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President: Mr. Lauber (Switzerland)

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

Agenda item 9: Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action (continued) (A/HRC/60/L.29/Rev.1)

Draft resolution A/HRC/60/L.29/Rev.1: From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance (continued)

General statements made before the decision (continued)

1. **Mr. Bladehane** (Algeria) said that, as Algeria had a long history of anti-colonial struggle, it remained deeply committed to the fight against racism and all forms of racial discrimination. The legacy of slavery, colonialism, apartheid and foreign occupation continued to have profound effects on communities around the world. In that regard, his delegation welcomed the focus of the draft resolution on the question of reparations, as reparatory justice was a vital part of the process of acknowledging historical wrongs and restoring dignity to victims and their descendants.
2. The African Union had declared that its theme for 2025 would be “Justice for Africans and people of African descent through reparations”, reflecting the growing calls across the global South for action to be taken on reparations for colonialism, slavery and systemic racial discrimination. The rise of xenophobia, Islamophobia, antisemitism, racism and discrimination against migrants and people of African descent was a growing concern in many parts of the world. The Council should ensure that those issues remained at the forefront of its agenda and should support States in implementing anti-discrimination measures in line with their international obligations. His delegation supported the draft resolution and called on all members of the Council to adopt it by consensus.
3. **Mr. Nkosi** (South Africa) said that the adoption of the draft resolution by consensus would indicate a renewed sense of commitment to the fight against racism, racial discrimination, xenophobia and related intolerance. Reparations and reparatory justice were crucial aspects of the fight against those scourges. Africans and people of African descent deserved recognition, justice and development, in line with the commitments made in connection with the International Decade for People of African Descent and the Second International Decade for People of African Descent. His delegation supported the call in the draft resolution for States and regions to work with the African Union to identify and fulfil their responsibilities concerning reparations for slavery and colonialism. He urged all members of the Council to adopt the draft resolution by consensus.
4. **The President** announced that the draft resolution had programme budget implications amounting to \$582,300, of which \$342,800 was already included in the programme budget for the relevant years.

Statements made in explanation of position before the decision

5. **Mr. Samouel** (Cyprus), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union remained committed to advancing the multilateral anti-racism agenda, as too many people around the world faced discrimination on the basis of their race. Fighting racism went hand in hand with the fight against antisemitism, anti-Muslim hatred and all other forms of discrimination. It was in that spirit that the European Union would join the consensus on the draft resolution.
6. However, the European Union considered that the multilateral anti-racism agenda remained grounded in the agreed language of the Durban Declaration and Programme of Action, including language relating to redress for colonialism, slavery and the slave trade. As the representative of the European Union had stated upon the adoption of those instruments, nothing in the Declaration or the Programme of Action could affect the general legal principle which precluded the retrospective application of international law in matters of State responsibility. That concern applied in particular to the twentieth preambular paragraph and paragraph 8 of the draft resolution. No other language adopted by consensus in the draft

resolution should be interpreted to go beyond the principles expressed in the Durban Declaration and Programme of Action.

7. The European Union accepted the additions made to the draft resolution that were taken verbatim from the Declaration, including the reference to “Islamophobia”, while reiterating that the use of such language was specific to the context of the Declaration and Programme of Action and should not be considered as enjoying consensus in other domains. The adoption of the draft resolution would be a stepping stone towards more concerted action to increase the impact of anti-racism mechanisms through more strategic allocation of the available resources.

8. **Mr. Berkemeier** (Germany) said that, as Germany had a painful history of State-sponsored racism and antisemitism, it remained committed to implementing the Durban Declaration and Programme of Action. People around the world, including in Germany, continued to be subjected to racism, antisemitism and anti-Muslim hatred. People of colour, especially people of African descent, continued to face discrimination, racial profiling, hate and violence. The rise of antisemitic hate speech and acts of violence around the world, including in Germany, was of particular concern to his delegation, which welcomed the inclusion of new language in the draft resolution on the need to take effective action against the increase in antisemitism around the world.

9. The Government of Germany actively addressed the legacy of the country’s colonial past through measures such as conducting independent scientific research into colonial policy and identifying historical injustices. It supported the return of cultural artefacts and ancestral remains to their countries of origin. However, the draft resolution included language relating to reparations and reparatory justice for colonialism and the transatlantic slave trade that was not in line with contemporary international law. Nevertheless, his delegation would join the consensus on the draft resolution.

10. **Mr. Gómez Martínez** (Spain) said that racism and xenophobia undermined the very essence of societies in all countries, eroding tolerance and hindering coexistence. True equality required proactive anti-racist public policies and structural changes, as well as the inclusion, recognition and participation of historically marginalized communities. The fight against all forms of discrimination should be approached from an intersectional perspective, with particular attention being paid to the forms of inequality affecting women of African descent. One of the most extreme forms of racism was antisemitism. In that regard, he wished to remember the victims of the terrible attacks committed in Israel on 7 October 2023. The Government of Spain demanded the release of the Israeli hostages who remained in captivity.

11. His delegation wished to reaffirm its commitment to effective multilateralism, with the International Convention on the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action as the cornerstones of collective efforts to combat structural and systemic racism. In December 2024, Spain had hosted the fourth Global Forum against Racism and Discrimination. The Government’s promotion of a financing system for inclusive development, as embodied in the Sevilla Commitment adopted at the Fourth International Conference on Financing for Development, attested to its commitment to reversing inequalities. Although there was no single formula for dealing with the legacies of the past, international human rights law could serve as a guide in the ongoing discussions, driven by the work of the mechanisms of the Council. For that reason, his delegation was pleased to join the consensus on the draft resolution.

12. **Mr. Payot** (Belgium) said that Belgium was strongly committed to combating all forms of racism, racial discrimination, xenophobia and related intolerance, whether at home or abroad. No one should be subjected to discrimination, violence or intimidation on the basis of origin or skin colour. The Government of Belgium continued to strive for the full and effective implementation of the Durban Declaration and Programme of Action. However, the draft resolution before the Council went far beyond what had been agreed in Durban, especially with regard to reparations. His delegation disagreed with the approach taken and regretted that the main sponsors had not accommodated all the views expressed during the negotiations.

13. *Draft resolution [A/HRC/60/L.29/Rev.1](#) was adopted.*

Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development (*continued*)
 (A/HRC/60/L.12, A/HRC/60/L.20/Rev.1 as orally revised, A/HRC/60/L.36, A/HRC/60/L.39, A/HRC/60/L.40, A/HRC/60/L.41, A/HRC/60/L.42, A/HRC/60/L.58 and A/HRC/60/L.59)

Draft resolution A/HRC/60/L.12: Question of the death penalty

14. **Mr. Cuc** (Observer for the Republic of Moldova), introducing the draft resolution on behalf of the main sponsors, namely Belgium, Benin, Costa Rica, France, Mexico, Mongolia, Switzerland and his own delegation, said that the aim of the text, a version of which was introduced every two years, was to promote substantive debate on the death penalty from a human rights perspective. It offered an opportunity to move the discussion beyond the well-known national positions on the death penalty and focus on the human rights implications of its use. The current draft resolution focused primarily on the right to equality before the law and highlighted a number of requirements to ensure the principle of equality of arms. It underscored the importance of respect for those procedural rights and included a call for States to put an end to the imposition of mandatory death sentences, which denied the sentencing court discretion. It included new elements relating to the role of civil society and the specific form of discrimination affecting the sentencing of women and girls. It also recalled the fact that the use of the death penalty led to human rights violations.

15. **Mr. Perriard** (Switzerland), continuing the introduction of the draft resolution, said that it did not concern the abolition of the death penalty or the establishment of a moratorium on its use. While some States considered that the draft resolution did not go far enough, as it failed to condemn the death penalty, others, especially those States that still applied the death penalty, held that it was biased against them. Nevertheless, meaningful exchanges had been held, and the text set the stage for future discussions within the Council. The main sponsors regretted that the draft resolution was being challenged through the submission of four proposed amendments, which, if adopted, would undermine the main thrust of the text.

16. **Mr. Bhatia** (Observer for Singapore), introducing the proposed amendments contained in documents A/HRC/60/L.36, A/HRC/60/L.58 and A/HRC/60/L.59, said his Government agreed that the right to equality before courts and tribunals and the right to a fair trial for persons facing the death penalty must be respected. However, it was disappointed to note that those rights were not the main focus of the draft resolution. Despite the main sponsors' assurances to the contrary, it was clear that the draft resolution was aimed at the abolition of the death penalty, which was not prohibited under international law and was viewed in different ways around the world. A cross-regional group of delegations, including that of Singapore, had engaged in the consultations in good faith with the hope of bringing some balance to the text. He regretted that the main sponsors had not accepted the group's proposed amendments, the purpose of which was to correct the numerous misrepresentations of international law in the text and ensure its factual accuracy.

17. The proposed amendment contained in document A/HRC/60/L.36 set forth a reaffirmation of the sovereign right of States to develop their own legal systems. That language was necessary because the draft resolution represented an attempt to impose the values and opinions of certain States on others without regard to the current state of international law or the diversity of State practice. The proposed amendment tracked the language of General Assembly resolution 79/179 and did not suggest that States could invoke domestic law to justify non-compliance with international obligations. Rather, it reaffirmed their sovereign right to develop their own legal penalties "in accordance with their international law obligations".

18. The proposed amendment contained in document A/HRC/60/L.58 made clear that the interpretation expressed in the eleventh preambular paragraph, on "the most serious crimes", reflected opinions expressed by the Human Rights Committee in its general comments, which were not legally binding. The draft resolution implied that the term "the most serious crimes" had an internationally agreed definition, which was not the case. To claim otherwise would be to overlook the practice and jurisprudence of dozens of States where capital sentences were applied to extremely serious crimes other than crimes involving intentional killing.

19. The proposed amendment contained in document [A/HRC/60/L.59](#) made clear that the position expressed in the twenty-eighth preambular paragraph, on circumstances to be considered by sentencing courts in cases where the death penalty might be imposed, was an opinion of the Human Rights Committee. The proposed amendment would also delete the second half of the twenty-eighth preambular paragraph, which wrongly affirmed that the use of mandatory death sentences was always arbitrary and inconsistent with the right to a fair trial and the right to life. The three proposed amendments were necessary to preserve the Council's credibility and to ensure that its resolutions were not based on fictional representations of States' international obligations. He urged all members of the Council to vote in favour of them.

20. **Mr. Bladehane** (Algeria), introducing the proposed amendment contained in document [A/HRC/60/L.39](#) on behalf of the Group of Arab States, said that the assertion, in the twenty-fourth preambular paragraph of the draft resolution, that the use of the death penalty led to violations of human rights did not accurately reflect international law or current international jurisprudence pertaining to the use of the death penalty. Such an assertion was inconsistent with article 6 of the International Covenant on Civil and Political Rights and risked misrepresenting the legal obligations of States. In the interest of accuracy, and to avoid the appearance of attempting to delegitimize sovereign legal systems, the proposed amendment would change the wording "leads to violations" to read "could lead to violations".

21. **Ms. Méndez Escobar** (Mexico), speaking on behalf of the sponsors of the draft resolution, said that none of the proposed amendments were acceptable because they went against the spirit and purpose of the draft resolution. Her delegation requested a vote on each of the proposed amendments, would vote against them, and urged all Council members to do likewise.

22. **The President** announced that eight States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$139,000. He invited members of the Council to make general statements on the draft resolution and the proposed amendments.

23. **Mr. Dan** (Benin) said that the death penalty had been abolished in Benin in 2019, following a long moratorium on the execution of the penalty and the country's ratification, in 2011, of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. Benin welcomed the progress made towards the universal abolition of the death penalty since the adoption of Human Rights Council resolution 54/35 of 13 October 2023. The sole purpose of the current draft resolution was to promote respect for, and the protection of, the human rights of persons facing the death penalty in States where it continued to be applied.

24. In view of the evidence suggesting that persons from marginalized or disadvantaged minority groups were more likely to be sentenced to death, the draft resolution included a request to the Secretary-General to devote the forthcoming supplement to his quinquennial report on capital punishment to the right to non-discrimination with regard to the imposition and application of the death penalty. Although each country was free to determine when and how it progressed towards the abolition of capital punishment, respect for human rights required all States to follow that path. He urged all members of the Council to support the draft resolution without amendment.

25. **Mr. Samouel** (Cyprus), speaking on behalf of the States members of the European Union that were members of the Council, said that the fight for the universal abolition of the death penalty was an integral part of the human rights policy of the European Union, which firmly opposed the death penalty at all times and under all circumstances. Capital punishment violated the inalienable right to life of every person and made any miscarriage of justice irreversible. The current draft resolution's focus on the equality of arms, including the right of every person to be defended in court on an equal footing with the opposing party, was both elementary and crucial. The text also contained strong language on important issues such as the trend towards abolition, the barring of the reinstatement of the death penalty and the restrictive definition of the term "the most serious crimes".

26. While the European Union would have welcomed a stronger text in keeping with its principled position, it nonetheless recognized the importance of the main sponsors' efforts to advance human rights on the question of the death penalty through a step-by-step and thematic approach. In that context, it deeply regretted the hostile amendments that had been proposed, with some States yet again seeking to foreground their "sovereign right" and questioning the limitation of the scope of "the most serious crimes", a well-established concept under international law that covered only crimes of extreme gravity that involved intentional killing. It was also regrettable that some States were attempting to justify the use of the mandatory death penalty, which was an arbitrary practice incompatible with the right to a fair trial. Inspired by the worldwide trend towards the abolition of the death penalty, the States members of the European Union that were members of the Council would vote in favour of the draft resolution and against all the proposed amendments, and called on others to do the same.

27. **Mr. Gunnarsson** (Iceland) said that Iceland opposed the death penalty in all circumstances and for all people and believed that, as a matter of principle, it had no place in the twenty-first century. It brutalized human society, was degrading and represented an affront to human dignity. His Government remained firmly committed to its universal abolition and welcomed the fact that the number of abolitionist States was growing every year. The draft resolution rightly noted that, in States where the death penalty was still applied, strict compliance with international human rights standards was essential.

28. His delegation welcomed the draft resolution's focus on the concept of equality of arms, on the disproportionate application of the death penalty to members of marginalized groups and minorities and on the discrimination faced by women and girls in the justice system. His delegation would vote in favour of the draft resolution and against all the proposed amendments, and called on others to do the same.

29. **Ms. Hysi** (Albania) said that the purpose of the draft resolution was to reaffirm and strengthen the international human rights standards and obligations that States must observe in respect of the death penalty, which was disproportionately applied to persons from marginalized socioeconomic groups and minorities. Albania opposed the death penalty in all circumstances and for all people and believed that, as a matter of principle, it had no place in the twenty-first century. It brutalized human society, was degrading and represented an affront to human dignity.

30. The use of the death penalty was more than a matter of national debate or a matter of sovereignty; it was a human rights issue. Her Government reiterated its commitment to the universal abolition of the death penalty and was pleased to note that the number of abolitionist States was increasing every year. Her delegation would vote in favour of the draft resolution and against all the proposed amendments, and called on others to do the same.

31. **Mr. Simas Magalhães** (Brazil) said that Brazil was firmly opposed to the death penalty for all crimes, as it constituted a flagrant violation of the right to life and was incompatible with the principles of human dignity and due process. His delegation commended the growing number of countries that had undertaken to impose a moratorium on the death penalty and called on all States that had not yet done so to follow suit. The draft resolution before the Council highlighted the fact that persons from marginalized groups and minorities were disproportionately likely to be sentenced to death. His delegation was pleased to be a sponsor of the draft resolution and called on all members of the Council to support it.

32. **Ms. Fuentes Julio** (Chile) said that, in the informal consultations on the draft resolution, the contributions of the Human Rights Committee through its general comments had been called into question. Her delegation wished to emphasize its support for those documents as interpretative instruments reflecting the expert opinions of the body responsible for monitoring the implementation of the International Covenant on Civil and Political Rights. In considering the issue of the death penalty, it should be borne in mind that the application of the penalty to children and adolescents must be absolutely prohibited, in compliance with article 6 (5) of the International Covenant on Civil and Political Rights and article 37 (a) of the Convention on the Rights of the Child. In that regard, her Government viewed with great concern the increasing use of the death penalty against persons who had

committed crimes in childhood, and welcomed the reflection of that progressive interpretation of international human rights law in the draft resolution.

33. Her delegation welcomed the draft resolution's emphasis on the importance of judicial discretion in the imposition of the death penalty and the commutation of death sentences. The consideration of mitigating factors and alternative punishments played a key role in reducing the scope and limiting the application of the death penalty. In sponsoring the draft resolution, her delegation reaffirmed its commitment to the universal abolition of the death penalty. She urged all members of the Council to vote in favour of the draft resolution and against the proposed amendments.

34. **Ms. Kangah** (Côte d'Ivoire) said that the death penalty violated the fundamental principles of human dignity and the right to life and gave rise to unacceptable risks of judicial error, discrimination and abuse. Numerous studies, and the experience of States, showed that it was no more effective as a deterrent than custodial sentences. The right to life could not be jeopardized by uncertainty or discrimination and must be protected by States. In Côte d'Ivoire, the death penalty had been abolished in 2000. The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, had entered into force in Côte d'Ivoire on 3 August 2024.

35. Her delegation invited all States to view the draft resolution not as a constraint but as an opportunity to strengthen the universality of human rights, consolidate more equitable judicial systems and promote alternative penalties that were consistent with international law. States should strengthen technical cooperation and the sharing of experiences in order to support national transitions towards the abolition of capital punishment. While acknowledging national sensitivities and contexts, her delegation remained convinced that the path of dialogue, cooperation and consensus was the most constructive path. For that reason, she respectfully invited all members of the Council to support the draft resolution.

36. **Mr. Guillermet Fernández** (Costa Rica) said that, in Costa Rica, capital punishment had been a legacy of the colonial period, as it was in most of the countries that still used it. The former President of Costa Rica, Tomás Guardia Gutiérrez, had abolished the death penalty in the late nineteenth century, thereby doing away with that colonialist legacy. While views on the death penalty differed from one country to another, the draft resolution under consideration was focused on human rights. It included a decision to discuss, at the Council's sixty-fourth session, the latest developments, strategies, best practices and alternative approaches to reducing the scope and limiting the use of capital punishment, as well as a request to the Secretary-General to prepare a study on the right to non-discrimination in respect of the imposition and application of the death penalty. During the negotiations, the sponsors had listened carefully and respectfully to all opinions and had managed to arrive at a balanced text that maintained the spirit of the initiative. He encouraged all members of the Council to support the draft resolution.

37. **Ms. Arrous** (Algeria) said that a de facto moratorium on the application of the death penalty had been in place since 1993 in Algeria, where it was handed down only for a limited number of heinous crimes that gravely shocked the public conscience, such as those involving the rape, torture or killing of children. The carefully circumscribed application of the penalty was intended to uphold public order, protect the most vulnerable and prevent individuals from resorting to vigilante justice. Any meaningful dialogue on the death penalty must fully respect the cultural, legal and societal characteristics of each State. In that regard, her delegation advocated a gradual, inclusive and respectful approach to the issue that balanced considerations of national sovereignty with constructive engagement and understanding.

38. Her delegation recalled that general comments issued by treaty bodies were non-binding and should be regarded as interpretative guidance rather than authoritative legal instruments. While her delegation valued the expertise of the treaty bodies, it rejected any attempt to elevate their opinions to the level of binding obligations. In that regard, the proposed amendments brought much-needed balance, nuance and legal accuracy to the text. Her delegation would support the proposed amendments.

39. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/60/L.36](#).

Statements made in explanation of vote before the voting

40. **The President** said that the delegation of Indonesia had withdrawn its sponsorship of the proposed amendment.

41. **Mr. Habi** (Indonesia) said that, throughout the consideration of the draft resolution, the delegation of Indonesia had consistently underscored the need for a more balanced text that respected the diversity of national legal systems and recognized the absence of an international consensus on capital punishment. The proposed amendment would add a reaffirmation of the sovereign right of all States to develop their own legal systems. It was intended neither to contest the universal nature of human rights nor to exempt States from their international obligations. Rather, it preserved the necessary balance between the promotion of human rights and respect for national sovereignty. Its exclusion would close the door on a constructive discussion of the application of the death penalty.

42. As Indonesia was a State Party to the International Covenant on Civil and Political Rights, its Government restricted the use of capital punishment to the most serious crimes and had observed a de facto moratorium on executions since 2016. Under the new Criminal Code, which was scheduled to enter into force in December 2025, capital punishment would be a conditional and alternative punishment subject to commutation. It was the prerogative of States to determine the pace and manner in which they addressed issues such as capital punishment, in line with their specific legal, social and cultural characteristics. States must retain the sovereign right to determine their own criminal justice systems, including in respect of the death penalty. His delegation would vote in favour of the proposed amendment and urged others to do likewise.

43. **Ms. Fuentes Julio** (Chile) said that State sovereignty was not an end in itself but a means to protect the dignity and rights of those who made up the body politic. Sovereignty was strengthened and legitimized when it was exercised for the purpose of protecting human rights. At the same time, human rights safeguards imposed limits on the conduct of States, including with regard to events occurring within their borders, and ensured that State power was not used arbitrarily. Introducing a reference to sovereignty in the draft resolution would suggest that domestic systems took precedence over the international obligations of States, which would contravene the spirit of the text and fundamental principles of international law.

44. During the informal consultations, it had repeatedly been stated that international law did not prohibit the death penalty. While that statement was legally correct, it ignored the fact that, under the general rule of interpretation set forth in article 31 of the Vienna Convention on the Law of Treaties, article 6 of the International Covenant on Civil and Political Rights must be read in good faith and in the light of its object and purpose, which was to protect the right to life. Any attempt to justify the implementation of capital punishment as an exercise of State sovereignty was at odds with the international standards that States had freely accepted. Her delegation would thus vote against the proposed amendment.

45. **Mr. Payot** (Belgium) said that the proposed amendment risked undermining the core purpose of the draft resolution, which was to protect human rights in the context of the death penalty. The proposed amendment was intended to polarize the debate, shifting the focus from essential human rights concerns to a false dichotomy between abolitionist and retentionist positions. It mischaracterized the draft resolution, which did not challenge the legality of national penalties but emphasized the human rights obligations that States must uphold, particularly the obligation to respect the right to life under article 6 of the International Covenant on Civil and Political Rights.

46. Attempting to use national law as a shield against international scrutiny violated the Vienna Convention on the Law of Treaties, which prohibited the invocation of internal law to justify non-compliance with treaty obligations. Accepting the proposed amendment would set a dangerous precedent, allowing similar language to dilute future resolutions on other issues. Moreover, the phrase “in accordance with their international law obligations” could be interpreted to mean that national sovereignty could override human rights commitments, especially in respect of capital punishment. The draft resolution did not compel States to abolish the death penalty or change their legal systems; it called for respect for due process and procedural safeguards for persons facing the death penalty. His delegation would vote against the proposed amendment and urged all Council members to do likewise.

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

In favour:

Algeria, Bangladesh, Burundi, China, Cuba, Ethiopia, Gambia, Ghana, Indonesia, Kenya, Kuwait, Maldives, Qatar, Sudan, Viet Nam.

Against:

Albania, Belgium, Benin, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cyprus, Czechia, Dominican Republic, France, Georgia, Germany, Iceland, Marshall Islands, Mexico, Netherlands (Kingdom of the), North Macedonia, Romania, Spain, Switzerland.

Abstaining:

Bolivia (Plurinational State of), Côte d'Ivoire, Democratic Republic of the Congo, Japan, Kyrgyzstan, Malawi, Morocco, Republic of Korea, South Africa, Thailand.

48. *The proposed amendment contained in document A/HRC/60/L.36 was rejected by 22 votes to 15, with 10 abstentions.*

49. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/60/L.39](#).

Statements made in explanation of vote before the voting

50. **Mr. Gallón** (Colombia) said that the paragraph to which the proposed amendment referred had remained unchanged since the Council had first adopted a draft resolution on the question of the death penalty in 2014. Altering it would weaken the consensus-based language that had been carefully crafted within the Council.

51. The use of the death penalty entailed violations of human rights, including the rights to life, a fair trial, non-discrimination, equality before the courts and family life. Although not formally prohibited by international law, the application of the death penalty was incompatible with the right to life. The assertion in the draft resolution was not that the death penalty was itself a violation of human rights but that its use had given rise to numerous documented violations in all regions. Amending the text to state that it “could lead” to violations would unjustifiably weaken its force. His delegation would therefore vote against the proposed amendment and urged all members of the Council to do likewise.

52. **Ms. Thuaudet** (France) said that the proposed amendment was intended to downplay the fact that use of the death penalty led to violations of human rights, including the right to life, the right to a fair trial, the right to non-discrimination and the right to equality before the law. As the United Nations High Commissioner for Human Rights had stated in January 2024, “the infliction of the death penalty is profoundly difficult to reconcile with human dignity, the fundamental right to life, and the right to live free from torture or cruel, inhuman or degrading treatment or punishment”. Her delegation would vote against the proposed amendment and urged all members of the Council to do likewise.

53. *At the request of the representative of Mexico, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, China, Cuba, Ethiopia, Gambia, Ghana, Indonesia, Kenya, Kuwait, Maldives, Morocco, Qatar, Sudan, Thailand, Viet Nam.

Against:

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

Abstaining:

Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Japan, Kyrgyzstan, Malawi, Republic of Korea.

54. *The proposed amendment contained in document [A/HRC/60/L.39](#) was rejected by 24 votes to 16, with 7 abstentions.*

55. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/60/L.58](#).

Statements made in explanation of vote before the voting

56. **Mr. Guillermet Fernández** (Costa Rica) said that the proposed amendment wrongly suggested that the interpretation of the term “the most serious crimes” set out in the eleventh preambular paragraph was only the opinion of the Human Rights Committee and the Secretary-General. However, for decades national and regional courts around the world had consistently interpreted the term in the manner described in the draft resolution. The purpose of the text was not to impose a definition of the term “the most serious crimes”, but to recall that the term had “consistently been read restrictively and interpreted” by courts in legal systems worldwide “as pertaining only to crimes of extreme gravity involving intentional killing”. His delegation would vote against the proposed amendment and urged all members of the Council to do likewise.

57. **Ms. Popa** (Romania) said that the proposed amendment appeared to challenge the restrictive interpretation of the term “the most serious crimes” that had emerged over years of legal reasoning and practice. Over the past few decades, courts at all levels had consistently interpreted the term to mean offences of exceptional gravity involving intentional killing. It was true that there was no universally agreed definition of the term, but the draft resolution was not intended to impose one. It simply reflected the fact that national jurisprudence increasingly supported the view that the death penalty, if imposed at all, should be reserved for the gravest of crimes resulting in deliberate deprivation of life. Weakening that standard would compromise efforts to prevent the death penalty from being unfairly or arbitrarily applied. For those reasons, her delegation would vote against the proposed amendment and urged all members of the Council to do likewise.

58. *At the request of the representative of Mexico, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, China, Cuba, Ethiopia, Gambia, Indonesia, Kenya, Kuwait, Maldives, Qatar, Sudan, Viet Nam.

Against:

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

Abstaining:

Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Ghana, Japan, Kyrgyzstan, Malawi, Morocco, Republic of Korea.

59. *The proposed amendment contained in document [A/HRC/60/L.58](#) was rejected by 25 votes to 13, with 9 abstentions.*

60. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/60/L.59](#).

Statements made in explanation of vote before the voting

61. **Ms. Schouten** (Kingdom of the Netherlands) said that the proposed amendment would remove a critical reference to the fact that mandatory death sentences denied sentencing courts their judicial discretion, even though such discretion lay at the heart of justice and ensured that all cases were examined on the basis of their individual merits, taking into account the circumstances of the offence, the situation of the accused and any mitigating factors. When the death penalty was imposed automatically and judges were not permitted to weigh those elements, it amounted to the arbitrary deprivation of life. General comment No. 36 (2018) of the Human Rights Committee clearly stated that “mandatory death

sentences that leave domestic courts with no discretion as to whether to designate the offence as a crime warranting the death penalty, and whether to issue the death sentence in the particular circumstances of the offender, are arbitrary in nature”, meaning that they were incompatible with articles 6 and 14 of the International Covenant on Civil and Political Rights.

62. The abolition of the mandatory death penalty by the Government of Malaysia in 2023, and the subsequent resentencing of over 1,000 persons, showed how judicial discretion strengthened due process and prevented injustice. During the high-level panel discussion on the question of the death penalty held in February 2025, judges and officials from across regions and legal systems had underscored the crucial role played by the judiciary in ensuring that every punishment fitted both the crime and the offender, thereby ensuring that irreversible miscarriages of justice were avoided. Judicial discretion remained a vital safeguard of human dignity and the right to life. Her delegation urged all members of the Council to vote against the proposed amendment.

63. **Ms. Méndez Escobar** (Mexico) said that the proposed amendment would limit the scope of safeguards that ensured respect for the right to life and the due process guarantees enshrined in articles 6 and 14 of the International Covenant on Civil and Political Rights. The right of offenders to have their personal circumstances taken into account had been recognized by the Human Rights Committee and by international courts. The proposed amendment would also remove the reference to mandatory death sentences, which had been deemed arbitrary and incompatible with human rights. As established in the jurisprudence of the Human Rights Committee and the Inter-American Court of Human Rights, capital punishment, when imposed automatically, violated the right to a fair trial and prevented judges from assessing mitigating or aggravating circumstances or the proportionality of the punishment.

64. Furthermore, the report on the high-level panel discussion on the question of the death penalty ([A/HRC/60/48](#)) and the report of the Secretary-General on the question of the death penalty ([A/HRC/60/47](#)) emphasized the importance of judicial discretion, which allowed judges to assess whether the death penalty was the most appropriate sentence or whether an alternative punishment would be more just and proportionate. For all the reasons she had outlined, her delegation would vote against the proposed amendment and urged all members of the Council to do likewise.

65. *At the request of the representative of Mexico, a recorded vote was taken.*

In favour:

Algeria, Bangladesh, China, Ethiopia, Gambia, Ghana, Kuwait, Maldives, Qatar, Sudan, Viet Nam.

Against:

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

Abstaining:

Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Indonesia, Japan, Kyrgyzstan, Malawi, Morocco, Republic of Korea.

66. *The proposed amendment contained in document [A/HRC/60/L.59](#) was rejected by 26 votes to 11, with 9 abstentions.*

67. **The President** invited the Council to take action on draft resolution [A/HRC/60/L.12](#).

Statements made in explanation of vote before the voting

68. **Mr. Alhayen** (Kuwait), speaking on behalf of a cross-regional group of 27 States, including 7 members of the Council, said that, firstly, international law did not prohibit the use of the death penalty and there was no international consensus either in favour of or against capital punishment when it was imposed in accordance with due process and accompanied

by the appropriate judicial safeguards. Secondly, the International Covenant on Civil and Political Rights did not define “the most serious crimes”, nor had any such definition been agreed at the international level. The definition set out in general comment No. 36 (2018) of the Human Rights Committee was not legally binding. Thirdly, States had the sovereign right to legislate in keeping with their national circumstances and their international obligations. For many States, the death penalty remained a critical component of the criminal justice system and served as an effective deterrent against what their respective societies considered to be the most serious crimes.

69. Those principles of international law were disregarded in the draft resolution, which presented non-binding interpretations as international obligations. The text failed to reflect the diversity of legal systems represented in the Council and therefore remained unbalanced. As the concerns expressed by some States in that connection had not been taken on board, he wished to request a vote on the draft resolution.

70. **Ms. Li Xiaomei** (China) said that the question of the death penalty was a legislative and judicial matter on which each State had the sovereign right to decide. There was no international consensus on the retention or abolition of that penalty or on the interpretation of the term “most serious crimes”. When considering whether to retain or abolish a punitive measure, including the death penalty, full account must be taken of each country’s level of economic and social development, social system and historical and cultural context in determining whether such penalties would ensure social stability and serve the best interests of the people. In China, the death penalty remained in place, and rigorous review procedures for its imposition were set out in law.

71. When discussing and adopting resolutions on the question of the death penalty, the Council should take an objective, impartial and balanced approach and respect the judicial sovereignty of all countries. Her delegation supported the view expressed by the representative of Singapore, namely that the Council must not impose the values and opinions of certain States on others without regard to the current state of international law or the diversity of State practice. Despite the involvement of her delegation and those of many developing countries in the consultations, the main sponsors had failed to take their views and constructive suggestions into account. Her delegation would therefore vote against the draft resolution and called on all members of the Council to do the same.

72. **Mr. Benítez Verson** (Cuba) said that there was no international consensus on the question of the death penalty, as reflected in the fact that resolutions on the topic that came before the Council, the General Assembly and other forums were consistently adopted by vote. Any discussion of the question of the death penalty was closely linked to the objective conditions and national circumstances of each country. His Government was in favour of abolishing the death penalty under the right conditions and understood and respected the arguments supporting the penalty’s abolition or the imposition of a moratorium. It had nevertheless been forced, in the legitimate defence of the national security of Cuba, to adopt and apply strict laws on terrorist activity and crimes intended to destroy the Cuban State and harm the lives of Cuban citizens. Those laws were always enforced with full respect for judicial safeguards.

73. The death penalty had not been carried out in Cuba since 2003, and there were currently no offenders under sentence of death. The time would undoubtedly come when the necessary conditions fell into place for the abolition of the death penalty; those conditions rested on the cessation of the policy of aggression pursued by the Government of the United States of America. Unfortunately, the text of the draft resolution did not adequately reflect his delegation’s position and did not recognize States’ sovereign right to develop legal systems that were aligned with their national conditions and their obligations under international law. His delegation had therefore voted in favour of the proposed amendments contained in documents [A/HRC/60/L.36](#), [A/HRC/60/L.39](#) and [A/HRC/60/L.58](#) and would not participate in the vote on the draft resolution.

74. **Mr. Boateng** (Ghana) said that his Government attached great importance to the fundamental rights to life and to human dignity and placed strong emphasis on transparency and robust fair trial guarantees to ensure equal access to justice for all. His delegation welcomed the Council’s continued consideration of the question of the death penalty, a matter

which remained unsettled under international law, and supported constructive dialogue within the Council and other international forums with a view to achieving a unified position in support of the abolition of the death penalty for all ordinary crimes.

75. The death penalty was retained in his country's Constitution solely for the crime of treason. Pending constitutional amendment, the Constitution and laws set out critical safeguards to ensure that all persons received a free and fair trial in accordance with their legal and human rights and the application of the rule of law. Amid efforts to make progress towards abolition, a legislative amendment introduced in 2023 had replaced the death penalty with life imprisonment as a punishment for ordinary crimes, aligning the national legal system with the international human rights commitments of Ghana.

76. Criminal procedure was jurisdiction-specific. It remained the sovereign right of all States to develop their own legal systems and set appropriate penalties. His delegation wished to stress the agreed principle that the implementation of recommendations set out in Council resolutions was the sovereign right of each country and that legal and constitutional contexts must be respected in efforts to ensure conformity with universally recognized international human rights.

77. **Mr. Oike** (Japan) said that the draft resolution highlighted the importance of transparency in addressing the question of the death penalty. His delegation had participated constructively in the negotiations on the text, with the aim of ensuring that it reflected the positions of both abolitionist and retentionist States without resulting in ideological confrontation. International law did not prohibit States' use of the death penalty provided that their actions complied with international human rights obligations, and there was no universally accepted obligation under international human rights law to introduce a moratorium on such use.

78. The death penalty system in place in Japan complied with the requirements of relevant treaties and was operated in a strict and careful manner and in accordance with due process. It was regrettable that the draft resolution was strongly biased towards the abolition of the death penalty and a moratorium on its use. Such matters should be decided by each State, with careful consideration given to public opinion, crime conditions and the criminal justice policy of the State concerned. The question of retention or abolition was an important issue that concerned the very foundation of the criminal justice system in Japan, where public opinion on the matter diverged and serious crimes continued to be committed, making it difficult for the Government to move to abolish the death penalty. His delegation would therefore vote against the draft resolution.

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

In favour:

Albania, Belgium, Benin, Bolivia (Plurinational State of), Brazil, Bulgaria, Burundi, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Czechia, Dominican Republic, France, Gambia, Georgia, Germany, Ghana, Iceland, Kyrgyzstan, Marshall Islands, Mexico, Morocco, Netherlands (Kingdom of the), North Macedonia, Republic of Korea, Romania, South Africa, Spain, Switzerland.

Against:

China, Ethiopia, Japan, Kuwait, Maldives, Qatar, Sudan.

Abstaining:

Algeria, Bangladesh, Democratic Republic of the Congo, Indonesia, Kenya, Malawi, Thailand, Viet Nam.

80. *Draft resolution [A/HRC/60/L.12](#) was adopted by 31 votes to 7, with 8 abstentions.*

Draft resolution [A/HRC/60/L.20/Rev.1](#), as orally revised: Preventable maternal mortality and morbidity and human rights

81. **Ms. Geels** (Observer for New Zealand), introducing the draft resolution, as orally revised, on behalf of the main sponsors, namely Colombia, Estonia and her own delegation, said that, over the years in which the Council had adopted resolutions on the subject, the

global maternal mortality ratio had dropped from 239 to 197 per 100,000 live births. That improvement still fell far short of the commitment set out in the Sustainable Development Goals to reduce the ratio to less than 70 per 100,000. Even one preventable death was one too many. By adopting the draft resolution, the Council would urge States to strengthen health systems, ensure access to essential services and address the root causes of preventable deaths, including discrimination and harmful practices. In the current iteration of the draft resolution, special emphasis was placed on midwifery. Universal midwifery coverage could prevent more than two thirds of maternal deaths, save the lives of millions of newborns and ensure that women and girls everywhere received safe, respectful and rights-based maternal care.

82. **Ms. Salsa-Audiffren** (Observer for Estonia), continuing the introduction of the draft resolution, as orally revised, said that, despite the diversity of States' legal systems, traditions, religions and customs, preventable maternal mortality and morbidity was a universal issue that required a cross-cutting and collaborative response. Negotiations on the draft resolution had been conducted in a constructive spirit, building on more than a decade of work since the adoption of the first resolution on the subject. Efforts had been made to preserve agreed language, integrate new evidence and good practices and ensure that the text reflected both continuity and progress.

83. Despite the advances that had been made, the reality remained stark: progress in reducing maternal mortality had stalled globally, and too many women and girls continued to die from entirely preventable causes. The draft resolution was therefore both timely and urgent. The main sponsors reiterated their commitment to working with all delegations and stakeholders to transform words into concrete action so that every woman, everywhere, could experience pregnancy and childbirth safely, with dignity and respect. Her delegation invited the Council to adopt the draft resolution by consensus.

84. **The President** said that the proposed amendments contained in documents [A/HRC/60/L.35](#), [A/HRC/60/L.52](#) and [A/HRC/60/L.53](#) had been withdrawn.

85. **Mr. Bladehane** (Algeria), introducing the proposed amendments contained in documents [A/HRC/60/L.40](#), [A/HRC/60/L.41](#) and [A/HRC/60/L.42](#) on behalf of the Group of Arab States, said that the proposals were aimed at addressing specific language used in the draft resolution, as orally revised, that had not been agreed by consensus. The proposed amendment contained in document [A/HRC/60/L.40](#) concerned the fifteenth and twenty-sixth preambular paragraphs and paragraph 12 of the draft resolution and was aimed at replacing references to the so-called right to bodily autonomy, which did not appear in any human rights treaty. While the Group fully supported efforts to protect and promote the autonomy of women, extending that concept to girls contradicted States' obligations under the Convention on the Rights of the Child and exposed girls to greater risk of abuse, exploitation, harm and violence, since it did not take account of the evolving capacity of minors or the role of parents and legal guardians. The proposed amendment would also include in the draft resolution, as orally revised, language taken verbatim from paragraph 96 of the Beijing Declaration and Platform for Action.

86. The proposed amendment contained in document [A/HRC/60/L.41](#) concerned the references to comprehensive sexuality education in the twelfth and twenty-fifth preambular paragraphs and paragraphs 9 and 19 of the draft resolution. Since its emergence, the concept of comprehensive sexuality education had been widely opposed in multiple United Nations forums, including the Council, and references thereto had consistently been considered a red line for many Member States and had been the subject of amendments. The term had never been endorsed in a General Assembly resolution. The proposed amendment set out a constructive alternative that reaffirmed the importance of providing sexual and reproductive health education that was scientifically accurate, age-appropriate and relevant to cultural contexts while emphasizing the role of parents and legal guardians, consistent with the best interests of the child, using language agreed by the General Assembly in its resolution 72/245 on the rights of the child.

87. The proposed amendment contained in document [A/HRC/60/L.42](#) concerned the references to sexual and reproductive rights in the eighth, eighteenth and twentieth preambular paragraphs and paragraphs 1, 17 and 18 of the draft resolution. While sexual and reproductive health was acknowledged as an essential component of the right to health,

neither sexual nor reproductive rights were recognized as stand-alone rights in any binding international human rights treaty. The inclusion of those concepts in the draft resolution therefore risked introducing terminology that was inconsistent with internationally agreed language and might be interpreted as creating new rights that were not grounded in existing international human rights instruments.

88. The three proposed amendments had been submitted in a constructive spirit and were intended to preserve consensus, strengthen the text of the draft resolution and ensure that it remained consistent with internationally agreed human rights terminology and respectful of all cultural and legal traditions. He called on all members of the Council to support the proposed amendments.

89. **Mr. Gallón** (Colombia), speaking on behalf of the main sponsors of the draft resolution, as orally revised, said that the main sponsors had held numerous informal consultations and bilateral meetings with delegations from all regions and had engaged in substantive dialogue with civil society. The text had been drafted in close consultation with the World Health Organization (WHO), OHCHR and the United Nations Population Fund.

90. The draft resolution was an affirmation of the value of human life and human dignity. Every day, more than 800 women around the world died from causes related to pregnancy or childbirth, and most of those deaths were preventable. The draft resolution was aimed at preventing such deaths and reaffirming that preventable maternal mortality and morbidity was a human rights issue requiring enhanced preventive care and broader access to quality healthcare services, sustainable funding and measures to address the structural causes of persistent inequalities. The text also reflected recognition of the importance of comprehensive sexuality education, bodily autonomy and universal access to sexual and reproductive health services and sexual and reproductive rights. The proposed amendments would change the focus of the draft resolution and, in modifying or diluting those principles, weaken States' capacity to take all possible measures to prevent avoidable deaths. They would create confusion over the meaning of those concepts and distort the spirit of the text, which was ultimately intended to protect the lives and health of women and girls. The main sponsors thus called upon the members of the Council to reject the proposed amendments and reaffirm the Council's commitment to protecting lives, dignity and human rights.

91. **The President** said that seven States had joined the sponsors of the draft resolution, as orally revised, which had programme budget implications amounting to \$229,000. He invited members of the Council to make general statements on the draft resolution, as orally revised, and the proposed amendments.

92. **Ms. Neocleous** (Cyprus), speaking on behalf of the States members of the European Union that were members of the Council, said that in 2023, an estimated 260,000 women – one every two minutes – had died as a result of complications from pregnancy or childbirth. More must be done to avoid such preventable deaths. The full enjoyment of all human rights by women and girls was a priority for the European Union. Maternal mortality and morbidity, which often resulted from human rights violations such as discrimination and lack of equitable access to appropriate services, should be among the human rights priorities of all States.

93. The European Union wished to commend the draft resolution's focus on respectful maternal care, including midwifery models of care centring support before, during and after pregnancy. It remained committed to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development and the outcomes of the respective review conferences, as well as to ensuring sexual and reproductive health and rights. It therefore reaffirmed its commitment to the right of every individual to have full control over his or her sexuality and sexual and reproductive health and to decide freely and responsibly on matters related thereto, without discrimination, coercion or violence, and stressed the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and healthcare services. Greater political will and commitment, together with international cooperation and investment in health systems, were

urgently required in order to reduce the unacceptably high global rate of preventable maternal mortality and morbidity.

94. **Mr. Simas Magalhães** (Brazil) said that the adoption of the draft resolution would add significant value to the ongoing efforts to promote the rights of all women and girls, as highlighted in the commemorations marking the thirtieth anniversary, in 2025, of the Beijing Declaration and Platform for Action. His delegation endorsed the view that most of the deaths and injuries suffered by women and girls in pregnancy or childbirth or during the prenatal or postnatal period were not inevitable but resulted from the interplay of key socioeconomic determinants of health such as poverty, systemic racism, deep-rooted patriarchal and gender stereotypes and disrespect for sexual and reproductive health and rights. His Government continued to work to promote the right to the highest attainable standard of health at all stages of life and took the view that, in the context of preventing maternal mortality and morbidity, access to evidence-based comprehensive sexuality education was essential in fostering awareness of risks and challenges related to the health of women and girls. His delegation called upon all members of the Council to adopt the draft resolution by consensus.

95. **Mr. Benítez Verson** (Cuba) said that the draft resolution addressed an issue that was a priority for his Government in its efforts to uphold the right to health and the rights of women and girls. Persistent maternal mortality and morbidity were among the most painful consequences of poverty, inequality and social injustice.

96. Despite the oral revision, the draft resolution did not adequately reflect the negative impact of unilateral coercive measures on efforts to prevent maternal mortality and morbidity; for example, such measures limited access to medicines, equipment, technology and resources that were essential to those efforts. His delegation urged the main sponsors to take that element into account in future iterations of the text.

97. Cuba had a free and universal healthcare system that was focused on primary care, enabling the country to attain good results in indicators related to maternal health despite adverse economic conditions and the harm caused by the criminal economic blockade imposed by the Government of the United States. His Government would continue to uphold the right to health as an essential component of human dignity. His delegation hoped that the draft resolution would be adopted by consensus.

98. **Mr. Lanwi** (Marshall Islands) said that in his country's matrilineal society, women and girls played a central role in family life and land management and were pillars of the community. The Pacific region faced some of the starkest disparities in the world in terms of maternal and newborn health. The Pacific held immense potential for progress, as exemplified in the 2050 Strategy for the Blue Pacific Continent, despite the magnifying effect of climate change, the geography of small island States and the fragility of their health systems. The Strategy set out a vision of the future characterized by resilience, inclusion and sustainable prosperity; those values hinged on ensuring equity in maternal and newborn health.

99. A human rights-based approach was central to efforts to address maternal mortality and morbidity. Women must be empowered to obtain better health outcomes, and the barriers that they faced, including discrimination and restrictions on their autonomy and decision-making power, must be reduced. Recognition of the interconnection between, inter alia, human rights, public health and climate change resilience as key factors in eliminating maternal mortality would help to promote long-term sustainable change and ensure that every woman could access the care she required. In the Marshall Islands, the nuclear legacy and its intergenerational effects continued to have a lasting impact on women's health. His delegation welcomed the inclusion in the draft resolution, for the first time, of language reflecting the role of toxic substances in maternal mortality and morbidity. It would vote against the proposed amendments and support the adoption of the draft resolution by consensus, and called on all members of the Council to do likewise.

100. **Ms. Kangah** (Côte d'Ivoire) said that her delegation fully supported the draft resolution, which served as a reminder that every preventable maternal death constituted a violation of women's fundamental rights, in particular the right to life, the right to health and the right to dignity. The underlying causes of maternal mortality, including poverty, limited access to sexual and reproductive healthcare and systemic discrimination, required a

comprehensive and multisectoral response that was anchored in human rights. Her Government had implemented several policies and initiatives to combat maternal mortality. At the national level, it had introduced, in 2012, targeted free emergency obstetric and neonatal care. At the regional level, it was involved in the Campaign on Accelerated Reduction of Maternal, Newborn and Child Mortality in Africa and was working to improve the civil registration system to better record births and deaths and strengthen the monitoring of maternal health indicators.

101. Her Government remained firmly committed to continuing its efforts towards attaining Sustainable Development Goal 3. Her delegation called for the draft resolution to be adopted by consensus, in a spirit of international solidarity and shared responsibility.

102. **Ms. Day** (Switzerland) said that her delegation fully supported the draft resolution, as orally revised. Preventable maternal mortality and morbidity was a serious health problem and a human rights issue. Given the unacceptable numbers of women dying as a result of preventable pregnancy- and childbirth-related causes, the international community must establish quality healthcare and education systems. Special attention should be given to targets 3.7 and 5.6 of the Sustainable Development Goals, which concerned universal access to reproductive rights and to sexual and reproductive healthcare services, including for family planning.

103. The draft resolution placed a welcome emphasis on the indispensable role of midwives and made reference to comprehensive sexuality education, which was a key element of efforts to prevent maternal mortality and morbidity and enabled women and girls to make more informed choices. Sexual and reproductive rights were a central element of the text, and women and girls must have access to facilities that enabled them to exercise those rights. In that context, it should be remembered that unsafe abortion was among the causes of maternal mortality and morbidity.

104. In the light of those considerations, her delegation regretted the submission of the proposed amendments. The text of the draft resolution was the result of transparent discussions and genuine efforts by the main sponsors to take regional sensibilities into account. Her Government reaffirmed its commitment to ensuring universal access to comprehensive information and services in the areas of maternal and child health and sexual and reproductive health and rights.

105. **Ms. Too** (Kenya) said that her Government reaffirmed its commitment to advancing sexual and reproductive health and rights within its constitutional and legal frameworks, which upheld dignity, equality and access to quality healthcare. The Kenyan Constitution enshrined the right to the highest attainable standard of health, including reproductive health, and guaranteed equality and non-discrimination, providing a robust foundation for the advancement of sexual and reproductive health. Her Government recognized the importance of implementing comprehensive policies and judicial decisions that protected women's autonomy and informed consent in reproductive health matters and stressed the indispensable need to respect cultural and national context in discussions of sexual and reproductive health. Effective promotion of sexual and reproductive health required the consideration of diverse social, religious and cultural dynamics that shaped domestic policies. Her delegation hoped that future iterations of the draft resolution would include stronger and more explicit references to the urgent need for intensified global cooperation in the form of resource mobilization, capacity-building and technical assistance, which were critical elements in the realization of universal access to sexual and reproductive health and the reduction of preventable maternal mortality and morbidity. An emphasis on those areas would align closely with the commitments set out in the Nairobi Statement adopted in 2019 on the occasion of the twenty-fifth anniversary of the International Conference on Population and Development and would underscore the shared responsibility of the global community for providing sustainable political and financial support. Her delegation would join the consensus on the draft resolution, as orally revised, and would vote in favour of the proposed amendments.

106. **Ms. Tsheole** (South Africa) said that maternal mortality was unacceptably high. The major causes, many of which could be prevented by quality care, included severe bleeding, infection, high blood pressure and complications from unsafe abortions. Complications from

pregnancy, including unsafe abortions, were the leading cause of death among girls aged between 15 and 19 years, and high rates of unintended pregnancies contributed to maternal mortality. Although the United Nations and the African Union, through the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), recognized the right to bodily autonomy, and despite evidence presented by WHO demonstrating that access to legal and safe abortion services lowered abortion-related mortality, the question of termination of pregnancy continued to be grappled with at the political level. In South Africa, mortality related to termination of pregnancy had dropped by 90 per cent since the adoption of the Choice on Termination of Pregnancy Act in 1996. Prevention of unintended pregnancies, comprehensive sexuality education and the prevention of violence against women and girls remained priority interventions, and upholding sexual and reproductive health and rights saved even more lives.

107. Since 2024, many critical programmes for the health of women, children and adolescents had collapsed or faced severe cuts. While significant progress had been made towards the attainment of the targets of the Sustainable Development Goals related to preventable maternal, newborn and child deaths and universal access to sexual and reproductive health services, survival gains had stalled. Without bold action, an estimated 60 countries would fall short of meeting target 3.2 in respect of mortality among children under 5 years of age and 65 countries would not reach the target in respect of neonatal mortality.

108. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/60/L.40](#).

Statements made in explanation of vote before the voting

109. **Mr. Gunnarsson** (Iceland) said that bodily autonomy was a fundamental element of respectful maternal healthcare and was essential to efforts to ensure that women and girls could live free from violence and discrimination. Without bodily autonomy, which included the right to make free and informed choices about medical care during pregnancy, maternal health could not be safe, dignified or rights-based. The denial of bodily autonomy had a direct negative impact on maternal mortality and morbidity, and harmful practices such as female genital mutilation, early, child and forced marriage, early pregnancy and gender-based and sexual violence all heightened the risk of complications and death. Respect for bodily autonomy protected against human rights violations rooted in discrimination against women and girls.

110. His delegation did not support the proposed amendment contained in document [A/HRC/60/L.40](#), which was aimed at weakening agreed language. The Council had affirmed bodily autonomy as a right in its resolutions 47/25 and 54/16 on preventable maternal mortality and morbidity and human rights, resolutions 44/17, 50/18 and 56/22 on elimination of all forms of discrimination against women and girls, and resolution 53/27 on accelerating efforts to eliminate all forms of violence against women and girls. To weaken or remove language on bodily autonomy would undermine the very purpose of the draft resolution and the shared responsibility to prevent maternal mortality and morbidity. His delegation would therefore vote against the proposed amendment and urged all members of the Council to do the same.

111. **Ms. Fuentes Julio** (Chile) said that the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women set out States' obligation to ensure protection against human rights violations, in particular those rooted in discrimination against women and girls, including especially serious forms of discrimination such as female genital mutilation, early pregnancy, early or forced motherhood and sexual and gender-based violence. The right to bodily autonomy encompassed the exercise of the capacity to make informed decisions about medical care and was fundamental in the context of economic, social and cultural rights, particularly for women and girls living in poverty. The purpose of the draft resolution was to ensure respect for that right, which formed the basis of a life free from violence and discrimination and also entailed, *inter alia*, the freedom to choose whom to marry and when, and how many children to have and when.

112. The Council had reaffirmed the right to bodily autonomy in multiple resolutions, including resolution 48/6 on child, early and forced marriage, and previous iterations of the draft resolution at hand. The inclusion of a reference to that right was crucial to ensuring that political authorities made progress in eradicating violations of the human rights of women and girls. Her delegation would vote against the proposed amendment and urged all members of the Council to do the same.

113. *At the request of the representative of Colombia, a vote was taken by roll call.*

In favour:

Algeria, Bangladesh, China, Ethiopia, Gambia, Ghana, Indonesia, Kenya, Kuwait, Maldives, Morocco, Qatar, Sudan.

Against:

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

Abstaining:

Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Dominican Republic, Kyrgyzstan, Malawi, Viet Nam.

114. *The proposed amendment contained in document [A/HRC/60/L.40](#) was rejected by 26 votes to 13, with 7 abstentions.*

115. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/60/L.41](#).

Statements made in explanation of vote before the voting

116. **Ms. Méndez Escobar** (Mexico) said that her delegation rejected the proposed amendment, which was aimed at weakening or eliminating references to comprehensive sexuality education. Such education was an internationally recognized tool developed by United Nations agencies; it was science-based and age-appropriate and constituted a key component in guaranteeing the rights to health, education and gender equality. It also helped to prevent gender-based violence and promote understanding of consent from an early age, which was crucial given the high rates of teenage pregnancy, particularly in developing countries, and the large numbers of preventable maternal deaths.

117. More than 100 countries around the world, including Mexico, had incorporated comprehensive sexuality education into their education systems. The Committee on the Rights of the Child, in its general comment No. 20 (2016), had emphasized that adolescents had the right to have access to information, education and confidential services concerning sexual and reproductive health that were adapted to their needs without requiring the consent of a parent or guardian. If the references to comprehensive sexuality education were removed from the draft resolution, decades of progress and evidence would go unrecognized and a fundamental tool for the promotion of gender equality and the prevention of maternal mortality would be weakened. Her delegation would vote against the proposed amendment and invited the members of the Council to do likewise.

118. **Ms. Schouten** (Kingdom of the Netherlands) said that comprehensive sexuality education was a proven life-saving tool that significantly reduced maternal mortality and morbidity by equipping people with the knowledge to make informed decisions about their bodies, health and rights, increased the use of contraceptives and prevented unintended pregnancies and unsafe abortions. Beyond protecting physical health, it also fostered resilience against gender-based violence, promoted bodily autonomy and strengthened young people's ability to seek essential healthcare. It addressed often neglected topics such as consent and emotional well-being, which were critical for women's empowerment. The removal of references to comprehensive sexuality education from the draft resolution would undermine public health, human rights and gender equality and would contradict international commitments under, inter alia, the Programme of Action of the International Conference on Population and Development and the Sustainable Development Goals. Her

delegation would vote against the proposed amendment and urged all members of the Council to do the same.

119. *At the request of the representative of Colombia, a vote was taken by roll call.*

In favour:

Algeria, Bangladesh, China, Ethiopia, Gambia, Ghana, Indonesia, Kenya, Kuwait, Maldives, Morocco, Qatar, Sudan.

Against:

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

Abstaining:

Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Dominican Republic, Kyrgyzstan, Malawi, Viet Nam.

120. *The proposed amendment contained in document [A/HRC/60/L.41](#) was rejected by 26 votes to 13, with 7 abstentions.*

121. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/60/L.42](#).

Statements made in explanation of vote before the voting

122. **Mr. Payot** (Belgium) said that his delegation supported the draft resolution, as orally revised, and rejected the proposed amendment. The number of women and girls dying from preventable causes linked to pregnancy and childbirth was unacceptably high. The upholding of sexual and reproductive rights ensured that women and girls had access to information, quality health services and safe and reliable forms of contraception and equipped them to make their own decisions about their bodies and their reproductive lives. When they were denied those rights, they faced heightened risks. According to statistics from WHO, up to 13 per cent of maternal deaths were linked to unsafe or substandard abortion practices. Sexual and reproductive rights were an essential component in the prevention of, inter alia, gender-based violence, sexual violence and female genital mutilation, which were associated with higher levels of maternal mortality and morbidity. Such rights were more than merely a medical issue; they were a matter of dignity and human rights for all women and girls. His delegation would therefore vote against the proposed amendment and called on all members of the Council to do the same.

123. **Mr. Gómez Martínez** (Spain) said that his delegation rejected the proposed amendment. Sexual and reproductive rights lay at the heart of the draft resolution, which was aimed at strengthening global efforts to combat preventable maternal mortality using a human rights-based approach. In the Programme of Action of the International Conference on Population and Development, adopted in 1994, the international community had recognized sexual and reproductive health and rights and the empowerment of women and girls as being pillars of sustainable development and an integral part of universal human rights. In the face of the virulent global backlash against women's autonomy and freedom to make decisions about their lives and bodies, Spain reaffirmed its commitment to upholding those rights. Progress towards reducing maternal mortality had stalled, and the attainment of the related target under Sustainable Development Goal 3 remained far out of reach.

124. Developing countries accounted for a disproportionate share of worldwide maternal mortality, which sexual and reproductive rights were aimed at addressing through the implementation of equitable policies and accessible services. Ensuring that women could decide whether and when to have children was key to preventing forced pregnancies, unsafe abortions and maternal deaths.

125. Terminology relating to sexual and reproductive health and rights could be found in a number of resolutions which the Council had adopted by consensus, including resolutions 56/20 on human rights in the context of HIV and AIDS and 59/20 on accelerating

efforts to eliminate all forms of violence against women and girls. His delegation would vote against the proposed amendment and invited all members of the Council to do likewise.

126. *At the request of the representative of Colombia, a vote was taken by roll call.*

In favour:

Algeria, Bangladesh, China, Ethiopia, Gambia, Ghana, Indonesia, Kenya, Kuwait, Maldives, Morocco, Qatar, Sudan.

Against:

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

Abstaining:

Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Dominican Republic, Kyrgyzstan, Malawi, Viet Nam.

127. *The proposed amendment contained in document [A/HRC/60/L.42](#) was rejected by 26 votes to 13, with 7 abstentions.*

128. **The President** invited the Council to take action on draft resolution [A/HRC/60/L.20/Rev.1](#), as orally revised.

Statements made in explanation of position before the decision

129. **The President** announced that Chile had withdrawn its sponsorship of the draft resolution.

130. **Ms. Fuentes Julio** (Chile) said that her delegation welcomed the Council's decision to safeguard the integrity of the draft resolution, as orally revised, and to reaffirm an inclusive and balanced approach. The text expressed the Council's recognition that preventable maternal mortality and morbidity was a human rights issue and emphasized the need for enhanced preventive action, universal access to quality sexual and reproductive health services and measures to tackle structural causes that perpetuated inequalities. Her delegation welcomed the reference to health workers, midwives, Indigenous Peoples and social, economic and environmental determinants of health and the emphasis on the effective and financially sustainable implementation of universal health coverage. Her Government reiterated its commitment to gender equality and its rejection of all forms of discrimination against women and girls in all their diversity, in accordance with its feminist foreign policy. Her delegation would join the consensus on the draft resolution.

131. **Mr. Boateng** (Ghana) said that his delegation welcomed the draft resolution's focus on respectful maternal care, including midwifery models of care. Essential services such as health infrastructure, education and social protection were critical to addressing maternal mortality and morbidity.

132. His delegation wished to reiterate its call for the Council to be mindful of the prevailing international consensus regarding the right to the enjoyment of the highest attainable standard of physical, mental, sexual and reproductive health. The right to sexual and reproductive health education was grounded in universal human rights, including the rights to education and health, as established in instruments such as the Convention on the Rights of the Child, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities.

133. Ghana had made policy commitments in the area of sexual and reproductive health education under the Maputo Protocol. However, his Government took the position that comprehensive sexuality education must be age-appropriate, culturally sensitive and suited to the national context, and was deeply concerned to note that those important safeguards were not reflected in the text of the draft resolution. The right to bodily autonomy had been neither agreed at the intergovernmental level nor recognized under international human rights

law. The implementation of recommendations contained in resolutions was the sovereign right of each country. His delegation recognized the need to respect people's various religious and ethical values and cultural backgrounds to ensure conformity with international human rights law. With that in mind, it was ready to join the consensus on the draft resolution.

134. **Mr. Marenah** (Gambia) said that his delegation was pleased to join the consensus on the draft resolution. The reduction of preventable maternal mortality was vitally important in promoting the health, dignity and rights of women and girls, an objective that his country strongly supported. His delegation had voted in favour of the proposed amendments in recognition of the need for the text to reflect different cultural contexts and social values while preserving the shared goal of improving maternal health and eliminating preventable deaths among women and girls. It dissociated itself from language meant to broaden the concept of sexual and reproductive rights beyond the scope of internationally agreed frameworks, in particular the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development. In addition, his Government's understanding of the term "gender" referred exclusively to the biological attributes of male and female. Nonetheless, his Government remained committed to eliminating preventable maternal mortality and morbidity and promoting the health and rights of women, in line with its international obligations.

135. **Mr. Daka** (Ethiopia) said that his Government recognized maternal mortality as both a public health issue and a human rights issue rooted in broader systemic inequalities and reaffirmed its strong commitment to eliminating preventable maternal deaths through inclusive, equitable and sustainable approaches. It supported the call made in the draft resolution for greater investment in health systems, midwifery and the protection of health workers, especially in fragile and resource-limited contexts, and welcomed the focus on the rights of women and girls in vulnerable situations and the need to address structural barriers to maternal health. His country had made progress in reducing maternal mortality in recent years through the expansion of primary healthcare services, the deployment of trained midwives in rural and underserved areas and the promotion of community-based health insurance schemes.

136. His delegation wished to place on record its reservations about specific references in the text, particularly those related to comprehensive sexuality education and certain formulations concerning sexual and reproductive health. Such matters remained culturally sensitive and were subject to national deliberation, societal values and legal frameworks. Global commitments must respect national contexts, sovereignty and cultural values. Nevertheless, his Government remained committed to the core objectives of the draft resolution. His delegation would join the consensus on its adoption.

137. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that her Government placed great emphasis on protecting maternal health. Maternal mortality primarily affected women in vulnerable contexts, including rural areas, where poverty, discrimination and a lack of healthcare infrastructure often resulted in limited access to timely, quality medical attention. Gender-based violence and the absence of sexual and reproductive health education further worsened the situation. The Council must therefore reaffirm the international commitment to ensuring that all women had access to safe maternal health services.

138. Pursuant to the Constitution, the Bolivian Government had sought to guarantee the exercise of sexual and reproductive rights through the introduction of policies on comprehensive sexuality education, prenatal and postnatal care and measures to eliminate discrimination and violence against women in the health system. Nevertheless, much remained to be done. It was vital to promote gender equality and break patterns of discrimination and exclusion. Maternal mortality must be recognized as a human rights issue that required a multisectoral approach. Her delegation hoped that future iterations of the draft resolution would reflect legitimate concerns such as the need to ensure that women in countries subjected to economic blockades were not left behind. It called on the members of the Council to adopt the draft resolution by consensus.

139. **Ms. Boucetha** (Algeria), speaking on behalf of the Group of Arab States, said that those States reaffirmed their strong and long-standing commitment to preventing and eliminating maternal mortality and morbidity and upholding the right of everyone to enjoy

the highest attainable standard of physical and mental health. While they wished to thank the main sponsors for having taken into account some of the Group's proposals, they regretted that the views of their respective delegations and a number of others were not equally reflected in the text, which retained many examples of controversial language that had appeared in previous iterations. Language that had been the subject of repeated amendments and statements of dissociation over the years could not be described as consensus-based or universally agreed. The members of the Group of Arab States that were members of the Council therefore dissociated themselves from the eighth, twelfth, fifteenth, eighteenth, twentieth, twenty-fifth and twenty-sixth preambular paragraphs and paragraphs 1, 9, 12, 17, 18 and 19, while joining the consensus on the draft resolution, as orally revised. The members of the Group reserved the right to interpret and implement the draft resolution in a manner consistent with their respective national laws, the religious, ethical and cultural values of their societies and their international human rights obligations.

140. *Draft resolution [A/HRC/60/L.20/Rev.1](#), as orally revised, was adopted.*

The meeting rose at 1.10 p.m.