaging with the current mandate holder.

9. **Ms. Debrum** (Marshall Islands) said that the mandate of Independent Expert on sexual orientation and gender identity was grounded in the foundational principle, set out in the Universal Declaration of Human Rights, that all persons, without exception, were born free and equal in dignity and rights and, consequently, had the right to protection against all forms of violence and discrimination. The Marshall Islands was committed to addressing discrimination in all its forms. It reaffirmed its support for the mandate and urged its fellow Council members to vote in favour of the draft resolution.

10. **Mr. Cabañas** (Cuba) said that, in line with its Constitution, Cuba was committed to human dignity, equality and non-discrimination. The country had taken significant steps with respect to the legal recognition and protection of the rights of LGBTIQ+ persons. For example, a process of discussion and consensus-building had resulted in the adoption, by referendum, of its new Family Code in September 2022, and awareness-raising, training and other activities continued to be carried out as part of the Code's implementation. At the same time, his Government supported an inclusive, respectful, non-selective approach to the promotion of human rights, and it recognized the existence of different national circumstances. It supported the renewal of the mandate of Independent Expert on sexual orientation and gender identity as an expression of the collective duty to address all forms of

exclusion, stigmatization and violence, and urged the Independent Expert to continue contributing to that goal through dialogue, respect and cooperation.

11. **Ms. Cabrera Brasero** (Spain) said that her delegation firmly supported the renewal of the mandate of Independent Expert. Since its establishment, the mandate had proved its usefulness by providing a means of offering guidance to States in the fulfilment of their international human rights obligations. It also gave hope to those who faced exclusion, persecution and violence because of their sexual orientation or gender identity. The work of the Independent Expert was rooted in the Council's core mandate, which was to protect all persons from violence and discrimination. That work was needed more than ever, given the worldwide proliferation of hate speech and hate crimes that targeted individuals because of their sexual orientation or gender identity. Spain was committed to defending and protecting the rights of lesbian, gay, bisexual, transgender and intersex persons, both in the Council and through initiatives such as the Equal Rights Coalition. It hoped that the Council would adopt the draft resolution by consensus.

Statements made in explanation of vote before the voting

12. **The President** announced that the Kingdom of the Netherlands, Iceland, Cyprus and Belgium had withdrawn their sponsorship of the draft resolution.

13. **Ms. van Thiel Verpoest** (Kingdom of the Netherlands) said that her Government was deeply concerned about the global backlash against the equal enjoyment of human rights by LGBTIQ persons. Same-sex relationships were criminalized in almost 70 countries; in some, they were even punishable by death. Her Government actively supported efforts to decriminalize homosexuality and diversity of gender identity and expression, counter violence and discrimination and promote social acceptance worldwide. It strongly supported the mandate of Independent Expert on sexual orientation and gender identity, the renewal of which would be an important step towards ensuring the protection of LGBTIQ+ persons against violence and discrimination. Her delegation welcomed the main sponsors' approach of putting forward a purely procedural text to minimize polarization in the Council. The Kingdom of the Netherlands would vote in favour of the draft resolution and called on all other Council members to do the same.

14. **Mr. Alhayen** (Kuwait), speaking on behalf of the Organization of Islamic Cooperation (OIC), said that consensus and tolerance were key to building trust between countries. OIC was committed to combating all kinds of violence against all people, in line with the Charter of the United Nations, international law, the relevant treaties and legal and constitutional principles, and it emphasized the protection of universally shared human rights values. The Council had not been mandated to promote values that were not universal, and OIC could not accept concepts that were contrary to the specificities and legal frameworks of its member States. The mandate of Independent Expert on sexual orientation and gender identity increased the polarization and division within the Council and represented yet another attempt to erode mutual respect and the trust of certain countries in the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Council. The concepts of sexual orientation and gender identity did not enjoy international consensus and were not recognized under current international humanitarian law. Their use in United Nations documents and resolutions had consistently been opposed by OIC, given that they were contrary to the cultural and religious particularities of most OIC member States; such opposition was thus not inconsistent with the Vienna Declaration and Programme of Action. Despite the main sponsors' welcome attempts to bridge the divide, key differences remained. His delegation therefore wished to request a vote on the draft resolution.

15. **Ms. Kolsøe** (Iceland) said that Iceland reiterated its unwavering support for the mandate of Independent Expert on sexual orientation and gender identity. Since its establishment, the mandate had contributed meaningfully and constructively to advancing equality. Sadly, the world continued to witness widespread and systematic occurrences of violence and discrimination based on sexual orientation and gender identity. No person should have to live in fear of persecution and violence. The mandate was not intended to create new rights, but to reduce the protection gap by applying existing human rights standards to persons who continued to experience exclusion and abuse. Iceland rejected

violence and discrimination against persons on any grounds. It would vote in favour of the draft resolution and called on all members of the Council to do the same.

16. **Ms. Papanikolaou** (Cyprus) said that Cyprus was committed to the promotion and protection of the human rights of all persons, without discrimination of any kind. Violence and discrimination based on sexual orientation or gender identity were matters of serious concern. The continuation of the mandate of Independent Expert on sexual orientation and gender identity would not only allow those issues to be addressed, but would also make support available to States in fulfilling their human rights obligations. The independence and integrity of all special procedures must be upheld. The draft resolution was a technical rollover that created no new mandate but rather renewed an existing one. Her delegation would vote in favour of the draft resolution and called on other members of the Council to do the same.

17. **Mr. Payot** (Belgium) said that human rights violations based on sexual orientation and gender identity were regularly brought to the Council's attention by OHCHR and special procedures, including the Independent Expert. United Nations treaty bodies such as the Committee on the Elimination of Discrimination against Women and the Committee against Torture also recognized discrimination based on sexual orientation and gender identity. The Council's mandate was to promote universal observance and protection of all human rights and all fundamental freedoms for all, without discrimination. The draft resolution was purely procedural and intended only to ensure that the Independent Expert's work could continue. It was essential for the Independent Expert to be able to continue identifying best practices, making practical recommendations on how to prevent discrimination and violence and supporting States in the implementation of their human rights obligations. The aim was not to create new rights but to ensure the universality and equal enjoyment of existing rights. His delegation would vote in favour of the draft resolution and urged other delegations to do the same.

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

In favour:

Albania, Belgium, Bolivia (Plurinational State of), Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czechia, Dominican Republic, France, Georgia, Germany, Iceland, Japan, Kenya, Marshall Islands, Mexico, Netherlands (Kingdom of the), North Macedonia, Republic of Korea, Romania, South Africa, Spain, Switzerland, Thailand, Viet Nam.

Against:

Algeria, Bangladesh, Burundi, China, Côte d'Ivoire, Democratic Republic of the Congo, Ethiopia, Gambia, Indonesia, Kuwait, Malawi, Maldives, Morocco, Qatar, Sudan.

Abstaining:

Benin, Ghana, Kyrgyzstan.

19. *Draft resolution [A/HRC/59/L.2](#) was adopted by 29 votes to 15, with 3 abstentions.*

Draft resolution [A/HRC/59/L.6](#): The negative impact of corruption on the enjoyment of human rights

20. **Mr. Zniber** (Morocco), introducing the draft resolution on behalf of the main sponsors, namely Argentina, Austria, Brazil, Ecuador, Ethiopia, Indonesia, Poland, the United Kingdom and his own delegation, said that corruption hindered access to essential services and thereby undermined social cohesion, eroded trust in public institutions, exacerbated inequalities and created fertile ground for the most serious human rights violations. Transparency, accountability, the rule of law, good governance and anti-corruption efforts were essential for the achievement of the Sustainable Development Goals. Anti-corruption efforts should follow a human rights-based approach – in its own domestic anti-corruption efforts, for example, Morocco had ensured that anti-corruption measures protected and empowered the public – and should involve cooperation between the Council and United Nations entities such as the United Nations Office on Drugs and

Crime (UNODC). The aim of the draft resolution was to translate the important theoretical work reflected in the 2015 Human Rights Council Advisory Committee report on the negative impact of corruption on the enjoyment of human rights (A/HRC/28/73) into concrete measures by mandating the Advisory Committee to conduct a new study on States' procedural and substantive human rights obligations in the context of combating corruption. The draft resolution also highlighted the central role of education and training in the prevention of corruption. His delegation called on the Council members to adopt the draft resolution by consensus.

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

General statements made before the decision

22. **Mr. Gebru** (Ethiopia) said that his Government welcomed the growing consensus on the critical nexus between corruption and the enjoyment of human rights. Corruption diverted resources needed for development, undermined good governance, disproportionately harmed persons in vulnerable situations and had a corrosive impact on public trust, service delivery and the realization of the Sustainable Development Goals, in particular Goal 16. Strengthening the rule of law, ensuring judicial independence, promoting transparency and allowing access to information and meaningful public participation were essential to eradicating corruption and upholding human rights. His delegation supported the calls in the draft resolution for enhanced international cooperation and technical assistance for developing countries, including in capacity-building and asset recovery. It welcomed the mandate for a comprehensive study by the Advisory Committee, which would offer concrete guidance on the implementation of anti-corruption measures in line with States' human rights obligations, and it urged all stakeholders to engage actively in that process. It called for the adoption of the draft resolution by consensus.

23. **Mr. Payot** (Belgium) said that corruption seriously compromised the proper functioning and integrity of democratic institutions, leading to an erosion of the rule of law and of public trust in government and its representatives. It affected many societies and was a major obstacle to economic development. The outcome document of the Fourth International Conference on Financing for Development had included a call on the international community to support anti-corruption capacity-building efforts and promote the exchange of best practices. The draft resolution was fully in line with the global fight against corruption. His delegation welcomed the references to stepping up cooperation among different stakeholders, including UNODC, and supporting the technical assistance and capacity-building efforts of OHCHR. The fight against corruption required coordinated action on the part of the international community and the United Nations system as a whole. He therefore called on the members of the Council to adopt the draft resolution by consensus.

24. **Mr. Boateng** (Ghana) said that his delegation welcomed the draft resolution, which underscored the intrinsic link between corruption and human rights violations and drew attention to the imperatives of transparency, accountability and the protection of individuals engaged in anti-corruption efforts. His country remained steadfast in its commitment to combating all forms of corruption, a commitment enshrined in its Constitution. At the international level, Ghana was a Party to both the United Nations Convention against Corruption and the African Union Convention on Preventing and Combating Corruption, recognizing that corruption constituted a global threat that necessitated a collective international response. Strengthened international cooperation was needed to tackle the root causes of corruption and to ensure the protection and fulfilment of human rights for all. His Government therefore encouraged all States to reinforce legal and institutional frameworks, guarantee judicial independence and promote an open civic space in the pursuit of accountability and justice. His delegation called for the draft resolution to be adopted by consensus.

25. **Mr. Cabañas** (Cuba) said that corruption weakened institutions, undermined justice and endangered sustainable development and the rule of law. For anti-corruption measures to be effective, broad international cooperation, with the Vienna-based multilateral bodies and mechanisms providing political and technical leadership, was required. The Convention against Corruption provided the relevant framework for analysing all aspects of corruption

at the international level. A renewed commitment to its goals and its non-punitive intergovernmental review mechanism was needed. In line with the draft resolution, his Government supported the design and implementation of anti-corruption policies and tools based on education, monitoring and accountability. It rejected attempts to associate corruption with Governments that did not submit to the major Powers. The politicization of the issue did nothing but weaken genuine international cooperation. The best way to address the negative consequences of corruption for human rights was through technical assistance and capacity-building in a framework of mutual respect and solidarity. Cuba was willing to work with all countries to fight corruption and mitigate its effects, and supported the adoption by consensus of the draft resolution.

26. *Draft resolution A/HRC/59/L.6 was adopted.*

Draft resolution A/HRC/59/L.8: Access to medicines, vaccines and other health products in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

27. **Mr. Da Silva Nunes** (Brazil), introducing the draft resolution on behalf of the main sponsors, namely Bangladesh, China, Egypt, India, Indonesia, Senegal, South Africa, Thailand and his own delegation, said that the draft addressed persistent inequalities in access to essential health technologies, particularly in developing countries and among populations in vulnerable situations. The main sponsors were presenting a consensus text intended to galvanize action on access to medicines and vaccines. The text reflected recent developments in global health governance, including the successful adoption of the World Health Organization (WHO) Pandemic Agreement, and underscored the need to remove structural barriers to equitable, affordable and timely access to medicines, vaccines and other health products. The main sponsors had sought to accommodate the concerns of both developed and developing countries and, aware of the challenges posed by limited resources, had also reduced by half the resource requests initially foreseen in the text. The draft resolution now included requests for OHCHR to conduct only one analytical study and prepare one report. The draft resolution strengthened States' commitment to ensuring access to medicines and vaccines and to technology transfers and cooperation and to addressing social determinants of health. The main sponsors trusted that the draft resolution would be adopted by consensus, as had traditionally been the case for resolutions on that topic.

28. **The President** announced that 22 States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$289,800.

General statements made before the voting

29. **Ms. Méndez Escobar** (Mexico) said that her delegation welcomed the draft resolution's focus on ensuring equitable, timely and unhindered access to safe medicines, vaccines, diagnostics and health technologies as a fundamental element of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, especially for the most vulnerable populations. The text included language reaffirming the responsibility of States in that regard and promoting international cooperation and innovation in order to overcome current barriers and move towards universal health coverage. Her delegation also appreciated the fact that the language used in the draft resolution was fully in line with the carefully negotiated language of the WHO Pandemic Agreement. The Mexican delegation called on members of the Council to adopt the draft resolution by consensus.

30. **Ms. Cordero Suárez** (Cuba) said that the draft resolution was a significant and timely contribution to the promotion of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. By addressing in detail the structural dimension of inequalities in access to essential medical technologies, medicines and health services, the draft resolution conveyed the message that health was not a privilege but a universal human right. The draft resolution expressed explicit recognition of the challenges faced by developing countries in guaranteeing the right to health, particularly in a global context marked by profound inequalities. Her delegation welcomed the emphasis in the text on the need to remove barriers that limited access to essential medical products, including restrictive intellectual property provisions that prioritized profit over human life, and to avoid obstacles that were inconsistent with international law and the Charter of the United Nations.

Cuba was suffering daily from the consequences of the economic, commercial and financial blockade imposed by the Government of the United States of America, which had a considerable impact on access to health technologies, medicines and specialized services. For Cuba, technology transfers and the strengthening of local productive capacities were essential to achieving health sovereignty and ensuring that health was treated as a global public good and not as a commodity subject to economic and commercial interests. Her delegation urged members of the Council to support the adoption of the draft resolution.

31. **Mr. Islam** (Bangladesh) said that the draft resolution was being put forward at a critical juncture. The coronavirus disease (COVID-19) pandemic had exposed and exacerbated structural inequities in access to life-saving medicines, vaccines, diagnostics and health products. The draft resolution incorporated significant new elements that reflected lessons learned and addressed evolving challenges. Notably, it included language welcoming the adoption of the WHO Pandemic Agreement and its provisions on research and development, sustainable and geographically diversified local production, transfer of technology and the pathogen access and benefit-sharing system. His delegation also appreciated the recognition of the newly established coalition for local and regional production, innovation and equitable access centred on voluntary cooperation in order to promote access for persons in vulnerable situations and neglected diseases, which was particularly relevant for countries such as Bangladesh. The renewed emphasis on strengthening the health and care workforce was in line with his country's efforts to build a resilient, community-driven health system. His delegation appreciated the enhanced role envisioned for OHCHR in providing technical assistance and conducting in-depth analysis of protection gaps with a view to ensuring accessibility for vulnerable groups, including least developed countries and small island developing States. His delegation hoped that the draft resolution, like previous resolutions on the subject, would be adopted by consensus.

32. **Mr. Gallón** (Colombia) said that his delegation appreciated the references in the draft resolution to the latest normative developments, such as the amended International Health Regulations and the WHO Pandemic Agreement, as well as the recognition of the important role of the transfer of technology and know-how in ensuring equitable access to vaccines, medicines and other health products, particularly in developing countries. The promotion of technology transfers on mutually agreed terms between the technology provider and the recipient should in no way limit the regulatory and policy capacity of the State to promote other modalities of technology transfer in accordance with the flexibilities of the Agreement on Trade-Related Aspects of Intellectual Property Rights. His delegation regretted that the draft resolution did not include language on access to controlled medicines, especially those necessary for palliative care and pain management, given that the profound inequalities in access to such medicines had been highlighted in three reports of the High Commissioner and in the report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. It therefore called on the Council to hold substantive discussions on that issue in the future with a view to developing action-oriented approaches to ensuring equitable access to those medicines. Those concerns notwithstanding, the delegation of Colombia supported the draft resolution and called on other members to do the same.

33. **Mr. Tessema** (Ethiopia) said his delegation agreed that access to medicines, vaccines, diagnostics and health technologies was not a privilege but a fundamental element of the right to health. Such access was particularly vital in a world still grappling with the far-reaching consequences of the COVID-19 pandemic. His delegation welcomed the draft resolution's holistic framing of the right to health, with emphasis on universal health coverage, equity in access and special attention to the needs of persons in vulnerable situations, including women, children, older persons, persons with disabilities and those living in poverty. It also appreciated the reference to key international instruments, including the WHO Pandemic Agreement and the World Intellectual Property Organization (WIPO) Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge. Local and regional production of medicines and vaccines, technology transfer and voluntary cooperation were important pathways to health sovereignty and resilience in the global South. The continued marginalization of developing countries in global supply chains must be addressed urgently and structurally. His Government fully supported the call in the draft resolution for OHCHR to enhance its work in that field, including through capacity-building,

technical assistance and a study on protection gaps of vulnerable segments of the population. The Ethiopian delegation called for the adoption of the draft by consensus.

34. **Ms. Disyatat** (Thailand) said that Thailand attached great importance to the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. In the light of current health challenges, especially those disproportionately affecting vulnerable populations, the draft resolution was a timely and meaningful step towards the realization of that right. Ensuring access to medicines, vaccines and other health products was essential to promoting health equity across the globe. The draft resolution was in line with her country's universal health coverage scheme, launched in 2002. Such schemes could be used to ensure affordability and accessibility, significantly reducing out-of-pocket expenses and improving health outcomes. It was important for the Council to keep in mind other parallel processes, such as the upcoming negotiations on the annex to the WHO Pandemic Agreement. Her delegation encouraged all members of the Council to support the draft resolution.

35. **Mr. Eisa** (Sudan) said that the question of access to medicines and vaccines was particularly important for those in developing countries who suffered from the consequences of poverty and inequality and the spread of infectious and environmental diseases, such as tuberculosis and malaria. The draft resolution emphasized the relationship between the Council and WHO, as well as the importance of international and regional cooperation in the provision of medicines and vaccines and the transfer of technology, as highlighted by the COVID-19 pandemic. His delegation called on all members of the Council to adopt the draft resolution without a vote.

36. **Mr. Torrejón Alcoba** (Plurinational State of Bolivia) said that his Government was committed to protecting and guaranteeing the right to health and considered that access to medicines was an important part of the realization of that right. The COVID-19 pandemic had had profound and long-lasting consequences in all countries, but had particularly affected the global South, exacerbating pre-existing inequalities and severely affecting the promotion and protection of all human rights, including the right to development of people in vulnerable situations, such as children, women, older persons, migrants, persons with disabilities, people working in the informal economy, Indigenous Peoples, peasants, people of African descent and other minorities. His delegation supported the draft resolution, the aim of which was to ensure universal and equitable access to medicines, vaccines and health products as a fundamental right to ensure the highest attainable standard of physical and mental health. Human life must take precedence over transnational interests, and health must be seen as a universal common good and not a commodity. The draft resolution also stressed the responsibility of States and the need for international cooperation to overcome obstacles that especially affected vulnerable sectors in developing countries by promoting innovation, local production and the fair distribution of health resources. It was necessary to recognize cultural diversity and the traditional knowledge of Indigenous Peoples, including traditional medicine, in strengthening pandemic prevention, preparedness and responses. His delegation called on the members of the Council to adopt the draft resolution by consensus.

37. **Mr. Bladehane** (Algeria) said that the draft resolution was particularly timely following the recent adoption of the WHO Pandemic Agreement, which established an international framework for equitable access to medicines, vaccines and other medical products. According to WHO figures, nearly 2 billion people still did not have access to essential medicines and 1 billion people, including persons with disabilities, older persons and children, had no access to assistive technologies. As stated by the High Commissioner in his comprehensive report on access to medicines, vaccines and other health products (A/HRC/59/29), while medical innovation rooted in the patent system had undoubtedly improved the health of millions of people, it had also shown its limitations in terms of ensuring equitable access to health products. States must ensure that they did not invoke or apply intellectual property rights in a manner inconsistent with the fundamental right of access to medicines, vaccines and other health products. The Algerian delegation hoped that the draft resolution, which reflected a human rights-based approach to health, would be adopted by consensus. If a vote was requested, it would vote in favour and called on all members of the Council to do the same.

Statements made in explanation of vote before the voting

38. **The President** announced that South Africa and Colombia had withdrawn their sponsorship of the draft resolution.

39. **Mr. Bálek** (Czechia) said that his Government was strongly committed to the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and recognized the importance of equitable access to medicines, vaccines and other health products, particularly for those in vulnerable situations. Despite his delegation's repeated efforts to engage constructively in the negotiations, its views and proposals had not been adequately reflected in the text. The draft resolution extended beyond the Council's mandate, addressing international trade and intellectual property matters that were more appropriately dealt with in other forums. It also duplicated ongoing processes on public health for development. At a time when austerity measures were being imposed, the draft resolution assigned major tasks to OHCHR, notably an analytical study and a comprehensive report. The draft resolution lacked a clear human rights-based approach and did not sufficiently address accountability, participation and remedies for rights violations. The language implicitly referring to unilateral coercive measures was not directly relevant to the human rights dimension of access to health products and risked politicizing the draft. In the light of those concerns, the delegation of Czechia requested a vote on the draft resolution. Calling for a vote was not a rejection of the resolution's objectives, but a call for greater transparency, inclusivity, cooperation and balance in how resolutions were developed.

40. **Mr. Nkosi** (South Africa) said that his delegation supported the draft resolution, which reflected the "solidarity, equality, sustainability" theme of the South African presidency of the Group of 20. The draft resolution was especially timely, coming soon after the adoption of the WHO Pandemic Agreement, the annex to which should provide an international framework for equitable access to medicines, vaccines and other health products in order to prevent, prepare for and respond to future pandemics. That was critical in order to address the structural inequalities exposed by the COVID-19 pandemic, which had disproportionately affected developing countries, particularly on the African continent. Access to medicines, vaccines and other health products was an essential component of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, yet 2 billion people globally had no access to essential medicines. While medical innovation rooted in the patent system contributed to improving the health and lives of millions, the fact remained that the very same system had also hampered equitable access. As stated by the High Commissioner in his report, States should refrain from invoking intellectual property rights in a manner inconsistent with effective access in other countries, including with regard to their application of the flexibilities set out in the Agreement on Trade-Related Aspects of Intellectual Property Rights. Instead, they should pursue a human rights-based approach that recognized essential medicines, vaccines and other health products as global public goods. His delegation called on members of the Council to vote in favour of the draft resolution, in tribute to the memory of the countless victims of the COVID-19 pandemic.

41. **Ms. Cabrera Brasero** (Spain), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union remained firmly committed to the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. International cooperation was essential as States sought to collectively build a more robust global health architecture. Global health was a high priority for the European Union and its member States, which continued to sustain key global health initiatives and encourage further progress on the Lusaka Agenda. The European Union had co-hosted the Global Summit: Health & Prosperity through Immunisation, held in Brussels in June 2025, at which a record number of donors had pledged funding for Gavi, the Vaccine Alliance.

42. The European Union regretted that its key concerns had been ignored during the negotiations on the text. One of those concerns was the risk of duplication with discussions in other forums, including the General Assembly, WHO, the World Trade Organization (WTO) and WIPO. The draft resolution ventured into areas that exceeded the Council's mandate, including trade and intellectual property. The Council should not serve as a platform for revisiting negotiations conducted in other specialized bodies, where carefully

balanced language had been identified following intense deliberations by experts. The European Union wished to emphasize its understanding that the references in the draft resolution to transfer of technology and know-how did not set any precedent. Such transfers must be voluntary and on mutually agreed terms in order to ensure quick and efficient responses to future pandemics.

43. The European Union had also requested the deletion of the term “unhindered” from the text. It had consistently objected to the use of that term in the context of access, as it might imply obligations that went beyond international law. That applied *mutatis mutandis* to other Council resolutions. The right to health was not an aspiration; it was a binding obligation. To be meaningful, it must be implemented through a human rights-based approach that ensured participation, transparency, accountability and access to remedies. The European Union was ready to continue the dialogue with the drafters at future sessions to seek consensus on the contested aspects of the resolution. The States members of the European Union that were members of the Council would abstain from voting on the draft resolution.

44. **Mr. Gallón** (Colombia) said it was regrettable that the draft resolution would not be adopted by consensus, particularly as the point of contention was an essential element for achieving the goal of access to medicines, vaccines and other health products, namely the transfer of technology and know-how. The Colombian delegation regretted that, during the negotiations, several delegations had requested that technology transfers should be subject to mutual agreement, meaning that they would be purely voluntary. Such limitations were unacceptable and must not be allowed to become part of the language of the Council, just as they were not part of the language of the General Assembly, WHO or WTO. The transfer of technology and know-how should be on mutually agreed terms between the technology provider and the recipient, but that should in no way limit the regulatory and policy capacity of the State to promote other modalities of technology transfer in accordance with the flexibilities under the Agreement on Trade-Related Aspects of Intellectual Property Rights. Discussions already settled in other forums should not be reopened. The Colombian delegation would vote in favour of the draft resolution and invited others to do the same.

45. **Ms. Widyaningsih** (Indonesia) said that the COVID-19 pandemic had exposed harsh realities, including deep inequities in access to vaccines. Survival in a pandemic must not be the privilege of a few but a right for everyone. Indonesia therefore welcomed the historic adoption of the WHO Pandemic Agreement and looked forward to the timely conclusion of the negotiations on its annex on a pathogen access and benefit-sharing system. Such a system would offer a sure way for developing countries to secure rapid and fair access to vaccines, treatments and diagnostics during a pandemic. Developing countries also needed meaningful support to build local production capacities and invest in research and development. Technology transfers were critical to achieving that goal and could not be limited to a purely voluntary approach. By adopting the draft resolution, the Council would send a message of solidarity with developing countries and persons in vulnerable situations and would call on the international community to continue to assist them, including through financial and technical support, capacity-building and technology transfers. Her delegation deeply regretted that a vote had been requested on the draft resolution and urged all members of the Council to vote in favour of it.

46. **Ms. Kolsøe** (Iceland) said that her Government recognized the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. The Constitution of WHO also recognized that as a fundamental right of every human being without distinction of race, religion, political belief or economic or social condition. Access to medicines, vaccines and other health products was crucial for preventing and treating diseases. Iceland was strongly committed to ensuring access for everyone, regardless of socioeconomic status, geographic location or other factors, which was vital for upholding human dignity and equality. Her delegation remained concerned about references in the text to the Pandemic Agreement that did not accurately reflect the carefully negotiated language agreed at the World Health Assembly. For that reason, the delegation of Iceland would abstain from voting on the draft resolution.

47. *At the request of the representative of Czechia, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, Benin, Bolivia (Plurinational State of), Brazil, Burundi, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Dominican Republic, Ethiopia, Gambia, Ghana, Indonesia, Kenya, Kuwait, Kyrgyzstan, Malawi, Maldives, Marshall Islands, Mexico, Morocco, Qatar, Republic of Korea, South Africa, Sudan, Thailand, Viet Nam.

Against:

None.

Abstaining:

Albania, Belgium, Bulgaria, Cyprus, Czechia, France, Georgia, Germany, Iceland, Japan, Netherlands (Kingdom of the), North Macedonia, Romania, Spain, Switzerland.

48. *Draft resolution [A/HRC/59/L.8](#) was adopted by 32 votes to none, with 15 abstentions.*

Draft resolution [A/HRC/59/L.9: Human rights and international solidarity](#)

49. **Ms. Hernández Toledano** (Cuba), introducing the draft resolution, said that the promotion of international solidarity was more urgent than ever in a context of deepening conflict, violations of the Charter of the United Nations and international law, regression in the implementation of the Sustainable Development Goals and widening inequalities. The draft resolution included a request to the Independent Expert on human rights and international solidarity to hold four consultations regarding the revised draft declaration on the right to international solidarity, with the aim of fostering transparency, inclusivity and collective thinking. Given the Organization's difficult financial situation, her delegation had proposed flexible, low-cost formats for those consultations. Instead of taking a punitive or interventionist stance, the draft resolution was focused on dialogue, cooperation and solidarity in human rights matters. Those States that questioned the issue's relevance to the Council's agenda were the same ones that promoted hostility and confrontation. There were plenty of persuasive examples demonstrating that solidarity and international cooperation were the most effective way of tackling national human rights challenges. The peoples of the world needed more solidarity and less rhetoric and had a right to show and receive solidarity. For those reasons, she called on the members of the Council to vote in favour of the draft resolution.

50. **The President** announced that 16 States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$87,100.

General statements made before the voting

51. **Mr. Gebru** (Ethiopia) said that international solidarity was not only a moral imperative, but also a legal and practical necessity, especially in a world facing overlapping, deeply interconnected challenges. The draft resolution spoke to the urgent need for collective, coordinated and rights-based responses to global issues ranging from pandemics and climate change to poverty and structural inequality.

52. For Ethiopia, the principles of mutual respect, cooperation and equitable partnership were essential to a fair international order. His delegation particularly valued the recognition that international solidarity must go beyond aid and charity to involve sharing knowledge, resources and responsibilities with a view to closing systemic gaps that impacted the realization of economic, social and cultural rights, including the right to development. His delegation supported the draft resolution's goal of strengthening technical cooperation, capacity-building and the South-South and triangular cooperation tools that were increasingly critical for developing countries to address their human rights challenges in context-appropriate and locally driven ways. It wished to underscore the imperative work of the Independent Expert on human rights and international solidarity, as well as its support

for the continuation of inclusive consultations on the revised draft declaration on the right to international solidarity. He hoped that the draft resolution would be adopted by consensus.

53. **Ms. Li Xiaomei** (China) said that promoting international human rights called for solidarity and cooperation, not division and confrontation. China was committed to upholding international solidarity to build a shared future for humankind based on equality and mutual respect. It opposed the instrumentalization and politicization of human rights. Enhancing international solidarity was an important means of implementing the 2030 Agenda for Sustainable Development and, for developing countries, of realizing the right to development. The draft resolution reflected respect for the cultural diversity of States and the recognition that international solidarity was a tool for addressing issues such as migration, racism and violence against women and girls. Her delegation would support its adoption.

54. **Mr. Dey** (Bangladesh) said that Bangladesh had always believed that international solidarity was not just an abstract value but a foundational principle that must underpin global efforts to promote and protect all human rights for all people. Solidarity must bind countries together in the pursuit of shared prosperity, peace and the full realization of human rights. The draft resolution came at a time when the widening gap between developed and developing countries, persistent poverty, rising inequalities, the climate crisis and ongoing global conflicts threatened the fabric of international cooperation. The COVID-19 pandemic had exposed systemic vulnerabilities, reminding the world that collective problems required collective responses rooted in equity and justice.

55. Accordingly, his delegation welcomed the recognition in the draft resolution that international solidarity extended far beyond traditional assistance and embodied genuine cooperation, mutual respect, equal partnership and fair burden-sharing. It also welcomed the renewed emphasis on enhancing official development assistance and mobilizing new and additional resources to support developing countries' efforts to achieve the Sustainable Development Goals, as well as the recognition that international solidarity was a powerful tool for addressing transnational issues such as extreme poverty, food insecurity, climate change and pandemics. The focus on South-South and triangular cooperation resonated strongly with his Government's commitment to sharing best practices and fostering regional partnerships. His delegation emphasized the need for stronger multilateralism grounded in solidarity, inclusivity and respect for national ownership and priorities, and encouraged the continued work of the Independent Expert on human rights and international solidarity.

56. **Mr. Bladehane** (Algeria) said that international solidarity was a collective responsibility of all States without exception and, given increasing global challenges, including armed conflict and climate change, was also a moral and legal responsibility. Rich countries with greater capacities should support least developed and developing countries by sharing burdens in order to achieve the Sustainable Development Goals and enable all people to enjoy peace, dignity and prosperity. As a reflection of its belief in the link between independence and security in Africa and sustainable development, Algeria had taken part the previous week in the fourth International Conference on Financing for Development, where it had pledged \$1 billion for development projects in African countries. Should a vote on the draft resolution be requested, his delegation would vote in favour and called on all members to do likewise.

Statements made in explanation of vote before the voting

57. **Mr. Oike** (Japan) said that, while Japan fully recognized the importance of international solidarity from a political and moral perspective, it was concerned about the definition of international solidarity in the draft resolution, as it lacked clarity and could not be regarded as being established under international law. In addition, the primary holders of human rights were individuals and the primary responsibility for the promotion and protection of human rights lay with each Member State. Moreover, the issues addressed in the draft resolution fell outside the scope of the Council's mandate. Accordingly, Japan requested a vote on the draft resolution and would vote against it.

58. **Mr. Pintado Collet** (Mexico) said that his Government shared the strong belief – evident in the outcome document of the Fourth International Conference on Financing for Development – that international solidarity, in the broad sense reflected in the draft

resolution, was a powerful tool for addressing the structural causes of current global challenges. However, while it agreed that international solidarity should guide international relations, it took the view that international solidarity was not an established principle of international law or international human rights law. Nevertheless, solidarity, unity and cooperation among Governments and peoples were urgently in need of strengthening on the basis of mutual respect, sovereignty and the legal and trading frameworks of each State; therefore, his delegation would vote in favour of the draft resolution.

59. **Mr. Gómez Martínez** (Spain), speaking on behalf of the States members of the European Union that were members of the Council, said that international solidarity was at the heart of the European Union's external action. Representing 42 per cent of all official development assistance, the European Union and its member States had long been at the forefront of supporting global efforts to promote sustainable development and had set the goal of collectively providing at least 0.7 per cent of gross national income in official development assistance by 2030 to accelerate the achievement of the Sustainable Development Goals.

60. The European Union was in favour of enhancing the international development cooperation architecture by building on the strengths and expertise of the relevant entities and ensuring that it was fit for purpose, and wished to underline the importance of leadership and commitment on the part of national stakeholders and authorities, who had the primary responsibility for their country's development.

61. The European Union appreciated the inclusion, in the draft resolution, of its proposal that some of the Independent Expert's consultations should be held in a hybrid format, in the light of the Council's financial situation. However, its position on the draft resolution remained the same as in previous years: the concept of a right to international solidarity had no basis in international law and the issues addressed in the draft resolution were outside the Council's mandate. The European Union could not, therefore, support the draft resolution, the aim of which was to make international solidarity a foundational principle of international law and international human rights law.

62. **Mr. Nkosi** (South Africa) said that the draft resolution, which was consonant with the "solidarity, equality, sustainability" theme of his country's presidency of the Group of 20, was particularly relevant in the current geopolitical situation, where nationalism and protectionism were posing a threat to multilateralism, international cooperation and solidarity. International solidarity could be a powerful tool for addressing the structural causes of global challenges and the widening gap between developed and developing countries. For many developing countries, the realization of the 2030 Agenda for Sustainable Development remained a distant dream, with only five years left before the deadline. The international community must remain committed to that ambitious Agenda. South Africa therefore called on developed countries to honour fully their commitments in terms of official development assistance.

63. As noted in the draft resolution, international solidarity must not be limited to international assistance and cooperation, aid, charity or humanitarian assistance, but must be seen as a broader concept that included sustainability in international relations. It was a duty of States and should be implemented unconditionally on the basis of mutual respect. His delegation would vote in favour of the draft resolution and called on members of the Council to do the same as a demonstration of the Council's commitment to a just and equitable world.

64. **Ms. Fuentes Julio** (Chile) said that, while international solidarity had long been an important component of the Chilean Government's foreign policy, her delegation continued to doubt the usefulness of adopting a declaration on human rights and solidarity, especially since there was no sound legal basis for treating solidarity as a right. Moreover, the draft resolution referred to "peoples" in addition to "individuals", thereby diluting the language of human rights. Pressing forward with the Independent Expert's work on the draft declaration seemed unfeasible, given the Organization's current liquidity situation. Other, more urgent initiatives on which there was broader consensus should be given priority.

65. Her delegation would therefore abstain from voting on the draft resolution, but that should not be interpreted as a rejection of the idea of solidarity. On the contrary, Chile valued international solidarity and understood its potential to advance the 2030 Agenda and fulfil

the promise to leave no one behind. The Council should hold more in-depth discussions about the concerns raised before deciding whether to pursue the work on a declaration.

66. **The President** said that the Plurinational State of Bolivia had withdrawn its sponsorship of the draft resolution.

67. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that international solidarity was part of her Government's foreign policy and had defined the work of the United Nations since its foundation. Humankind, the planet, the world and Mother Earth were facing multiple global challenges that could only be addressed through international solidarity and cooperation. Stronger international solidarity was needed to shore up multilateralism and promote equal partnerships and the equitable sharing of benefits and burdens. It was a foundational principle of the Organization and a means of achieving the Sustainable Development Goals and meaningful progress on human rights, including the right to development. Her delegation would vote in favour of the draft resolution and hoped that the other Council members would do likewise.

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

In favour:

Algeria, Bangladesh, Benin, Bolivia (Plurinational State of), Brazil, Burundi, China, Colombia, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Dominican Republic, Ethiopia, Gambia, Ghana, Indonesia, Kuwait, Kyrgyzstan, Malawi, Maldives, Marshall Islands, Mexico, Qatar, South Africa, Sudan, Thailand, Viet Nam.

Against:

Albania, Belgium, Bulgaria, Cyprus, Czechia, France, Georgia, Germany, Japan, Morocco, Netherlands (Kingdom of the), North Macedonia, Republic of Korea, Romania, Spain, Switzerland.

Abstaining:

Chile, Costa Rica, Iceland, Kenya.

69. *Draft resolution [A/HRC/59/L.9](#) was adopted by 27 votes to 16, with 4 abstentions.*

Draft resolution [A/HRC/59/L.11](#): The right to education

70. **Mr. Mira Gomes** (Observer for Portugal), introducing the draft resolution, said that, with less than five years remaining until 2030, Sustainable Development Goal 4 on quality education was among the furthest from being achieved, thus hampering the implementation of the other Goals. Inequalities and lack of investment were preventing millions of people from enjoying access to education. By adopting the draft resolution, the Council would urge all States to comply with their obligation to realize the right to education without discrimination, including by making education a priority in their national budgets. It would also call on States to ensure accessible, inclusive, equitable quality education at all levels and promote lifelong learning opportunities for all. The draft resolution built on the extensive work of the Special Rapporteur on the right to education, chiefly her recommendations on the rights to be safe in education and to academic freedom, the positive impacts and risks of artificial intelligence in education and the role and rights of teachers.

71. The increasing restrictions imposed on academic freedom, which was at the heart of scientific progress and independent thinking, were of particular concern. Since the adoption of the previous iteration of the resolution, the rise in armed conflict around the world had left millions of children out of school. The international community must not be indifferent to the long-lasting effects of the scourge of war on generations to come. Accordingly, the draft resolution expressed strong condemnation of the recurring and increasing attacks on education in the context of armed conflict and situations of occupation, and the military use of educational facilities. It also included acknowledgement of the efforts made by States that were signatories to the Safe Schools Declaration and a strong call for accountability. He hoped that the draft resolution would be adopted by consensus.

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

General statements made before the decision

73. **Ms. Cordero Suárez** (Cuba), reiterating her Government's unwavering commitment to the promotion and protection of the right to universal and free quality public education without discrimination of any kind, said that education in Cuba was not a privilege but an essential pillar of the social project and a right that was guaranteed from early childhood to postgraduate education, thanks to continuous investment in human development.

74. Cuba welcomed the reaffirmation, in the draft resolution, of States' obligation to eliminate the structural, social and economic barriers preventing millions of people, especially girls, persons with disabilities and persons living in rural areas, from fully exercising their right to education. The recognition of the additional challenges that developing countries faced in meeting that obligation, which included, in the case of Cuba, the impact of unilateral coercive measures on access to resources and technologies, was of particular note. Her delegation endorsed the call to increase public financing for education, including in emergency situations, and the condemnation of the commercialization of knowledge. It was necessary to regulate private-sector participation to ensure that education remained a public good. Education must be not only accessible, but also inclusive, relevant and transformative, promoting the values of solidarity, peace, social justice and respect for cultural diversity.

75. **Mr. Nkosi** (South Africa) said that the right to education had taken pride of place in his country's efforts to build a new nation, as reflected in the Freedom Charter, adopted 70 years earlier, which served as the blueprint for the non-racial, non-sexist and democratic society South Africa was striving to become. Under the Freedom Charter, the doors of learning and culture were to be open to all and education was to be free, compulsory, universal and equal for all children. Sadly, the right to education remained a distant dream for millions of children around the globe. The findings in the most recent report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel ([A/HRC/59/26](#)) had shown that the genocidal onslaught by Israel on Palestinians had obliterated the education system in Gaza. Safety in school was a fundamental precondition for realizing the right to education, but schools in the Occupied Palestinian Territory and in other situations of foreign occupation, rather than being sanctuaries of learning and growth, had instead become sites of fear and destruction. In keeping with the reference, in the Vienna Declaration and Programme of Action, to "foreign occupation" and its nexus with the violation of the inalienable right of all peoples to self-determination, which was the wellspring from which the realization of all human rights and fundamental freedoms flowed, it was fitting that the draft resolution contained references to situations of occupation. His delegation called on the members of the Council to adopt the draft resolution by consensus.

76. **Mr. Da Silva Nunes** (Brazil) said that the draft resolution's focus on the potential of safe, reliable and affordable information and communications technology to enhance learning, personalize education experiences and expand access to quality instruction was welcome. The digital and technological divides were rooted in persistent forms of discrimination based on multiple and intersecting factors, which were further exacerbated in the context of disasters and armed conflict. Combating all forms of discrimination in the education system was essential for building a fair and democratic society; accordingly, the integration of digital and artificial intelligence tools in education must be guided by policies that prioritized equity, universal access and respect for human rights. His delegation also welcomed the references to the right to freedom of opinion and expression, including the freedom to seek, receive or impart information; the right to freedom of thought, conscience and religion; and academic freedom of staff and students as a key dimension of the right to education.

77. **Ms. Naveiras Torres-Quiroga** (Spain) said that education was the connective tissue enabling the development of people and, therefore, of societies that respected human rights. To educate was to instil critical thinking and other tools necessary for analysing and changing the world. The draft resolution emphasized the importance, for both teachers and students, of

academic freedom, which was defined in the 1997 recommendation of the United Nations Educational, Scientific and Cultural Organization (UNESCO) concerning the status of higher-education teaching personnel as the right, without constriction by prescribed doctrine, to freedom in areas such as teaching, discussion and research. All countries must continue striving to ensure academic freedom and freedom of thought and to overcome inequalities with the aim of fulfilling the right to accessible and inclusive quality education for all, including by leveraging new technologies.

78. Her delegation urged all States to endorse the Safe Schools Declaration. In Gaza, with over 70 per cent of schools destroyed, children could not look towards the future. The Council must not be numb to those intolerable attacks but must reaffirm the right to education for all, in all parts of the world. She hoped that the draft resolution would be adopted by consensus.

79. **Mr. Gallón** (Colombia) said that all States should continuously strive to achieve Sustainable Development Goal 4. According to the global report on early childhood care and education issued in 2024 by UNESCO and the United Nations Children's Fund, without immediate action, more than 300 million children would fail to reach minimum reading proficiency by 2030, and only 57 per cent of pre-primary teachers in low-income countries had the necessary training. Furthermore, the Global Coalition to Protect Education from Attack had found that there had been frequent, widespread and growing attacks against education in 2022 and 2023, with nearly 6,000 incidents recorded; the figures were likely to be even higher in the 2024–2025 biennium.

80. His Government strongly condemned attacks on students, teachers and education infrastructure and reaffirmed its commitment to protecting the right to education in the context of armed conflict. Colombia had endorsed the Safe Schools Declaration in 2022, subsequently adopting a national action plan to guarantee safe, violence-free learning environments for all. Colombia reaffirmed its commitment to early childhood education as a fundamental pillar for the comprehensive development of children and the fight against poverty and had prioritized the strengthening of early childhood services with a differential approach tailored to its various local and ethnic communities. It also acknowledged the key role of school feeding programmes in ensuring the right to education, school retention and students' physical and cognitive development. For those reasons, he hoped that the Council would once again adopt the draft resolution on the right to education by consensus.

81. **Mr. Céspedes Gómez** (Costa Rica) said that academic freedom and freedom of expression were fundamental to protecting human rights and upholding the right to education and allowed teaching staff and students alike to engage, without fear of reprisals, in the research, debate and sharing of knowledge that were essential to scientific progress and the building of knowledge as a common good. In the context of the right to education, other rights such as the right to freedom of opinion and expression, the right to freedom of thought and conscience and the right of educators and students to participate in peaceful protest must be respected and protected. States, education institutions and academic staff had a responsibility to promote an inclusive, safe and enabling environment conducive to critical thinking and evidence-based learning.

82. His delegation welcomed the emphasis, in the draft resolution, on the increasing restrictions on academic freedom, including at renowned universities, which were cause for deep concern and undermined democracy and equal access to knowledge. He hoped that the text would be adopted by consensus.

83. **Ms. González Nicasio** (Dominican Republic) said that her country shared with Portugal, the main sponsor, a strong commitment to the defence of multilateralism, human dignity and the central role of economic, social and cultural rights. The right to education was essential not only to individual development but also to building democratic, fair and inclusive societies. Her delegation appreciated the draft resolution's broad focus; the inclusion of key aspects such as inclusive and quality education, equitable access to education for all age groups, the protection of academic freedom and the need to strengthen public education systems; and the concrete proposals centred on strong international cooperation, sustainable financing and the attainment of the Sustainable Development Goals, in particular Goal 4.

84. Her Government had made education a national priority and, recognizing the importance of regulatory frameworks and global cooperation in guaranteeing universality, welcomed the draft resolution as a means of promoting international solidarity and equitable access to knowledge as a tool for social transformation. Ensuring safe access to education in conflict settings was not only a legal obligation under international humanitarian and human rights law but also an act of dignity, resistance and reconstruction.

85. *Draft resolution A/HRC/59/L.11 was adopted.*

Draft resolution A/HRC/59/L.13: Civil society space

86. **Mr. White** (Observer for Ireland), introducing the draft resolution on behalf of the main sponsors, namely Chile, Japan, Sierra Leone, Tunisia and his own delegation, said that civil society was a crucial partner in collective efforts, including those of the Council, to protect and promote human rights at the local, national, regional and international levels. While civil society's vital contribution was acknowledged in the draft resolution, the international community must recognize the alarming rise in, and the growing sophistication of, the challenges and risks that civil society faced. Threats, intimidation and harassment could have a stifling effect on civil society space and, in some instances, could lead to physical violence and killings. The Council must send a strong and united message in support of civil society, and States must take proactive measures to create and maintain a safe and enabling civil society space. States and other stakeholders, including businesses, must ensure that legislation, policies and practices did not hinder civil society's ability to operate freely and independently.

87. **Mr. Saffa** (Observer for Sierra Leone), continuing the introduction of the draft resolution, said that the main sponsors had convened open informal consultations and conducted extensive bilateral outreach with States and civil society organizations to ensure that a variety of perspectives were reflected in the draft resolution, resulting in a comprehensive and balanced text that enjoyed cross-regional sponsorship by more than 50 States. Civil society space was not just an abstract idea but a necessary condition for the realization of just, peaceful and democratic societies. Ensuring the safe, meaningful, diverse and inclusive participation of civil society in decision-making processes at all levels empowered communities and contributed to good governance and the rule of law. He called on the members of the Council to adopt the draft resolution by consensus.

88. **The President** announced that 10 States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$80,000.

General statements made before the decision

89. **Ms. Cordero Suárez** (Cuba) said that her delegation reiterated its firm support for the work of civil society organizations and their positive contribution to the development of social and economic legislation and decision-making processes. There should be no attempt to impose a one-size-fits-all model of civil society that was alien to a country's history, culture and politics, nor should the concept be manipulated or used as a pretext for interfering in internal affairs or undermining the constitutional order of sovereign States. As was recognized in the draft resolution, civil society operated within the framework of national legislation consistent with the Charter of the United Nations and international law. Debates over civil society space must not be used as a tool to exert selective pressure on countries in the global South, a practice that went against the principles of objectivity, impartiality and universality that should govern the Council's work.

90. The promotion of an enabling environment for citizen participation should be rooted in respectful dialogue and genuine cooperation rather than confrontation and the imposition of external agendas. In Cuba, civil society played an active and legitimate role in the design and implementation of public policies. Its broad representativeness and mobilizing capacity made it a key actor in national life. Cuban non-governmental organizations were highly proactive in consultation and decision-making processes in areas such as combating racial discrimination and promoting gender equality, environmental protection and the rights of children, older persons and persons with disabilities. There was growing collaboration between government bodies and civil society organizations, with a view to ensuring greater

protection for human rights. The Government would continue to strengthen mechanisms for citizen participation in all decision-making processes.

91. **Ms. Hysi** (Albania) said that her delegation welcomed the balanced draft resolution, which reaffirmed the role of civil society in the protection and promotion of human rights. Threats against civil society were a global phenomenon that required a global response, including from the Council. A vibrant, diverse and independent civil society was essential to the realization of human rights; it played a vital role in fostering accountability, transparency and good governance and made a meaningful contribution to preventing human rights violations, promoting the rule of law and advancing inclusive and sustainable development. The draft resolution contained an acknowledgement of those contributions and a call for States to create and maintain a safe and enabling environment in which civil society could operate freely, both online and offline.

92. Her delegation strongly supported the request for the United Nations High Commissioner for Human Rights to prepare a follow-up thematic report to review progress and identify emerging challenges concerning civil society space, as a valuable tool for all stakeholders. It urged the Council to send a strong and united message that civil society was a cornerstone of collective efforts to uphold human rights.

93. **Mr. Gallón** (Colombia) said that, globally, civil society space continued to be threatened by, inter alia, the excessive use of force and the criminalization of human rights activism. The rights to freedom of peaceful assembly and of association continued to be attacked; in some countries, persistent efforts were being made to restrict civic space and smother democratic debate. The Special Rapporteur on the rights to freedom of peaceful assembly and of association had expressed concern about the risk that digital technology could be used to persecute and repress activists and political opponents, with a chilling effect on democratic participation. States must reaffirm their commitment to the comprehensive protection of human rights defenders and recognize their essential role in building just, inclusive and democratic societies. In the face of persistent challenges, Colombia was making efforts to strengthen prevention, protection and justice mechanisms, using a differential approach, and to guarantee a safe and enabling environment, both online and offline, in which human rights defenders could operate free from hindrance and insecurity. The inclusive, diverse, safe and meaningful participation of civil society in decision-making processes was essential to democracy. There was no democracy without a free and vibrant civil society, and civil society could not flourish without democratic institutions. His delegation was pleased to join the consensus on the text.

94. **Mr. Yun** Seong Deok (Republic of Korea) said that civil society was an essential partner in amplifying the voices of marginalized communities, promoting accountability and advancing peace and development. It had an indispensable role to play by providing early warning of deteriorating human rights situations or serious human rights violations. His delegation was alarmed by the growing attempts to silence, hinder or harass civil society actors and human rights defenders, including through the filing of strategic lawsuits against public participation. The Council must reaffirm its commitment to ensuring a safe and enabling environment for civil society, both online and offline. The inclusive and transparent negotiations had led to a strong, balanced text that reflected the spirit of compromise and remained focused on the contemporary challenges faced by civil society actors. He encouraged the Council to adopt the draft resolution by consensus.

95. **Mr. Gómez Martínez** (Spain), speaking on behalf of the States members of the European Union that were members of the Council, said that civil society organizations played an essential role in protecting and promoting human rights, pursuing accountability for human rights violations and abuses and contributing to the achievement of the Sustainable Development Goals at the local, national, regional and international levels. Unjustified restrictions on such organizations' ability to operate freely jeopardized the achievement of the Goals and posed a threat to democracy and the rule of law. The European Union was a staunch supporter of a vibrant, independent and diverse civil society and, in a global context of shrinking civil society space, acknowledged the timeliness of the draft resolution. It was important for the Council to send a united message in support of civil society and its work. The balanced text, which had been negotiated through a constructive and transparent approach, emphasized the essential role of civil society, underscored some of the key

challenges it faced and set out a call for States to create and maintain a safe and enabling environment for its work.

96. **Mr. Ramirez Garcia** (Dominican Republic) said that the draft resolution reaffirmed a fundamental principle of democracy, namely the need for a safe environment, both online and offline, in which civil society organizations could operate unhindered and without fear of reprisals, and rightly recognized civil society's vital role in promoting and protecting human rights, preventing conflict and ensuring accountability. In the same spirit, the Dominican Republic had designed a national strategy for civic space. According to data gathered by the Varieties of Democracy Project, the country ranked fourth in Latin America in terms of civic openness. Nevertheless, global challenges remained in the achievement of more meaningful, inclusive and representative citizen participation. His delegation reaffirmed its commitment to a people-centred multilateral system and urged all members of the Council to adopt the draft resolution by consensus.

97. **Ms. Debrun** (Marshall Islands) said that her delegation recognized the importance of civil society in protecting and promoting human rights, strengthening democracy and ensuring sustainable development. As a low-lying island nation, the Marshall Islands stood at the forefront of the climate crisis, which threatened not only the country's land but its way of life. In such moments of difficulty, communities and civil society were the key to resilience. Through civil society, global advocacy and grass-roots initiatives, the people of the Marshall Islands were not passive victims but agents of change.

98. The draft resolution was aimed at strengthening existing civil society initiatives, with a focus on the changing digital dimensions of civic space. In an era of rising transnational repression and digital surveillance, it represented an important step in developing a cohesive framework for States to act in defence of human rights defenders, grass-roots organizations and civil society advocates. Ultimately, it was consistent with values that guided democratic governance, transparency, accountability and rights protection and sent a clear message that civil society was essential for the promotion and protection of human rights and that all States had a responsibility to defend civic space. Her delegation called upon the Council members to support the text and reaffirm their collective commitment to strengthening the voices of those working to create freer and fairer societies.

99. **Mr. Song** Changqing (China), speaking in explanation of position before the decision, said that China attached importance to the positive role played by civil society at the national, regional and international levels in promoting and protecting human rights and in fostering economic and social development. China supported civil society in conducting its work in an orderly, lawful, positive and constructive manner.

100. His delegation had participated in the consultations on the draft resolution, proposing constructive amendments, and was grateful to the main sponsors for having added elements such as the threats and attacks faced by civil society organizations in occupied territories. However, the text overemphasized the rights and freedoms of civil society and did not adequately address its obligations, including ensuring that its participation in United Nations activities was in conformity with the purposes and principles of the Charter. Furthermore, the text contained a call for Governments to remove lawful restrictions on the work of civil society organizations without explicitly indicating that such organizations should operate within the relevant national legal framework. In view of the imbalance in the draft resolution, China would not join the consensus on its adoption.

101. *Draft resolution [A/HRC/59/L.13](#) was adopted.*

Draft resolution [A/HRC/59/L.14](#): New and emerging digital technologies and human rights

102. **Mr. Yun** Seong Deok (Republic of Korea), introducing the draft resolution on behalf of the main sponsors, namely Austria, Brazil, Denmark, Morocco, Singapore and his own delegation, said that Council resolution 41/11, adopted in 1979, had been the first Council resolution to address the human rights implications of new and emerging digital technologies in a holistic, inclusive and comprehensive manner. The draft at hand was intended to address identified gaps and challenges in advancing that agenda within the Council and to break down silos. As the impact of such technologies continued to expand in many aspects of human rights, a wide range of approaches and dialogues were under way within and outside the

human rights system. However, gaps and challenges, including lack of coordination and coherence, overlaps and contradictions and insufficient implementation, remained. The draft resolution contained a call for a set of actions – the convening of regular meetings of United Nations human rights mechanisms and relevant United Nations entities working on digital technology issues, the preparation of an analytical study building on the previous mapping report to clarify States’ obligations and the human rights responsibilities of business enterprises across the life cycle of technologies and the convening of a multi-stakeholder meeting for States, businesses, academics and civil society to share good practices and discuss ways to improve implementation – that would address those issues and achieve meaningful progress. It also contained references to relevant international initiatives such as the Global Digital Compact. He hoped that the draft resolution, like previous resolutions on the same subject, would be adopted by consensus.

103. **The President** announced that 21 States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$107,200.

General statements made before the decision

104. **Mr. Oike** (Japan) said that Japan had taken a proactive and strategic approach to implementing new and emerging digital technologies, including artificial intelligence, based on a progressive vision known as Society 5.0, a new human-centred society. At the same time, it had been closely monitoring the debate on the impact of new and emerging digital technologies on the enjoyment of human rights and recognized the need to accelerate international discussion and collaboration on balancing technological innovation with due respect for the promotion and protection of human rights.

105. The draft resolution called for a holistic, inclusive and comprehensive approach to the development and deployment of new and emerging digital technologies in line with international human rights law and stressed the importance of multi-stakeholder discussions involving, inter alia, Governments, the private sector, international organizations, civil society, the media and the technical and academic communities. He hoped that the draft resolution would be adopted by consensus.

106. **Mr. Da Silva Nunes** (Brazil) said his delegation hoped that the draft resolution would contribute to the implementation of the Global Digital Compact and guide OHCHR in its efforts to facilitate international cooperation in what was a critical field. The draft resolution reflected the broader need for regulatory and governance frameworks for new technologies grounded in fundamental respect for human rights and would also emphasize the need for international and multidisciplinary cooperation. Such regulation should be discussed within the framework of the United Nations system, thereby allowing for an inclusive dialogue on the impact of such technologies, including on vulnerable groups, while helping to bridge all digital divides.

107. Brazil shared the growing global concern regarding the risks that the unregulated use of new technologies posed to democracies and electoral systems in terms of enabling the rise of extremist and xenophobic movements. Another area of concern was the use of digital technologies to manipulate information and spread disinformation, which disproportionately affected vulnerable groups by promoting hate speech. The draft resolution would help to improve coherence and organize existing knowledge on technology-related issues with a view to ensuring consistent progress, while avoiding duplication and overlaps with the work of other entities.

108. **Mr. Berkemeier** (Germany) said that his delegation welcomed the draft resolution’s focus on strengthening coordination, synergies and coherence in the Council and other relevant United Nations bodies and promoting a human rights-based approach to new and emerging technologies. It would make an important contribution to fostering system-wide coherence and efficiency in filling gaps in the implementation of the Global Digital Compact and tackling common challenges without duplicating existing workstreams. His delegation commended the exemplary work of the main sponsors in engaging proactively with delegations and seeking to reduce as far as possible the financial implications of the draft resolution. He encouraged the Council members to adopt the text by consensus.

109. **Ms. Fuentes Julio** (Chile) said that the text clearly laid bare the two sides of technological development: its potential to improve the exercise of human rights and the significant risks posed by its abusive or uncontrolled use. Her delegation appreciated in particular the references to the Global Digital Compact and the reaffirmation of a multi-stakeholder approach in the processes of the World Summit on the Information Society; such an approach was key to ensuring an open, safe and interoperable digital environment.

110. The draft resolution also contained language recognizing the differentiated impact on women and girls and the urgent need to adopt measures to address forms of gender-based violence that occurred through the use of technology, an approach that was fully in line with her Government's feminist foreign policy. Her delegation welcomed the reaffirmation of the Guiding Principles on Business and Human Rights, which established the State duty to protect human rights, the corporate responsibility to respect those rights and the principle of access to effective remedies. Businesses had a central role to play in integrating human rights protection into technological development by design and by default.

111. Technology had a strong impact on people's lives. Digital governance provided an opportunity for States and societies to decide what form that impact would take. The draft resolution made clear that people should be placed at the centre of technological development. Her delegation strongly supported the draft resolution's adoption by consensus.

112. **Mr. Bálek** (Czechia) said that his Government promoted a human rights-based, human-centric digital transformation of the whole life cycle of new and emerging technologies, including artificial intelligence systems, and therefore welcomed the reference, at least in the preamble of the draft resolution, to the human rights-based approach. Czechia was a strong advocate of a multi-stakeholder approach to digital and technological governance and shared responsibility. It appreciated the inclusion of language from General Assembly resolution 78/213, on the promotion and protection of human rights in the context of digital technologies, calling on stakeholders to refrain from the use of artificial intelligence applications that were impossible to operate in compliance with international human rights law. The draft resolution was a reminder of the collective aim of ensuring that individual users could safely benefit from digital technologies and were protected from violations, abuses and discrimination.

113. In the face of budgetary restrictions and efficiency measures, his delegation welcomed the draft resolution's focus on avoiding fragmentation and promoting synergies and coordination among the United Nations human rights mechanisms and institutions working on digital technologies. A convening and coordinating role for OHCHR would be helpful in breaking down silos between the Council and United Nations technical organizations. As a sponsor of the draft resolution, his delegation hoped that it would be adopted by consensus.

114. **Mr. Song Changqing** (China), speaking in explanation of position before the decision, said that his Government attached great importance to the question of new and emerging digital technologies and human rights. While his delegation appreciated the broad consultations held by the main sponsors, it wished to highlight the fact that paragraph 8 of the draft resolution, concerning the convening of an intersessional meeting, did not clearly reflect the provisions on the participation of non-governmental organizations contained in the institution-building package in Council resolution 5/1. Furthermore, the draft resolution should not include language on which no consensus had been reached, to avoid impacting negatively on international cooperation in the field. Given the importance of the subject matter, his delegation would nevertheless join the consensus on the text.

115. *Draft resolution A/HRC/59/L.14 was adopted.*

The meeting rose at 12.55 p.m.