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HUMAN RIGHTS COUNCIL

Sixth session
Agenda item 3

**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,
INCLUDING THE RIGHT TO DEVELOPMENT**

**Bangladesh, Belarus*, Bolivia, Cameroon, China, Congo*, Cuba,
Democratic People's Republic of Korea*, Democratic Republic
of the Congo*, Dominican Republic*, Kenya*, Nicaragua,
Peru, Iran (Islamic Republic of)*, Sudan*, Syrian Arab Republic*,
Venezuela (Bolivarian Republic of)*, Viet Nam* and
Zimbabwe*: draft resolution**

**6/... Promotion of the enjoyment of the cultural rights of
everyone and respect for cultural diversity**

The Human Rights Council,

Recalling the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, as well as other pertinent human rights instruments,

Reaffirming resolutions 2002/26 of 22 April 2002, 2003/26 of 22 April 2003, 2004/20 of 16 April 2004 and 2005/20 of 14 April 2005 of the former Commission on Human Rights,

* Non-member States of the Human Rights Council.

Noting that numerous declarations within the United Nations system promote respect for cultural diversity, as well as for international cultural cooperation, in particular the Declaration of the Principles of International Cultural Cooperation and the United Nations Educational, Scientific and Cultural Organization Universal Declaration on Cultural Diversity, adopted by its General Conference in 1966 and 2001 respectively,

Recalling its resolutions 5/1 and 5/2 of 18 June 2007,

Taking note of the Tehran Declaration and Programme of Action on Human Rights and Cultural Diversity adopted in the Ministerial Meeting of the Non-Aligned Movement on Human Rights and Cultural Diversity, held in Tehran, Islamic Republic of Iran, on 3 and 4 September 2007,

Welcoming the entry into force on 18 March 2007 of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization, on 20 October 2005,

Stressing the importance of the promotion of the cultural rights of everyone and of respect for cultural diversity,

Convinced that international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all should be based on an understanding of the economic, social and cultural specificities of each country and on the full realization and recognition of the universality of all human rights and the principles of freedom, justice, equality and non-discrimination,

1. *Reaffirms* that cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent;
2. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the promotion of the enjoyment of the cultural rights of everyone and respect for different cultural identities (E/CN.4/2006/40);

3. *Expresses its appreciation* to States and intergovernmental and non-governmental organizations that responded to or participated in the consultations held pursuant to Commission on Human Rights resolutions 2002/26 of 22 April 2002, 2003/26 of 22 April 2003, 2004/20 of 16 April 2004 and 2005/20 of 14 April 2005;

4. *Reaffirms* that the establishment of a thematic procedure on the promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity should not develop a new monitoring mechanism, and that the appointment of an independent expert in the field of cultural rights could assist the implementation of the present resolution, taking into account the work already done in this field by other bodies, organs and organizations of the United Nations system;

5. *Acknowledges* that the process of review, rationalization and improvement of mandates represents momentum towards the establishment of an independent expert on the promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity, and to this end requests the United Nations High Commissioner for Human Rights to consult States, intergovernmental and non-governmental organizations on the content and scope of the mandate of the independent expert, the basis of which would be the comprehensive implementation of the present resolution, and to report on the results of those consultations to the Council at its eighth session (to be held in June 2008);

6. *Underlines* that it is important to avoid overlapping with the activities of the United Nations Educational, Scientific and Cultural Organization and other bodies and organizations of the United Nations system when establishing the mandate of the independent expert and to bear in mind the significance of encouraging synergy between all actors dealing with cultural rights and the issue of cultural diversity;

7. *Decides* to continue its consideration of this matter at its eighth session under the same agenda item.
