



General Assembly

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Human Rights Council

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Agenda item 3

Promotion and protection of all human rights, civil political, economic, social and cultural rights, including the right to development

**Argentina, Australia*, Austria*, Azerbaijan*, Bosnia and Herzegovina*, Brazil,
Canada*, Chile, Costa Rica*, Croatia*, Cyprus*, Denmark*, Estonia*, France, Greece*,
Guatemala, Ireland*, Latvia*, Liechtenstein*, Luxembourg*, Malta*, Mexico, Norway,
Panama*, Peru*, Portugal*, Slovakia, Sweden*, Switzerland, Ukraine, United Kingdom
of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of)*: draft
resolution**

15/... Protection of human rights and fundamental freedoms while countering terrorism: mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

The Human Rights Council,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling Council resolution 5/1 on institution-building of the United Nations Human Rights Council and resolution 5/2 on the Code of Conduct for special procedures mandate holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with these resolutions and the annexes thereto,

Recalling also Commission on Human Rights resolutions 2004/87 of 21 April 2004 and 2005/80 of 21 April 2005, General Assembly resolutions 59/191 of 20 December 2004, 60/158 of 16 December 2005 and 61/171 of 19 December 2006, and Council resolution 6/28 of 14 December 2007 entitled "Protection of human rights and fundamental freedoms while countering terrorism: mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism",

* Non-Member State of the Human Rights Council.

1. *Acknowledges* the work and contributions of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;
2. *Decides* to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, for a period of three years, and requests the Special Rapporteur:
 - (a) To make concrete recommendations on the promotion and protection of human rights and fundamental freedoms while countering terrorism, including, at the request of States, for the provision of advisory services or technical assistance on such matters;
 - (b) To gather, request, receive and exchange information and communications from and with all relevant sources, including Governments, the individuals concerned and their families, representatives and organizations, including through country visits, with the consent of the State concerned, on alleged violations of human rights and fundamental freedoms while countering terrorism;
 - (c) To integrate a gender perspective throughout the work of his/her mandate;
 - (d) To identify, exchange and promote best practices on measures to counter terrorism that respect human rights and fundamental freedoms;
 - (e) To work in close coordination with other relevant bodies and mechanisms of the United Nations, and in particular with other special procedures of the Council, in order to strengthen the work for the promotion and protection of human rights and fundamental freedoms while avoiding unnecessary duplication of efforts;
 - (f) To develop a regular dialogue and discuss possible areas of cooperation with Governments and all relevant actors, including relevant United Nations bodies, specialized agencies and programmes, with, inter alia, the Counter-Terrorism Committee of the Security Council, including its Executive Directorate, the Counter-Terrorism Implementation Task Force, the Office of the United Nations High Commissioner for Human Rights, the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime and treaty bodies, as well as non-governmental organizations and other regional or subregional international institutions, while respecting the scope of his/her mandate and fully respecting the respective mandates of the above-mentioned bodies and with a view to avoiding duplication of effort;
 - (g) To report regularly to the Council and to the General Assembly;
3. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by responding promptly to the Special Rapporteur's urgent appeals and providing the information requested;
4. *Calls upon* all Governments to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries;
5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the Special Rapporteur for the effective fulfilment of his/her mandate;
6. *Decides* to continue consideration of this question in conformity with its annual programme of work .