

Protection of human rights

In 2014, the United Nations remained engaged in protecting human rights through its main organs—the General Assembly, the Security Council and the Economic and Social Council—and the Human Rights Council, which carried out its task as the central UN intergovernmental body responsible for promoting and protecting human rights and fundamental freedoms worldwide. The Council addressed violations, worked to prevent abuses, provided overall policy guidance, monitored the observance of human rights around the world and assisted States in fulfilling their human rights obligations.

The special procedures mandate holders—special rapporteurs, independent experts, working groups and representatives of the Secretary-General—monitored, examined, advised and publicly reported on human rights situations in specific countries or on major human rights violations worldwide. At the end of 2014, there were 53 special procedures (39 thematic mandates and 14 country- or territory-related mandates) with 77 mandate holders.

In 2014, special procedures submitted 135 reports to the Human Rights Council, including 64 on country visits, and 36 reports to the General Assembly. They sent 553 communications to 116 States; 82 per cent of those communications were sent jointly by more than one mandate holder. Communications covered at least 1,061 individuals, 16.9 per cent of whom were women. Mandate holders followed up on 24 per cent of communications, and Governments replied to 42.9 per cent of communications. Some 379 news releases and public statements on situations of concern were issued, individually or jointly, by mandate holders.

Special procedures conducted 80 country visits to 60 States. The number of countries that had extended a standing invitation to special procedures rose to 110 as at 31 December.

The Council in 2014 established two thematic mandates: Special Rapporteur on the rights of persons with disabilities and Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. It also established a country mandate on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights.

Economic, social and cultural rights continued to be a major focus of activity. The General Assembly highlighted the right to development, and Special Rapporteurs advocated for the rights to food, safe

water and sanitation, health, adequate housing, education and a life free from poverty.

In other developments, the Permanent Memorial Committee entered into an agreement with an architect for the construction of a permanent memorial at UN Headquarters in honour of the victims of slavery and the transatlantic slave trade, to be completed in 2015. In September, the first World Conference on Indigenous People, convened as a high-level meeting of the General Assembly, adopted an action-oriented document on the realization of indigenous rights.

Special procedures

Report of High Commissioner. In her annual report to the Human Rights Council [A/HRC/28/3], the United Nations High Commissioner for Human Rights, Navanethem Pillay, noted that the expertise of special procedures helped to draw attention to emerging issues such as the use of drones in extraterritorial lethal counter-terrorism operations; mass digital surveillance for counter-terrorism purposes; the implications of States' surveillance of communications on the rights to privacy and to freedom of opinion and expression; and the implementation of the right to social security through the universal adoption of social protection floors. From January to October, special procedures mandate holders conducted 63 country visits to 43 States and issued 427 communications. Some 109 States issued standing invitations for special procedures visits, although they were not always honoured. The Council established two new thematic mandates: on the rights of persons with disabilities and on the negative impact of unilateral coercive measures on the enjoyment of human rights. In all there were 53 special procedures (39 thematic and 14 geographically related).

Report of Secretary-General. In response to a Human Rights Council decision [YUN 2006, p. 760], the Secretary-General in December submitted a report [A/HRC/28/19] indicating that the special procedures' conclusions and recommendations contained in their 2014 reports to the Council's twenty-fifth, twenty-sixth and twenty-seventh sessions were available on the website of the Office of the United Nations High Commissioner for Human Rights (OHCHR).

Reports of special procedures. In accordance with the decisions made by special procedures mandate holders at their sixteenth [YUN 2009, p. 645]

and seventeenth [YUN 2010, p. 656] annual meetings, mandate holders issued, on 24 February [A/HRC/25/74], 2 June [A/HRC/26/21] and 20 August [A/HRC/27/72], joint communications reports containing summaries of communications and statistical information. The reports covered urgent appeals, letters of allegations and other letters sent by mandate holders from 1 June 2013 to 31 May 2014 and replies received between 1 August 2013 and 31 July 2014, including replies relating to communications sent prior to 1 June 2013.

Reprisals for cooperation with human rights bodies

Report of Secretary-General. Pursuant to a Human Rights Council request [YUN 2009, p. 668], the Secretary-General in August [A/HRC/27/38] submitted a compilation and analysis of information on alleged reprisals against individuals or groups who had cooperated or sought to cooperate with representatives of UN human rights bodies, as well as recommendations on how to address cases of intimidation and reprisals. The report contained information gathered from 16 June 2013 to 31 May 2014, pertaining to cases in Algeria, Cameroon, China, Cuba, the Democratic People's Republic of Korea, Egypt, Israel, Kenya, Malaysia, Pakistan, Saudi Arabia, Sri Lanka, the Syrian Arab Republic, Tajikistan, the United Arab Emirates and Viet Nam. It also provided follow-up information on cases included in previous reports on India, Morocco, the Russian Federation, Syria, the United Arab Emirates and Venezuela. The report noted that the cases included represented only the tip of the iceberg: some cases had not been included because of concern that the alleged victims might be subjected to further reprisals if their complaints were published. Reprisals against persons cooperating with the United Nations and its human rights mechanisms and representatives ranged from threats, harassment, smear campaigns, fines, travel bans, the forced closure of organizations, arbitrary arrests, prosecution and lengthy prison sentences to torture and death. The Secretary-General recommended that States prevent and refrain from all acts of intimidation or reprisal against individuals and groups; adopt specific legislation and policies; investigate alleged acts of reprisal or intimidation to bring perpetrators to justice; and consider establishing a national focal point to address acts of intimidation and reprisal.

On 15 September, the General Assembly deferred until its sixty-ninth (2014) session consideration of the report of the Human Rights Council as it pertained to Council resolution 24/24 [YUN 2013, p. 640] on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, and on intimidation or reprisals against individuals and groups who had cooperated or sought to cooperate with the United Nations (**decision 68/668**).

On 29 December, the Assembly decided that the agenda item on the report of the Human Rights Council would remain for consideration during its resumed sixty-ninth (2015) session (**decision 69/554**).

Civil and political rights

Racism and racial discrimination

Follow-up to 2001 World Conference

During the year, efforts continued to implement the Durban Declaration and Programme of Action (DDPA) adopted by the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance [YUN 2001, p. 615].

Intergovernmental Working Group. The Intergovernmental Working Group on the Effective Implementation of the DDPA, at its twelfth session (Geneva, 7–17 April) [A/HRC/26/55], identified, on the basis of contributions by Member States and other stakeholders, objectives and national, regional and international activities to be conducted during the International Decade for People of African Descent, 2015–2024 (see p. 780).

A 10 April secretariat note [A/HRC/25/68/Rev.1] informed the Human Rights Council that the report of the Working Group's eleventh session [YUN 2013, p. 628] would be submitted to the Council's twenty-fifth (2014) session.

Report of independent experts. The five independent eminent experts appointed by the Secretary-General in 2002 [YUN 2002, p. 662] to follow up on implementation of DDPA provisions, following their first [YUN 2003, p. 698] and second [YUN 2005, p. 757] meetings, held their third meeting in private (Geneva, 4 February 2014) [A/HRC/26/56]. The experts discussed their previous work and related challenges, mandate and working methods, including suggestions for follow-up actions. They agreed to submit information on individually undertaken activities and new developments in their regions since 2005, which would be compiled and circulated by OHCHR. Such inputs would include proposals for topics on which the experts would work, individually and as a group. The experts emphasized that the group's mandate should be reviewed and amended to reflect what could be realistically achieved; agreed to elaborate and adopt working methods to facilitate their work and increase efficiency; requested OHCHR to assist with the drafting of those methods; and proposed a December 2014 deadline for adoption of the working methods.

On 21 March, by **decision 68/552**, the General Assembly decided, without setting a precedent, to invite Gay McDougall (United States), first United Nations Independent Expert on minority issues, former expert member of the Committee on the

Elimination of Racial Discrimination and Special Rapporteur of the former Subcommission on the Promotion and Protection of Human Rights, to make a statement on the occasion of the International Day for the Elimination of Racial Discrimination.

Report of Secretary-General. In response to General Assembly resolution 68/151 [YUN 2013, p. 629], the Secretary-General in August submitted a report [A/69/354] on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the DDPA. The report summarized contributions received from 14 countries and four national human rights institutions or national equality bodies and provided an update on activities undertaken by OHCHR. It concluded that despite progress made in combating racism and related phenomena, stronger political will and urgent measures were needed to reverse the recent trends of increasingly hostile racist and xenophobic attitudes and violence. States were encouraged to develop and implement national action plans to combat racial discrimination and related intolerance.

The General Assembly took note of the report on 18 December (**decision 69/533**).

Working Group on people of African descent. At its fourteenth session (Geneva, 31 March–4 April) [A/HRC/27/68], the Working Group of Experts on People of African Descent focused on the theme of “People of African descent: access to justice”. The Working Group acknowledged that, despite guarantees in international and national law, racism, racial discrimination, xenophobia and related intolerance affected people of African descent in a unique fashion, to the point that many of them were unable to obtain remedies for wrongful acts through their domestic institutions. It urged States to develop a national atlas mapping injustices and to adopt national action plans against racial discrimination, which should include special measures to address structural discrimination against people of African descent. It reiterated its recommendation that national, regional and international activities should be developed during the International Decade for People of African Descent.

In accordance with Assembly resolution 68/151, the Chair of the Working Group in August reported [A/69/318] on the Working Group’s activities between 1 July 2013 and 30 June 2014.

Mission reports. Following its mission to the Netherlands (26 June–4 July) [A/HRC/30/56/Add.1], the Working Group concluded that the country had a long tradition of tolerance and openness and valued diversity, yet it had for a long time denied the existence of racism and racist practices, thus obscuring the existence of structural and institutional racism. Recognizing the complex history of people of African descent was a necessary step towards eliminating bar-

riers affecting their ability to enjoy their fundamental rights. The Working Group recommended the adoption of policies targeting people of African descent and tailored to their situation.

Following a visit to Sweden (1–5 December) [A/HRC/30/56/Add.2], the Working Group noted the need to address Afrophobia as a serious phenomenon. Despite advances in the protection of some vulnerable groups, it was only recently that the Government had recognized Afro-Swedes and people of African descent as a specific group requiring focused attention. According to statistics, Afro-Swedes were most exposed to hate crimes, and reports of Afrophobic hate crimes had increased by 24 per cent since 2008. The police faced knowledge, security and capacity gaps in dealing with Afrophobic hate crimes. The Working Group made recommendations to assist Sweden in its efforts to tackle Afrophobia and combat all forms of racism and related intolerance faced by Afro-Swedes and Africans.

Human Rights Council action. On 26 September [A/69/53/Add.1 (res. 27/25)], the Council extended the mandate of the Working Group on people of African descent for three years; decided that the Working Group should undertake a minimum of two country visits per year; and requested the Working Group to report annually to the Council, as well as to the General Assembly in the context of the International Decade for People of African Descent (see p. 780).

OHCHR report. In response to Assembly resolution 68/151, OHCHR in July submitted a report [A/69/186] which provided clarification on the establishment, name and activities of the OHCHR Anti-Racial Discrimination Section. In accordance with the established UN structure of departments, the Anti-Discrimination “Unit” fell within the category of a section and was placed in the Rule of Law, Equality and Non-Discrimination Branch of OHCHR. The High Commissioner aligned the name of the section with its actual OHCHR role, changing the name to the Anti-Racial Discrimination Section. The section focused on combating racism, racial discrimination, xenophobia and related intolerance.

The General Assembly took note of the report on 18 December (**decision 69/533**).

Sports and combating discrimination

Advisory Committee report. As requested by the Human Rights Council [YUN 2013, p. 629], the Human Rights Council Advisory Committee in August submitted a progress report [A/HRC/27/58] on the study on the possibilities of using sport and the Olympic ideal to promote human rights. The purpose of the study was to help stakeholders to assess the general factors relating to modern human rights policy in sport and provide insights for its development and improvement. As at August 2014, responses to a March 2014 questionnaire on the topic had been received from 22

States, 5 national human rights institutions, 8 non-governmental organizations (NGOs) and civil society representatives, an international organization and a special procedure mandate holder. The report included recommendations with regard to national legislation and executive practice, programme support, and combating discriminatory practices in sport, the media and education.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/8)], the Council called on States to cooperate with the International Olympic Committee and the International Paralympic Committee in their efforts to use sport as a tool to promote human rights. It requested the Advisory Committee to finalize the study on the possibilities of using sport and the Olympic ideal to promote human rights and to report to Council before its thirtieth (2015) session.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/69/486], adopted **resolution 69/162** by recorded vote (134-10-42) [agenda item 66 (b)].

A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling all its previous resolutions on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action adopted by the World Conference, and in this regard underlining the imperative need for their full and effective implementation,

Stressing that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance has the same status as the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields, and that the Durban Declaration and Programme of Action remains a solid basis and the only instructive outcome of the World Conference, which prescribes comprehensive measures for combating all the scourges of racism and adequate remedies for victims,

Recalling the three Decades for Action to Combat Racism and Racial Discrimination previously declared by the General Assembly, and regretting that the Programmes of Action for those Decades were not fully implemented and that their objectives are yet to be attained,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Underlining the intensity, magnitude and organized nature of slavery and the slave trade, including the transatlantic slave trade, and the associated historical injustices, as well as the untold suffering caused by colonialism and apartheid, and that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples continue to be victims of the cascading effects of those legacies,

Acknowledging the efforts and initiatives undertaken by States to prohibit racial discrimination and racial segregation and to engender the full enjoyment of economic, social and cultural rights, as well as civil and political rights,

Emphasizing that, despite efforts in this regard, millions of human beings continue to be victims of racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms and manifestations, some of which manifest in violent forms,

Welcoming the efforts made by civil society in support of the follow-up mechanisms in the implementation of the Durban Declaration and Programme of Action,

Recalling the appointment of the five independent eminent experts on 16 June 2003 by the Secretary-General, pursuant to General Assembly resolution 56/266 of 27 March 2002, with the mandate to follow up on the implementation of the provisions of the Durban Declaration and Programme of Action and to make appropriate recommendations thereon, and in this regard underlining the role played and still to be played by those independent eminent experts in mobilizing global political will for concrete action for the total elimination of all the scourges of racism, racial discrimination, xenophobia and related intolerance,

Underlining the primacy of the political will, international cooperation and adequate funding at the national, regional and international levels needed to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance for the successful implementation of the Durban Declaration and Programme of Action,

Recalling its resolution 2142(XXI) of 26 October 1966, in which it proclaimed 21 March as the International Day for the Elimination of Racial Discrimination,

Recalling also its resolution 62/122 of 17 December 2007, in which it designated 25 March as an annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade,

Recalling further the suffering of the victims of racism, racial discrimination, xenophobia and related intolerance, and the need to honour their memory,

Noting that 2016 will mark the fifteenth anniversary of the Durban Declaration and Programme of Action, and looking forward to its commemoration,

Recognizing and affirming that the global fight against racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and contemporary forms and manifestations is a matter of priority for the international community,

I

International Convention on the Elimination of All Forms of Racial Discrimination

1. *Reaffirms* the paramount importance of universal adherence to and the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the General

Assembly in its resolution 2106 A(XX) of 21 December 1965, in addressing the scourges of racism and racial discrimination;

2. *Calls upon* States that have not done so to consider acceding to the Convention, and States parties to make the declaration under article 14 of the Convention, as a matter of urgency;

3. *Underlines*, in the above context, that the provisions of the Convention do not respond effectively to contemporary manifestations of racial discrimination, in particular in relation to xenophobia and related intolerance, which is recognized as the rationale behind the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001;

4. *Takes note* of the acknowledgement by the Human Rights Council and its subsidiary structures of the existence of both procedural and substantive gaps in the aforementioned Convention, which must be filled as a matter of urgency, necessity and priority;

5. *Invites* the Human Rights Council, in conjunction with its Ad Hoc Committee on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination, in the execution of its mandate, to continue to elaborate complementary standards in order to fill existing gaps in the Convention, in the form of new normative standards aimed at combating all forms of contemporary and resurgent racism, and in this regard, areas such as xenophobia, Islamophobia, anti-Semitism and incitement to national or ethnic and religious hatred that have been identified as constituting substantive gaps;

II

International Decade for People of African Descent

6. *Welcomes* the proclamation of the International Decade for People of African Descent, as contained in its resolution 68/237 of 23 December 2013, and the celebratory launch of the Decade on 10 December 2014;

7. *Also welcomes* the adoption of the programme of activities for the implementation of the International Decade for People of African Descent;

8. *Requests* the Human Rights Council, through the Chair of the Working Group of Experts on People of African Descent, to submit a report on the work of the Working Group to the General Assembly, and in this regard invites the Chair of the Working Group to engage in an interactive dialogue with the Assembly under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance" at its seventieth session;

III

Office of the United Nations High Commissioner for Human Rights

9. *Welcomes* the positive response by the United Nations High Commissioner for Human Rights to the requests made by the Human Rights Council, in its resolution 6/22 of 28 September 2007, and by the General Assembly, in its resolution 68/151 of 18 December 2013, to realign the work and the name of the erstwhile Anti-Discrimination Unit in the Office of the United Nations High Commissioner for Human Rights, and also welcomes its renaming as the Anti-Racial Discrimination Section and the realignment of its operational activities to focus exclu-

sively on racism, racial discrimination, xenophobia and related intolerance, as defined in paragraphs 1 and 2 of the Durban Declaration;

10. *Also welcomes* the inclusion of the historic and landmark World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of 2001 among the 20 major achievements of the Office of the High Commissioner since the adoption of the Vienna Declaration and Programme of Action in 1993;

11. *Requests* the Secretary-General and the Office of the High Commissioner to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

IV

Group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action

12. *Reiterates its requests* to the Secretary-General, pursuant to its resolution 68/151, to revitalize and reactivate the operational activities of the group of independent eminent experts;

13. *Reiterates its invitation* to the Human Rights Council, pursuant to paragraph 16 of General Assembly resolution 68/151, to ensure the visibility, effective participation and optimal utilization of the vast knowledge and experience of the group of independent eminent experts within its subsidiary structures, charged with the mandate of and responsibility for the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action, and in this regard requests the Council to submit a progress report to the Assembly at its seventieth session;

V

Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination

14. *Recalls* the establishment by the Secretary-General, in 1973, of the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination as a funding mechanism that has been utilized for the implementation of the activities of the three Decades for Action to Combat Racism and Racial Discrimination declared by the General Assembly, and in this regard appreciates the fact that the Trust Fund has also been utilized for the subsequent programmes and operational activities transcending the three Decades;

15. *Requests* the Secretary-General to include, in his report on the implementation of the present resolution to the General Assembly at its seventieth session, a section outlining the progress in the implementation of paragraph 18 of its resolution 68/151, regarding the revitalization of the Trust Fund for the purpose of ensuring the successful implementation of the activities of the International Decade for People of African Descent and enhancing the effectiveness of the comprehensive follow-up to the World Conference

against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action;

16. *Strongly appeals* to all Governments, intergovernmental and non-governmental organizations and individuals as well as other donors in a position to do so to contribute generously to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination, and to that end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

VI

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

17. *Takes note* of the reports of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and encourages the Special Rapporteur, within his mandate, to continue to focus on the issues of racism, racial discrimination, xenophobia and related intolerance and incitement to hatred, which impede peaceful coexistence and harmony within societies, and to submit reports in this regard to the Human Rights Council and the General Assembly;

18. *Reiterates* the invitation to the Special Rapporteur to consider examining national models of mechanisms that measure racial equality and their added value in the eradication of racial discrimination and to report on such challenges, successes and best practices in his next report;

VII

Follow-up and implementation activities

19. *Reiterates its request* to the Human Rights Council to develop and adopt a multi-year programme of activities to provide for the renewed and strengthened outreach activities needed to inform and mobilize the global public in support of the Durban Declaration and Programme of Action and to strengthen awareness of the contribution that it has made in the struggle against racism, racial discrimination, xenophobia and related intolerance;

20. *Calls upon* the Human Rights Council to commence preparations for the commemoration of the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action, including through the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action;

21. *Requests* the Secretary-General to submit to the General Assembly at its seventieth session a report on the implementation of the present resolution;

22. *Requests* the President of the General Assembly and the President of the Human Rights Council to continue convening annual commemorative meetings of the Assembly and the Council during the commemoration of the International Day for the Elimination of Racial Discrimination, with the appropriate focus and themes, and to hold a debate on the state of racial discrimination worldwide, with the participation of the Secretary-General and the United Nations High Commissioner for Human Rights, and in this context encourages the participation of eminent personalities active in the field

of racial discrimination, Member States and civil society organizations in accordance with the rules of procedure of the Assembly and the Council, respectively;

23. *Decides* to remain seized of this priority matter at its seventieth session under the item entitled “Elimination of racism, racial discrimination, xenophobia and related intolerance”.

RECORDED VOTE ON RESOLUTION 69/162:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Canada, Czech Republic, France, Germany, Israel, Marshall Islands, Palau, United Kingdom, United States.

Abstaining: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, Georgia, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tonga, Ukraine.

Contemporary forms of racism

Reports of Special Rapporteur. In April, pursuant to General Assembly resolution 68/150 [YUN 2013, p.632], the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere (Kenya), submitted a report [A/HRC/26/50] on the implementation of that resolution, addressing the human rights and democratic challenges posed by extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements. He examined the main areas of concern where further efforts were required, including with regard to the protection of vulnerable groups against racist and xenophobic crimes and the protection and

consolidation of democracy and human rights. He also identified good practices developed by States and various stakeholders.

Pursuant to the same resolution, in August the Secretary-General transmitted to the Assembly another report [A/69/334] of the Special Rapporteur on the implementation of resolution 68/150, which dealt with combating the glorification of Nazism and other practices that contributed to fuelling contemporary forms of racism and related phenomena. The report summarized contributions from 11 States and views sent by three intergovernmental, non-governmental and other organizations. The Rapporteur encouraged States to adopt legislation to combat racism; bring to justice the perpetrators of crimes with racist, xenophobic, anti-Semitic or homophobic motivation and combat impunity; and ensure implementation of measures protecting members of minority groups, people of African descent, Roma, migrants, refugees and asylum seekers. He recommended that States invest in education in order to transform attitudes and correct ideas of racial hierarchies and superiority promoted by extremist political parties, movements and groups and counter their negative influence.

In response to a Human Rights Council request [YUN 2011, p. 660], the Special Rapporteur in May submitted a report [A/HRC/26/49 & Corr.1] examining the context, trends and manifestations of racism on the Internet and social media, and reviewing the legal and policy frameworks and the measures taken at international, regional and national levels. The Rapporteur concluded that combating the use of the Internet and social media to propagate racial, ethnic and xenophobic content and incitement to violence required a multi-stakeholder approach. The role of the private sector, in particular Internet service providers and social media platforms and other industry players, was crucial. He highlighted some of the measures taken by the private sector to address the issue and pointed out the positive contribution made by such initiatives. He encouraged States to use the unique educational potential of the Internet and social media networks to combat manifestations of racism and related phenomena in cyberspace.

In August, pursuant to Assembly resolution 68/151 [YUN 2013, p. 629], the Special Rapporteur submitted a report [A/69/340] focusing on the issue of racism and sports. He referred to racism, racial discrimination, xenophobia and related intolerance in sports; illustrated some manifestations of racism in team and individual sports; discussed the applicable legislation and standards; and presented initiatives of sports federations and civil society that focused on preventing and combating racism in sports. The Rapporteur recommended that stakeholders support existing initiatives while creating environments that fostered the debate on racism and intolerance and raised awareness of patterns of discrimination.

Mission report. Following his visit to the Republic of Korea (29 September–6 October) [A/HRC/29/46/Add.1], the Special Rapporteur examined challenges in the fight against racism, including issues related to the situation of migrants, foreign seafarers and workers in the agriculture sector. He noted that as the country had consolidated its rapid economic development and industrialization, it had been faced with the arrival of foreigners and migrant workers, provoking an essential debate on multiculturalism, racism and xenophobia. It was important that efforts undertaken by all stakeholders, including the Government, to combat racism be continued. He made recommendations on the legal and institutional framework; migrant workers; marriage migrants and multicultural families; racism and xenophobic discourse promoted by private actors; racism in the media; and refugees, asylum seekers and stateless persons.

In June, Mauritania submitted its comments [A/HRC/26/49/Add.2] on the Special Rapporteur's 2013 mission to the country [YUN 2013, p. 632].

Human Rights Council action. On 28 March [A/69/53 (res. 25/32)], the Council extended the mandate of the Special Rapporteur for a three-year period and requested him to report annually to the Council and to the General Assembly.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/486], adopted **resolution 69/160** by recorded vote (133-4-51) [agenda item 66 (a)].

Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant human rights instruments,

Recalling the provisions of Commission on Human Rights resolutions 2004/16 of 16 April 2004 and 2005/5 of 14 April 2005 and relevant Human Rights Council resolutions, in particular resolutions 7/34 of 28 March 2008, 18/15 of 29 September 2011 and 21/33 of 28 September 2012, as well as General Assembly resolutions 60/143 of 16 December 2005, 61/147 of 19 December 2006, 62/142 of 18 December 2007, 63/162 of 18 December 2008, 64/147 of 18 December 2009, 65/199 of 21 December 2010, 66/143 of 19 December 2011, 67/154 of 20 December 2012 and 68/150 of 18 December 2013 on this issue and its resolutions 61/149 of 19 December 2006, 62/220 of 22 December 2007, 63/242 of 24 December 2008, 64/148 of 18 December 2009, 65/240 of 24 December 2010, 66/144 of 19 December 2011, 67/155 of 20 December 2012 and 68/151 of 18 December 2013, entitled

“Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action”,

Acknowledging other important initiatives of the General Assembly aimed at raising awareness about the suffering of victims of racism, racial discrimination, xenophobia and related intolerance, including in the historical perspective, in particular regarding commemoration of the victims of slavery and the transatlantic slave trade,

Recalling the Charter of the Nuremberg Tribunal and the Judgement of the Tribunal, which recognized as criminal, inter alia, the SS organization and all its integral parts, including the Waffen SS, through its officially accepted members implicated in or with knowledge of the commission of war crimes and crimes against humanity connected with the Second World War, as well as other relevant provisions of the Charter and the Judgement,

Recalling also the relevant provisions of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001, in particular paragraph 2 of the Declaration and paragraph 86 of the Programme of Action, as well as the relevant provisions of the outcome document of the Durban Review Conference of 24 April 2009, in particular paragraphs 11 and 54,

Alarmed, in this regard, at the spread in many parts of the world of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, as well as racist extremist movements and ideologies,

Deeply concerned by all recent manifestations of violence and terrorism incited by violent nationalism, racism, xenophobia and related intolerance,

Recalling that in 2015 the international community will celebrate the seventieth anniversary of victory over Nazism in the Second World War, and looking forward in this regard to the initiative to hold a special solemn meeting at the sixty-ninth session of the General Assembly,

1. *Reaffirms* the relevant provisions of the Durban Declaration and of the outcome document of the Durban Review Conference, in which States condemned the persistence and resurgence of neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial and national prejudice and stated that those phenomena could never be justified in any instance or in any circumstances;

2. *Takes note with appreciation* of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, prepared in accordance with the request contained in General Assembly resolution 68/150;

3. *Expresses its appreciation* to the United Nations High Commissioner for Human Rights and his Office for their efforts to fight racism, racial discrimination, xenophobia and related intolerance, including the maintenance by the Office of the database on practical means to combat racism, racial discrimination, xenophobia and related intolerance;

4. *Expresses deep concern* about the glorification, in any form, of the Nazi movement, neo-Nazism and former members of the Waffen SS organization, including by erecting monuments and memorials and holding public demonstrations in the name of the glorification of the Nazi past, the Nazi movement and neo-Nazism, as well as by declaring or attempting to declare such members and those who

fought against the anti-Hitler coalition and collaborated with the Nazi movement participants in national liberation movements;

5. *Calls for* the universal ratification and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, and encourages those States parties that have not yet done so to consider making the declaration under its article 14, thus providing the Committee on the Elimination of Racial Discrimination with the competence to receive and consider communications from individuals or groups of individuals within their jurisdiction claiming to be victims of a violation by a State party of any of the rights set forth in the Convention;

6. *Emphasizes* the recommendation of the Special Rapporteur that “any commemorative celebration of the Nazi regime, its allies and related organizations, whether official or unofficial, should be prohibited by States”, and stresses in this regard that it is important that States take measures, in accordance with international human rights law, to counteract any celebration of the Nazi SS organization and all its integral parts, including the Waffen SS;

7. *Expresses concern* about recurring attempts to desecrate or demolish monuments erected in remembrance of those who fought against Nazism during the Second World War, as well as to unlawfully exhume or remove the remains of such persons, and in this regard urges States to fully comply with their relevant obligations, inter alia, under article 34 of Additional Protocol I to the Geneva Conventions of 1949;

8. *Notes with concern* the increase in the number of racist incidents worldwide, including the rise of skinhead groups, which have been responsible for many of these incidents, as well as the resurgence of racist and xenophobic violence targeting, inter alia, persons belonging to national, ethnic, religious or linguistic minorities;

9. *Reaffirms* that such acts may be qualified to fall within the scope of the Convention, that they may not be justified when they fall outside the scope of the rights to freedom of peaceful assembly and of association as well as the rights to freedom of expression and that they may fall within the scope of article 20 of the International Covenant on Civil and Political Rights and may be subject to certain restrictions, as set out in articles 19, 21 and 22 of the Covenant;

10. *Condemns without reservation* any denial or attempt to deny the Holocaust;

11. *Welcomes* the call of the Special Rapporteur for the active preservation of those Holocaust sites that served as Nazi death camps, concentration and forced labour camps and prisons, as well as his encouragement of States to take measures, including legislative, law enforcement and educational measures, to put an end to all forms of Holocaust denial;

12. *Calls upon* States to continue to take adequate steps, including through national legislation, in accordance with international human rights law, aimed at the prevention of hate speech and incitement to violence against persons belonging to vulnerable groups;

13. *Expresses deep concern* about attempts at commercial advertising aimed at exploiting the sufferings of the victims of war crimes and crimes against humanity committed during the Second World War by the Nazi regime;

14. *Stresses* that the practices described above do injustice to the memory of the countless victims of crimes against humanity committed in the Second World War,

in particular those committed by the SS organization and by those who fought against the anti-Hitler coalition and collaborated with the Nazi movement, and may negatively influence children and young people, and that failure by States to effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter, including those related to the purposes and principles of the Organization;

15. *Also stresses* that such practices fuel contemporary forms of racism, racial discrimination, xenophobia and related intolerance and contribute to the spread and multiplication of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and in this regard calls for increased vigilance;

16. *Expresses concern* that the human rights and democratic challenges posed by extremist political parties, movements and groups are universal and no country is immune to them;

17. *Emphasizes* the need to take the measures necessary to put an end to the practices described above, and calls upon States to take more effective measures in accordance with international human rights law to combat those phenomena and extremist movements, which pose a real threat to democratic values;

18. *Encourages* States to adopt further measures to provide training for the police and other law enforcement bodies on the ideologies of extremist political parties, movements and groups whose advocacy constitutes incitement to racist and xenophobic violence, to strengthen their capacity to address racist and xenophobic crimes, to fulfil their responsibility of bringing to justice the perpetrators of such crimes and to combat impunity;

19. *Notes* the recommendation of the Special Rapporteur regarding the responsibility of political leaders and parties in relation to messages that incite racial discrimination or xenophobia;

20. *Expresses concern* that ethnic profiling and police violence against vulnerable groups discourage victims from seeking redress owing to distrust of the legal system, and in this regard encourages States to improve diversity within law enforcement agencies and impose appropriate sanctions against those within the public service found guilty of racially motivated violence or of using hate speech;

21. *Recalls* the recommendation of the Special Rapporteur to introduce into national criminal law a provision according to which committing an offence with racist or xenophobic motivations or aims constitutes an aggravating circumstance, allowing for enhanced penalties, and encourages those States whose legislation does not contain such provisions to consider that recommendation;

22. *Underlines* that the roots of extremism are multifaceted and must be addressed through adequate measures such as education, awareness-raising and the promotion of dialogue, and in this regard recommends the increase of measures to raise awareness among young people of the dangers of the ideologies and activities of extremist political parties, movements and groups;

23. *Reaffirms*, in this regard, the particular importance of all forms of education, including human rights education, as a complement to legislative measures, as outlined by the Special Rapporteur;

24. *Emphasizes* the recommendation of the Special Rapporteur presented at the sixty-fourth session of the

General Assembly, in which he emphasized the importance of history classes in teaching the dramatic events and human suffering which arose out of the adoption of ideologies such as Nazism and Fascism;

25. *Stresses* the importance of other positive measures and initiatives aimed at bringing communities together and providing them with space for genuine dialogue, such as round tables, working groups and seminars, including training seminars for State agents and media professionals, as well as awareness-raising activities, especially those initiated by civil society representatives, which require continued State support;

26. *Calls upon* States to continue to invest in education, in both conventional and non-conventional curricula, inter alia, in order to transform attitudes and correct ideas of racial hierarchies and superiority promoted by extremist political parties, movements and groups and counter their negative influence;

27. *Underlines* the positive role that relevant United Nations entities and programmes, in particular the United Nations Educational, Scientific and Cultural Organization, can play in the aforementioned areas;

28. *Reaffirms* article 4 of the Convention, according to which States parties to that instrument condemn all propaganda and all organizations that are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or that attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to that end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention, inter alia:

(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, and incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Shall declare illegal and prohibit organizations, and organized and all other propaganda activities, that promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination;

29. *Also reaffirms* that, as underlined in paragraph 13 of the outcome document of the Durban Review Conference, any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence should be prohibited by law, that all dissemination of ideas based on racial superiority or hatred, or incitement to racial discrimination, as well as all acts of violence or incitement to such acts, shall be declared offences punishable by law, in accordance with the international obligations of States, and that these prohibitions are consistent with freedom of opinion and expression;

30. *Recognizes* the positive role that the exercise of the right to freedom of opinion and expression, as well as full respect for the freedom to seek, receive and impart

information, including through the Internet, can play in combating racism, racial discrimination, xenophobia and related intolerance;

31. *Expresses concern* about the use of the Internet to propagate racism, racial hatred, xenophobia, racial discrimination and related intolerance, and in this regard calls upon States parties to the Covenant to implement fully articles 19 and 20 thereof, which guarantee the right to freedom of expression and outline the grounds on which the exercise of this right can be legitimately restricted;

32. *Recognizes* the need to promote the use of new information and communications technologies, including the Internet, to contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

33. *Also recognizes* the positive role that the media can play in combating racism, racial discrimination, xenophobia and related intolerance, promoting a culture of tolerance and representing the diversity of a multicultural society;

34. *Encourages* States, civil society and other relevant stakeholders to use all opportunities, including those provided by the Internet and social media, to counter, in accordance with international human rights law, the dissemination of ideas based on racial superiority or hatred and to promote the values of equality, non-discrimination, diversity and democracy;

35. *Encourages* those States that have made reservations to article 4 of the Convention to give serious consideration to withdrawing such reservations as a matter of priority, as stressed by the Special Rapporteur;

36. *Notes* the importance of strengthening cooperation at the regional and international levels with the aim of countering all manifestations of racism, racial discrimination, xenophobia and related intolerance, in particular regarding issues raised in the present resolution;

37. *Stresses* the importance of cooperating closely with civil society and international and regional human rights mechanisms in order to counter effectively all manifestations of racism, racial discrimination, xenophobia and related intolerance, as well as extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other similar extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

38. *Encourages* States parties to the Convention to ensure that their legislation incorporates the provisions of the Convention, including those of article 4;

39. *Encourages* States to adopt the legislation necessary to combat racism while ensuring that the definition of racial discrimination set out therein complies with article 1 of the Convention;

40. *Recalls* that any legislative or constitutional measures adopted with a view to countering extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and similar extremist ideological movements should be in conformity with the relevant international human rights norms, in particular articles 4 and 5 of the Convention and articles 19 to 22 of the Covenant;

41. *Also recalls* the request of the Commission on Human Rights, in its resolution 2005/5, that the Special Rapporteur continue to reflect on this issue, make relevant recommendations in his future reports and seek and take into account in this regard the views of Governments and non-governmental organizations;

42. *Encourages* States to consider including in their reports for the universal periodic review and to relevant treaty bodies information on the steps taken to combat racism, racial discrimination, xenophobia and related intolerance, including with the aim of implementing the provisions of the present resolution;

43. *Requests* the Special Rapporteur to prepare, for submission to the General Assembly at its seventieth session and to the Human Rights Council at its twenty-ninth session, reports on the implementation of the present resolution, in particular regarding paragraphs 4, 6, 7, 9, 13, 14, 24 and 25 above, based on the views collected in accordance with the request of the Commission, as recalled in paragraph 41 above;

44. *Expresses its appreciation* to those Governments that have provided information to the Special Rapporteur in the course of the preparation of his reports to the General Assembly;

45. *Stresses* that such information is important for the sharing of experiences and best practices in the fight against extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

46. *Encourages* Governments and non-governmental organizations to cooperate fully with the Special Rapporteur in the exercise of the tasks outlined in paragraph 43 above;

47. *Encourages* Governments, non-governmental organizations and relevant actors to disseminate, as widely as possible, information regarding the contents of and the principles outlined in the present resolution, including through the media, but not limited to it;

48. *Decides* to remain seized of the issue.

RECORDED VOTE ON RESOLUTION 69/160:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Canada, Palau, Ukraine, United States.

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia,

Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, South Sudan, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Turkey, United Kingdom.

Human rights defenders

Reports of Special Rapporteur. In his first report to the General Assembly [A/69/259], submitted in accordance with Assembly resolution 66/164 [YUN 2011, p. 664], the Special Rapporteur on the situation of human rights defenders, Michel Forst (France), who was appointed by the Council on 8 May, analysed the terms of his mandate, described its working methods and the techniques used, and reviewed the activities undertaken during the first weeks of his mandate. The report focused on the manner in which he intended to perform the mandate and on the priorities he would pursue, including identifying the challenges to which human rights defenders were most exposed, strengthening his cooperation with other mandate holders and regional mechanisms, ensuring better follow-up to communications and country visits, and contributing to the development and distribution of good practices among States, stakeholders and the defenders themselves. He also intended to ensure widespread awareness and ownership of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms [YUN 1998, p. 607].

The General Assembly took note of that report on 18 December (**decision 69/536**).

A March addendum [A/HRC/25/55/Add.3] to the December 2013 report of the former Special Rapporteur [YUN 2013, p. 636] contained observations by the Rapporteur on communications to 78 States and other actors sent between 1 December 2012 and 30 November 2013, and responses received from States until 31 January 2014.

Mission report. Following his visit to Burundi (14–25 November) [A/HRC/31/55/Add.2], the Special Rapporteur analysed the main challenges faced by human rights defenders, in particular impunity for violations committed against them and the lack of protection against such violations, illegitimate restrictions on the exercise of fundamental rights, criminalization, the capacity of civil society actors and coordination among them and stigmatization. He concluded that overall, human rights defenders were able to operate freely, but in an environment that was not always sufficiently enabling. He noted that some defenders were subjected to physical assaults, threats and defamation and were forced to live in a difficult environment. He made recommendations addressed

to the Government, human rights defenders and the international community.

Human Rights Council action. On 28 March [A/69/53 (res. 25/18)], the Council extended the mandate of the Special Rapporteur for a three-year period and requested him to report regularly to the Council and the General Assembly.

Protection of migrants

Reports of Special Rapporteur. In response to a request by the Human Rights Council [YUN 2011, p. 667], the Special Rapporteur on the human rights of migrants, François Crépeau (Canada), in April submitted a report [A/HRC/26/35] covering his activities from 1 June 2013 to 31 March 2014, including reflections on the 2013 High-level Dialogue on International Migration and Development [YUN 2013, p. 1025]. The report focused on labour exploitation of migrants, covering some of the most common manifestations of such exploitation, groups of migrants who were specifically at risk, and access to remedy. The Rapporteur noted that certain categories of migrants were more vulnerable to exploitation, including temporary migrant workers, migrant domestic workers, women, children and migrants in an irregular situation. Much of the labour exploitation that migrants suffered was linked to recruitment agencies, which extorted high recruitment fees and deceived prospective migrants on their prospective salaries, job descriptions, working hours, overtime, days off, lodging and social protection. The Rapporteur stressed the need for Governments to regulate the recruitment industry and for comprehensive national migration policies. He made recommendations for States to combat discrimination and violence against migrant workers; ensure that workers received a contract in a language they understood; ensure that migrant workers received their salaries, in full, in a bank account; and guarantee that migrant workers had an adequate standard of living.

In accordance with General Assembly resolution 68/179 [YUN 2013, p. 641], the Secretary-General in August transmitted the Special Rapporteur's annual report [A/69/302] to the Assembly, covering his activities and focusing on including the human rights of migrants in the post-2015 development agenda (see p. 960). The Rapporteur provided guidelines, conclusions and recommendations on how to incorporate the human rights of migrants within key development goals, targets and indicators, in addition to recommendations on how to better monitor and gather data from marginalized groups such as migrants.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission reports. Following his mission to Sri Lanka (19–26 May) [A/HRC/29/36/Add.1], the Special Rapporteur focused on labour migration from the

country and related recruitment practices. He welcomed efforts by the authorities to regulate labour migration and protect the rights of its citizens who migrated abroad, but noted the need to implement a human rights approach. The Rapporteur also noted the need to regulate and monitor the detention of migrants in Sri Lanka and to revise constitutional provisions which discriminated against them. He made recommendations to the Government on the normative and institutional framework to protect migrants' human rights, the recruitment process and women migrants and domestic workers, as well as recommendations to destination States.

Following his mission to Italy (2–6 December) [A/HRC/29/36/Add.2], the Special Rapporteur noted that despite a challenging economic and political climate, Italy had taken bold initiatives to address the unprecedented number of migrants and asylum seekers arriving by boat. He stated that European Union (EU) member States must collectively support front-line States such as Italy in order to provide a sustainable response that ensured full respect for migrants' human rights. In that regard, in addition to his recommendations to the Government on the normative and institutional framework to protect migrants' rights, border management, bilateral agreements on migration issues, detention and reception of migrants and access to justice, the Rapporteur also addressed recommendations to the EU.

Following his mission to Malta (6–10 December) [A/HRC/29/36/Add.3], the Special Rapporteur noted that the country must develop programmes to cope with the unprecedented number of migrants and asylum seekers arriving by boat. Those programmes should offer immediate assistance, legal safeguards and alternatives to detention, as well as integration programmes for migrants and asylum seekers who arrived irregularly. Stating that EU member States must collectively provide technical, financial and human resources to support States such as Malta in developing rights-based migration policy, the Rapporteur concluded the report with recommendations to the Government and to the EU.

In June [A/HRC/26/35/Add.2], Qatar submitted its comments on the Special Rapporteur's 2013 mission to the country [YUN 2013, p. 640].

Report of Secretary-General. Pursuant to Assembly resolution 68/179, the Secretary-General in August submitted a report [A/69/277] on the implementation of that resolution, which summarized submissions received from States, intergovernmental organizations and NGOs. The report analysed ways and means to promote and protect the human rights of migrant children, including unaccompanied children or those separated from their families, with a focus on the risks faced by adolescents. It also addressed the challenges to and recent good practices in protecting the migrants' human rights at international borders.

Human Rights Council action. On 26 June [A/69/53 (res. 26/19)], the Council extended the mandate of the Special Rapporteur for a three-year period and requested him to report regularly to the Council and to the General Assembly.

On 27 June [A/69/53 (res. 26/21)], the Council encouraged States to promote equitable access to health services, disease prevention and care for migrants and ensure that their immigration policies were consistent with their obligations under international human rights law. It also requested the Rapporteur to continue to report on practical solutions to enhance the protection of migrants' human rights.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/167** without vote [agenda item 68 (b)].

Protection of migrants

The General Assembly,

Recalling all its previous resolutions on the protection of migrants, the most recent of which is resolution 68/179 of 18 December 2013, and recalling also Human Rights Council resolution 26/21 of 27 June 2014,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race,

Reaffirming also that everyone has the right to freedom of movement and residence within the borders of each State and the right to leave any country, including his or her own, and to return to his or her country,

Recalling all relevant international instruments, particularly the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of Persons with Disabilities, the Vienna Convention on Consular Relations and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Acknowledging the relevant contribution of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families to the international system for the protection of migrants,

Recalling the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", in which States are called upon to promote and protect effectively the human rights and fundamental freedoms of all migrants regardless of migration status, especially those of women and children, and to address international migration through international, regional or bilateral cooperation and dialogue and a comprehensive and balanced approach, recognizing the roles and respon-

sibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants and avoiding approaches that might aggravate their vulnerability,

Recalling also the provisions concerning migrants contained in the outcome documents of major United Nations conferences and summits, including the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development,

Recalling further Commission on Population and Development resolutions 2006/2 of 10 May 2006 and 2009/1 of 3 April 2009, and its resolution 2013/1 of 26 April 2013 on new trends in migration: demographic aspects,

Taking note of advisory opinion OC 16/99 of 1 October 1999 on the Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law and advisory opinion OC 18/03 of 17 September 2003 on the Juridical Condition and Rights of Undocumented Migrants, issued by the Inter American Court of Human Rights,

Taking note also of the Judgment of the International Court of Justice of 31 March 2004 in the case concerning *Avena and Other Mexican Nationals* and the Judgment of the Court of 19 January 2009 regarding the request for interpretation of the *Avena* Judgment, and recalling the obligations of States reaffirmed in both decisions,

Underlining the importance of the Human Rights Council in promoting respect for the protection of the human rights and fundamental freedoms of all, including migrants,

Recognizing that women represent almost half of all international migrants, and in this regard recognizing also that women migrant workers are important contributors to social and economic development in countries of origin and destination, and underlining the value and dignity of their labour, including the labour of domestic workers,

Recognizing also the importance of the second High-level Dialogue on International Migration and Development, held on 3 and 4 October 2013, which recognized the important contribution of migration in realizing the Millennium Development Goals and recognized that human mobility is a key factor for sustainable development, which should receive due consideration in the elaboration of the post-2015 development agendas,

Taking note of the conclusions and recommendations of the seventh meeting of the Global Forum on Migration and Development, held in Sweden in May 2014, focused on the theme “Unlocking the potential of migration for inclusive development”, which stressed the positive economic, social and cultural contributions of migrants to the development of the countries of origin and destination, and reiterated the importance of respect for the human rights of all migrants, regardless of their migration status,

Recognizing the cultural and economic contributions made by migrants to receiving societies and their communities of origin, as well as the need to identify appropriate means of maximizing development benefits and responding to the challenges that migration poses to countries of origin, transit and destination, especially in the light of the impact of the financial and economic crisis, and committing to ensuring dignified, humane treatment with applicable protections and to strengthening mechanisms for international cooperation,

Emphasizing the multidimensional character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and dialogue in this regard, as appropriate, and the need to protect the human rights of all migrants, particularly at a time in which migration flows have increased in the globalized economy and take place in a context of continued security concerns,

Acknowledging the complexity of migratory flows and that international migration movements also occur within the same geographical regions, and in this context calling for a better understanding of migration patterns across and within regions,

Bearing in mind the obligations of States under international law, as applicable, to exercise due diligence to prevent crimes against migrants and to investigate and punish perpetrators, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of victims,

Affirming that migrant smuggling and crimes against migrants, including trafficking in persons, continue to pose a serious challenge and require a concerted international assessment and response and genuine multilateral cooperation among countries of origin, transit and destination for their eradication,

Bearing in mind that policies and initiatives on the issue of migration, including those that refer to the orderly management of migration, should promote holistic approaches that take into account the causes and consequences of the phenomenon, as well as full respect for the human rights and fundamental freedoms of migrants,

Stressing the importance of regulations and laws regarding irregular migration, at all levels of government, being in accordance with the obligations of States under international law, including international human rights law,

Stressing also the obligation of States to protect the human rights of migrants regardless of their migration status, including when implementing their specific migration and border security policies, and expressing its concern at measures which, including in the context of policies aimed at reducing irregular migration, treat irregular migration as a criminal rather than an administrative offence, where the effect of doing so is to deny migrants the full enjoyment of their human rights and fundamental freedoms, and in this regard recalling that sanctions and the treatment given to irregular migrants should be commensurate with their offences,

Aware that, as criminals take advantage of migratory flows and attempt to circumvent restrictive immigration policies, migrants become more vulnerable to, inter alia, kidnapping, extortion, forced labour, sexual exploitation, physical assault, debt servitude and abandonment,

Recognizing the contributions of young migrants to countries of origin and destination, and in that regard encouraging States to consider the specific circumstances and needs of young migrants,

Concerned about the large and growing number of migrants, especially women and children, including those unaccompanied or separated from their parents, who place themselves in a vulnerable situation by attempting to cross international borders without the required travel documents, and recognizing the obligation of States to respect the human rights of those migrants,

Recognizing the obligations of countries of origin, transit and destination under international human rights law,

Underlining the importance for States, in cooperation with civil society, including non-governmental organizations, workers' organizations and the private sector, among other relevant stakeholders, to undertake information campaigns aimed at clarifying opportunities, limitations, risks and rights in the event of migration in order to enable everyone to make informed decisions and to prevent anyone from utilizing dangerous means to cross international borders,

1. *Calls upon* States to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migration status, especially those of women and children, and to address international migration through international, regional or bilateral cooperation and dialogue and a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants and avoiding approaches that might aggravate their vulnerability;

2. *Expresses its concern* about the impact of financial and economic crises and natural disasters on international migration and migrants, and in that regard urges Governments to combat unfair and discriminatory treatment of migrants, in particular migrant workers and their families;

3. *Reaffirms* the rights set forth in the Universal Declaration of Human Rights and the obligations of States under the International Covenants on Human Rights, and in this regard:

(a) Strongly condemns the acts, manifestations and expressions of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges States to apply and, where needed, to reinforce the existing laws when hate crimes, xenophobic or intolerant acts, manifestations or expressions against migrants occur in order to eradicate impunity for those who commit those acts and, where appropriate, to provide effective remedy to the victims;

(b) Encourages States to establish or, when appropriate, strengthen mechanisms which allow migrants to report alleged cases of abuse by relevant authorities and employers without fear of reprisals, and that allow for such complaints to be addressed fairly;

(c) Expresses concern about legislation adopted by some States that results in measures and practices that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

(d) Calls upon States to ensure that their laws and policies, including in the areas of counter-terrorism and combating transnational organized crime, such as trafficking in persons and smuggling of migrants, fully respect the human rights of migrants;

(e) Calls upon States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of

priority, and requests the Secretary-General to continue his efforts to promote and raise awareness of the Convention;

(f) Takes note of the report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on its nineteenth and twentieth sessions;

4. *Also reaffirms* the duty of States to effectively promote and protect the human rights and fundamental freedoms of all migrants, especially those of women and children, regardless of their migration status, in conformity with the Universal Declaration of Human Rights and the international instruments to which they are party, and therefore:

(a) Calls upon all States to respect the human rights and inherent dignity of migrants, to put an end to arbitrary arrest and detention and, in order to avoid excessive detention of irregular migrants, to review, where necessary, detention periods and to use alternatives to detention, where appropriate, including measures that have been successfully implemented by some States;

(b) Encourages States to put in place, if they have not yet done so, appropriate systems and procedures in order to ensure that the best interests of the child are a primary consideration in all actions or decisions concerning migrant children, regardless of their migration status, and to use, when applicable, alternatives to the detention of migrant children;

(c) Encourages States to cooperate and to take appropriate measures to prevent, combat and address the smuggling of migrants, including strengthening laws, policies, information sharing and joint operational functions, enhancing capacities and support opportunities for migration in a well-managed, safe and dignified manner and strengthening legislative methods for criminalizing acts of smuggling migrants;

(d) Urges all States to adopt effective measures to prevent and punish any form of illegal deprivation of liberty of migrants by individuals or groups;

(e) Requests States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, and to adequately train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with their obligations under international human rights law;

(f) Calls upon States to prosecute, in conformity with applicable law, acts of violation of the human rights of migrants and their families, such as arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from the country of origin to the country of destination and vice versa, including transit across national borders;

(g) Recognizes the particular vulnerability of migrants in transit situations, including through national borders, and the need to ensure full respect for their human rights also in these circumstances;

(h) Also recognizes the importance of coordinated efforts of the international community to assist and support migrants stranded in vulnerable situations;

(i) Underlines the right of migrants to return to their country of citizenship, and recalls that States must ensure that their returning nationals are duly received;

(j) Reaffirms emphatically the duty of States parties to ensure full respect for and observance of the Vienna

Convention on Consular Relations, in particular with regard to the right of all foreign nationals, regardless of their migration status, to communicate with a consular official of the sending State in case of arrest, imprisonment, custody or detention, and the obligation of the receiving State to inform the foreign national without delay of his or her rights under the Convention;

(k) Requests all States, in conformity with national legislation and applicable international legal instruments to which they are party, to enforce labour law effectively, including by addressing violations of such law, with regard to migrant workers' labour relations and working conditions, inter alia, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

(l) Invites Member States to consider ratifying relevant conventions of the International Labour Organization, including Convention No. 189 on decent work for domestic workers;

(m) Encourages all States to remove unlawful obstacles, where they exist, that may prevent the safe, transparent, unrestricted and expeditious transfer of remittances, earnings, assets and pensions of migrants to their country of origin or to any other countries, in conformity with applicable legislation and agreements, and to consider, as appropriate, measures to solve other problems that may impede such transfers;

(n) Recalls that the Universal Declaration of Human Rights recognizes that everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to him or her;

5. *Emphasizes* the importance of protecting persons in vulnerable situations, and in this regard:

(a) Expresses its concern about the increase in the activities of transnational and national organized crime entities and others who profit from crimes against migrants, especially women and children, without regard for dangerous and inhumane conditions and in flagrant violation of national laws and international law and contrary to international standards;

(b) Also expresses its concern about the high level of impunity enjoyed by traffickers and their accomplices as well as other members of organized crime entities and, in this context, the denial of rights and justice to migrants who have suffered from abuse;

(c) Welcomes immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family reunification and promote a harmonious, tolerant and respectful environment, and encourages States to consider the possibility of adopting these types of programmes;

(d) Calls upon States that have not already done so to provide for the protection of the human rights of women migrant workers, to promote fair labour conditions and to ensure that all women, including care workers, are legally protected against violence and exploitation;

(e) Encourages States to implement gender-sensitive policies and programmes for women migrant workers, to provide safe and legal channels that recognize the skills and education of women migrant workers and, as appropriate, to facilitate their productive employment, decent work and integration into the labour force, including in the fields of education and science and technology;

(f) Encourages all States to develop international migration policies and programmes that include a gender perspective, in order to adopt the necessary measures to better protect women and girls against dangers and abuse during migration;

(g) Calls upon States to protect the human rights of migrant children, given their vulnerability, particularly unaccompanied migrant children, ensuring that the best interests of the child are a primary consideration in their policies of integration, return and family reunification;

(h) Encourages all States to prevent and eliminate discriminatory policies and legislation at all levels of government that deny migrant children access to education and, while taking into account the best interests of the child as a primary consideration, to foster the successful integration of migrant children into the education system and the removal of barriers to their education in host countries and countries of origin;

(i) Urges States to ensure that repatriation mechanisms allow for the identification and special protection of persons in vulnerable situations, including unaccompanied children and persons with disabilities, and take into account, in conformity with their international obligations and commitments, the principle of the best interests of the child, clarity about reception and care arrangements and family reunification;

(j) Urges States parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto to implement them fully, and calls upon States that have not done so to consider ratifying or acceding to them as a matter of priority;

6. *Encourages* States to take into account the conclusions and recommendations of the study of the Office of the United Nations High Commissioner for Human Rights on challenges and best practices in the implementation of the international framework for the protection of the rights of the child in the context of migration when designing and implementing their migration policies;

7. *Also encourages* States to protect migrant victims of national and transnational organized crime, including kidnapping and trafficking and, in some instances, smuggling, including through the implementation of programmes and policies that guarantee protection and access to medical, psychosocial and legal assistance, where appropriate;

8. *Encourages* Member States that have not already done so to enact national legislation and to take further effective measures to combat trafficking in persons and smuggling of migrants, recognizing that these crimes may endanger the lives of migrants or subject them to harm, servitude, exploitation, debt bondage, slavery, sexual exploitation or forced labour, and also encourages Member States to strengthen international cooperation to prevent, investigate and combat such trafficking in persons and smuggling;

9. *Stresses* the importance of international, regional and bilateral cooperation in the protection of the human rights of migrants, and therefore:

(a) Requests all States, international organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues the global character of the migratory phenomenon and to give due consideration to international, regional and bilateral cooperation in this field, including by undertaking dialogues on migration that include countries of origin, transit and destination, as well

as civil society, including migrants, with a view to addressing, in a comprehensive manner, inter alia, its causes and consequences and the challenge of undocumented or irregular migration, granting priority to the protection of the human rights of migrants;

(b) Encourages States to take the measures necessary to achieve policy coherence on migration at the national, regional and international levels, including by ensuring co-ordinated child protection policies and systems across borders that are in full compliance with international human rights law;

(c) Also encourages States to cooperate effectively in protecting witnesses in cases of smuggling of migrants, regardless of their migration status;

(d) Further encourages States to cooperate effectively in protecting witnesses and victims in cases of trafficking in persons, regardless of their migration status;

(e) Calls upon the United Nations system and other relevant international organizations and multilateral institutions to enhance their cooperation in the development of methodologies for the collection and processing of statistical data on international migration and the situation of migrants in countries of origin, transit and destination and to assist Member States in their capacity-building efforts in this regard;

10. *Encourages* giving appropriate consideration to the issue of migration and development in the preparation of the post-2015 development agenda through, inter alia, integrating a human rights perspective and mainstreaming a gender perspective, and therefore:

(a) Requests Member States, the United Nations system, international organizations, civil society and all relevant stakeholders, especially the United Nations High Commissioner for Human Rights, the Special Rapporteur of the Human Rights Council on the human rights of migrants, the Special Representative of the Secretary-General on International Migration and Development and the International Organization for Migration and other members of the Global Migration Group, to give due consideration to international migration in the elaboration of the post-2015 development agenda;

(b) Recognizes the importance of the contribution of the High Commissioner, the Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Special Rapporteur, as well as other key actors, to the discussion on international migration;

11. *Encourages* States, relevant international organizations, civil society, including non-governmental organizations, and the private sector to continue and to enhance their dialogue in relevant international meetings with a view to strengthening and making more inclusive public policies aimed at promoting and respecting human rights, including those of migrants;

12. *Requests* Governments and international organizations to take appropriate measures to give due consideration to the declaration of the High-level Dialogue on International Migration and Development held on 3 and 4 October 2013;

13. *Invites* the Chair of the Committee to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its seventieth session, under the item entitled “Promo-

tion and protection of human rights”, as a way to enhance communication between the Assembly and the Committee;

14. *Invites* the Special Rapporteur to submit his report to the General Assembly and to engage in an interactive dialogue at its seventieth session, under the item entitled “Promotion and protection of human rights”;

15. *Takes note* of the report of the Special Rapporteur submitted to the General Assembly at its sixty-ninth session in accordance with resolution 68/179;

16. *Takes note with appreciation* of the report of the Secretary-General on the promotion and protection of human rights, including ways and means to promote the human rights of migrants, and notes the recommended principles and guidelines on human rights at international borders prepared by the Office of the United Nations High Commissioner for Human Rights referenced therein;

17. *Requests* the Secretary-General to submit to the General Assembly at its seventieth session a report on the implementation of the present resolution.

Also on 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/187** without vote [agenda item 68 (b)].

Migrant children and adolescents

The General Assembly,

Recalling all relevant instruments, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, the International Convention on the Elimination of All Forms of Racial Discrimination, the Vienna Convention on Consular Relations, the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, and the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization,

Taking into account general comment No. 6 (2005) of the Committee on the Rights of the Child on the treatment of unaccompanied and separated children outside their country of origin, and taking note of the general discussion of the Committee in 2012 on the rights of all children in the context of international migration,

Recalling all previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the protection of the human rights of migrants and Commission on Population and Development resolution 2013/1 of 26 April 2013, entitled “New trends in migration: demographic aspects”, as well as the Declaration of the High-level Dialogue on International Migration and Development, adopted on 3 October 2013,

Recognizing the serious humanitarian situation in some regions related to mass migration of accompanied and unaccompanied children, including adolescents, defined as those under 18 years of age, or those separated from their parents, who face vulnerable situations by attempting to cross international borders without the required travel documents,

Concerned by the fact that migrant children, including adolescents, in particular those in an irregular situation, may be exposed to serious human rights violations and abuses at various points in their journey, which can threaten their physical, emotional and psychological well-being in the countries of origin, transit and destination, and that many irregular migrant children, including adolescents, may not be aware of their rights and may be exposed to crimes and human rights abuses committed by transnational criminal organizations and common criminals, including theft, kidnapping, extortion, threats, trafficking in persons, including forced labour, child labour, sexual abuse and exploitation, physical harm and death,

Underlining the importance for States, in cooperation with civil society, including non-governmental organizations, workers' organizations and the private sector, among other relevant stakeholders, to undertake information campaigns aimed at clarifying opportunities, limitations, risks and rights in the context of migration in order to enable everyone to make informed decisions and to prevent anyone from utilizing dangerous means to cross international borders,

Aware that the migration of accompanied and unaccompanied children, including adolescents, may be the result of diverse causes and factors, such as poverty, crisis situations, lack of social and economic opportunities in their communities of origin, the death of one or both parents, the search for family reunification, all forms of violence and lack of personal safety,

Recognizing that undocumented and unaccompanied migrant children, including adolescents, should be promptly placed in the least restrictive setting, for the shortest possible period of time, that is in the best interest of the child and respects their human rights,

Encouraging States to adopt alternatives to detention that take into account the best interests of the child, as a primary consideration, and respect the human rights of migrant children, including adolescents,

Reaffirming that, when exercising their sovereign right to enact and implement migration and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect of the human rights of migrant children, including adolescents,

Reaffirming also the fact that all migrant children, including adolescents, are entitled to equal protection by the law and that all persons, regardless of their migration status, are equal before the courts and tribunals and, in the determination of their rights and obligations in a suit at law, are entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law,

Aware that the risks related to irregular migration faced by children, including adolescents, can have a negative impact on the enjoyment of their economic, social and cultural rights, as well as their political and civil rights and their rights as set forth in the Convention on the Rights of the Child,

Recognizing that States, in accordance with their obligations under international law, are responsible for promoting and protecting the human rights and fundamental freedoms of all migrants, regardless of their migration status, including accompanied and unaccompanied children, including adolescents, within their territorial jurisdiction, and encouraging States to promote national child and adolescent protection systems, in consultation with all sectors of society, including migrant communities, civil society organizations and other relevant actors,

1. *Takes note with appreciation* of the report of the Secretary-General on the promotion and protection of human rights, including ways and means to promote the human rights of migrants, and notes the recommended principles and guidelines on human rights at international borders prepared by the Office of the United Nations High Commissioner for Human Rights referenced therein;

2. *Calls upon* countries of origin, transit and destination to facilitate family reunification as an important objective in order to promote the welfare and the best interest of migrant children, including adolescents, as applicable under national law, due process and the relevant provisions of the Convention on the Rights of the Child and the Optional Protocols thereto, and to comply with the consular notification and access obligations set forth in the Vienna Convention on Consular Relations so that States may provide child-friendly consular assistance, as appropriate, including legal assistance;

3. *Underlines* that children, including adolescents, should not be subject to arbitrary arrest or detention based solely on their migration status and that the deprivation of liberty of migrant children and adolescents should be a measure of last resort, under conditions that respect the human rights of each child and in a manner that takes into account, as a primary consideration, the best interest of the child;

4. *Calls upon* States, in accordance with their national laws and their obligations under the relevant international instruments in this field, to promote and protect the rights of every child to be registered immediately after birth, to have a name from birth, to acquire a nationality and, as far as possible, to know and be cared for by his or her parents, in particular where the child would otherwise be stateless;

5. *Reaffirms* the need to effectively promote and protect the human rights and fundamental freedoms of all migrant children, including adolescents, regardless of their migration status, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of migrant children, including adolescents, and avoiding approaches that might aggravate their vulnerability;

6. *Calls upon* States, the international community and other relevant stakeholders to address the irregular migration of children, including adolescents, from a human rights and a humanitarian perspective, taking into account the principle of the best interest of the child while promoting and protecting their human rights and fundamental freedoms, and calls upon States parties to the Convention on the Rights of the Child to adopt measures to give effect to the rights enshrined therein;

7. *Urges* all States to intensify cooperation with relevant stakeholders in different areas in order to jointly identify positive alternatives to reduce, mitigate and eliminate the causes and structural factors that lead to irregular migration, so as to prevent minors from feeling compelled to migrate from their communities;

8. *Encourages* all States to address the irregular migration of children, including adolescents, as a multi-causal phenomenon, giving priority at all times to the personal safety and physical, emotional and psychological integrity of migrant children, including adolescents, keeping in mind the different needs of boys and girls and adolescent women and men in these situations;

9. *Recognizes* the importance of coordinating efforts among countries of origin, transit and destination, while also recognizing their roles and their responsibilities to address the irregular migration of unaccompanied children, including adolescents, and to safeguard their human rights, with due consideration for the protection of the best interest of the child;

10. *Encourages* States to protect and provide assistance to migrant children, including adolescents, within their jurisdiction, including victims of national and transnational organized crime, including through the implementation of gender-responsive programmes and policies that provide for protection and access to medical, psychosocial and legal assistance, as necessary, and urges them to prosecute perpetrators and abusers;

11. *Recognizes* the need for international cooperation to address, in a holistic and comprehensive manner, the challenges of irregular migration of children, including adolescents, so as to ensure safe, orderly and regular migration, with full respect for human rights;

12. *Requests* States and all relevant stakeholders to strengthen cooperation mechanisms that foster joint cooperation, dialogue and consensus at all times in order to promote migration policies and practices based on respect for human rights, sustainable development, gender equality and multiculturalism, recognizing the interdependent roles of the international community, State institutions and civil society;

13. *Underlines* that the principle of the best interest of the child should guide legislation, policies and practices relating to children, regardless of their status, including in the context of migration, and calls upon States to carry out individualized, comprehensive assessments of the status and protection needs of migrant children, including adolescents, as well as to carry out early and prompt assessments of victims of violence who may qualify for refugee status or other forms of protection;

14. *Calls upon* States to recognize that human mobility has become an integral part of the current social, economic and environmental situation, recognizes, in the process of elaborating future sustainable development goals, the importance of considering the reality of migration and its multiple direct impacts on the development prospects of migrants, their families and communities and on the development of countries of origin and destination, and encourages the international community to work so that aspects related to children and to migration being considered in the elaboration of the post-2015 development agenda can also be applicable in the case of accompanied and unaccompanied migrant children;

15. *Encourages* States to establish effective safeguards, where applicable, between public service providers, such as providers of child services and other social services, and immigration enforcement authorities in order to better ensure the human rights of migrant children, including adolescents;

16. *Calls upon* States to strengthen their public policies and programmes, especially in the social and economic fields, aimed at the most vulnerable sectors of the population in order to help reduce irregular migration push factors, and in this regard calls upon States and all other relevant stakeholders to join these efforts in a systematic way, promoting investment and economic exchange, as well as cooperation, at all levels;

17. *Also calls upon* States to combat xenophobia, racism and discrimination of any kind against migrants, specifically children, including adolescents, and further calls upon States to take appropriate measures to prevent, investigate and punish all human rights violations and abuses experienced by migrants within their territory and to take appropriate steps to help facilitate such measures in response to abuses outside their territory, in cooperation with other States and all other relevant stakeholders, according to their international commitments and their national legislation;

18. *Requests* the Secretary-General to continue to report on the situation of accompanied and unaccompanied migrant children, including adolescents, and to include information on the implementation of the present resolution in his report on the protection of migrants requested for its seventieth session;

19. *Decides* to remain seized of the matter.

Migrants at sea

Human Rights Council action. In a 26 September statement [A/69/53/Add.1 (PRST/27/3)], the Council President expressed alarm at the reports of the sinking of boats that had resulted in the death of hundreds of people and concern at the persistent vulnerability of migrants; expressed deep sorrow at the massive loss of innocent lives of migrants, including at sea; noted that the protection of the human rights of migrants at sea required a holistic analysis and assessment, as well as a concerted international response; called on States to assist persons in distress at sea; and urged States to protect migrants' human rights and to address the root causes that drove persons to make such dangerous journeys. The President called on the High Commissioner, the Special Rapporteur on the human rights of migrants and other special procedures to pay particular attention to the protection of the rights of migrants at sea.

Discrimination against minorities

Report of Independent Expert. Pursuant to a Human Rights Council request [YUN 2011, p. 671], the Independent Expert on minority issues, Rita Izsák (Hungary), in her annual report to the Council [A/HRC/25/56], summarized her activities since her previous report [YUN 2013, p. 645], provided an update on

the work of the Forum on Minority Issues following its sixth session [ibid.] and addressed the inclusion of minority issues in post-2015 development agendas. She noted that minority issues remained poorly reflected in the emerging discussions, both internationally and nationally, and identified the need for the new global development agenda to include specific goals addressing inequality and promoting social inclusion. Minorities should be among the first targets of development strategies, yet frequently they were among the last. Lack of attention to the situations of minorities constituted one of the most serious deficiencies in the Millennium Development Goals process. The Expert recommended that States establish specific targets on the inclusion of minorities and specific indicators upon which to monitor progress. She urged States to establish independent monitoring bodies, with civil society and public participation, to ensure that the next global round of commitments was fulfilled for minorities.

Human Rights Council action. On 27 March [A/69/53 (res. 25/5)], the Council extended the mandate of the Independent Expert as the Special Rapporteur on minority issues for a three-year period, and requested the Rapporteur to guide the work of the Forum on Minority Issues (see below) and to report annually to the Council and to the General Assembly.

Report of Special Rapporteur. In accordance with Assembly resolution 68/172 [YUN 2013, p. 646], the Secretary-General in August transmitted the Special Rapporteur's report [A/69/266] to the Assembly, which focused on preventing and addressing violence and atrocities against minorities. The Rapporteur concluded that strategies to better prevent and address violence against minorities should involve the adoption of measures to foster unity among different population groups, the implementation of minority rights and the establishment or strengthening of institutional and policy frameworks for the protection of such rights. At the national level, good and inclusive governance were key prevention prerequisites.

Mission reports. Following her mission to Nigeria (17–28 February) [A/HRC/28/64/Add.2], the Special Rapporteur noted that in most of the country, harmonious and peaceful inter-ethnic relations prevailed, yet Nigeria had seen violent intercommunal clashes in some states, particularly in the North and Middle Belt regions, which had left thousands of victims. The root causes of violence involved factors such as the issue of indigenous inhabitants versus settlers, competition for resources, poverty, good governance deficits, impunity and polarization of ethnic and religious characteristics. Other concerns included environmental degradation due to frequent oil spills in some regions and the need to safeguard Nigeria's hundreds of minority languages, several of which were under threat. Noting that Nigeria's hundreds of ethnic groups and languages posed challenges to manage

and address intercommunal and minority issues, the Rapporteur made recommendations on a wide range of topics.

Following her mission to Ukraine (7–14 April) [A/HRC/28/64/Add.1], the Special Rapporteur noted that minority issues had become highly politicized as political and social unrest had emerged in some regions since February 2014, threatening to widen fractures along national, ethnic and linguistic lines. While there were challenges relating to minority issues, some radical elements were intent on promoting and inciting disunity. It was essential to establish a national and regional dialogue to understand the concerns and issues of all minority communities and ensure that they were addressed. Measures were required to reinforce the minority rights infrastructure and to build confidence that minority rights would be protected in law and in practice. Such measures should include strengthening of legal protection, enhancing institutional attention to minority issues and instituting stronger consultation mechanisms.

Forum on Minority Issues. The seventh session of the Forum on Minority Issues (Geneva, 25–26 November) [A/HRC/28/77] focused on preventing and addressing violence and atrocity crimes targeted against minorities. The approximately 570 participants included representatives of Governments and of minority communities, NGOs, UN specialized agencies, regional and intergovernmental bodies and national human rights institutions. The Forum recommended that States comply with international standards of minority rights protection, equality and non-discrimination; adopt legislation prohibiting and punishing discrimination on the ground of nationality, ethnicity, religion and language; pay particular attention to the situation of persons belonging to minority groups who might face the most severe and entrenched forms of discrimination and exclusion; identify and implement early warning indicators to assess the existence of factors that could lead to violence; collect disaggregated data; and adopt holistic, inclusive and proactive security and policing strategies.

Human Rights Council action. On 27 March [A/69/53 (res. 25/5)], the Council welcomed the establishment of the special fund for the participation of civil society and other stakeholders in, inter alia, the Forum on Minority Issues.

On 26 June [res. 26/4], the Council recognized the need to carry out a comprehensive study of the human rights situation of Roma worldwide, with a particular focus on the phenomenon of anti-Gypsyism; and invited the Special Rapporteur to submit the study, with recommendations, to the Council's twenty-ninth (2015) session.

Report of High Commissioner. Pursuant to Human Rights Council resolutions 13/12 [YUN 2010, p. 680] and 22/4 [YUN 2013, p. 646], the High Commis-

sioner in December submitted a report [A/HRC/28/27] on the rights of persons belonging to national or ethnic, religious and linguistic minorities, which presented activities undertaken by OHCHR, the UN network on racial discrimination and the protection of minorities, human rights treaty bodies, special procedures and the universal periodic review to contribute to the promotion of, and respect for the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities [YUN 1992, p. 722].

Freedom of religion or belief

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2013, p. 650], the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt (Germany), submitted a report [A/HRC/25/58] that reviewed his activities and focused on the root causes of collective religious hatred. Factors that increased the likelihood of such hatred included endemic corruption, an authoritarian political atmosphere and the harnessing of religion for purposes of national identity politics. He noted that policies intended to counter manifestations of religious hatred must invest in trust-building based on universal respect. In that regard, he recommended trust-building activities, such as establishing trustworthy public institutions and promoting meaningful communication, particularly among different religious or belief communities. Recommendations included calling on States to implement the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence [YUN 2013, p. 650].

In accordance with General Assembly resolution 68/170 [YUN 2013, p. 650], the Secretary-General in August [A/69/261] transmitted to the Assembly the Special Rapporteur's report, which reviewed activities since the previous report [YUN 2013, p. 649] and focused on means to eliminate religious intolerance and discrimination in the workplace. Given the enormous significance of the workplace, in which many people spent a large share of their daily lives, he noted that the issue of religious discrimination in the area of employment had received comparatively little attention. The Rapporteur argued that "reasonable accommodation"—modifications and adjustments not imposing a disproportionate burden on others to ensure the enjoyment of human rights—should be adopted to eliminate discrimination based on religion or belief in the workplace. He provided conclusions and recommendations addressed to State institutions, public and private employers as well as other stakeholders.

Mission reports. Following his visit to Kazakhstan (25 March–4 April) [A/HRC/28/66/Add.1], the Special Rapporteur, while acknowledging a general

appreciation of religious diversity, noticed adverse attitudes towards some non-traditional religious communities. The State monitored religious activities strictly to prevent extremism and to combat "sects" deemed destructive to people's well-being. Many of the measures adopted for that purpose were not in line with international standards of freedom of religion or belief. Moreover, the mandatory registration of religious communities, in conjunction with tightly knit stipulations, hampered free religious practice. The Rapporteur recommended a public debate on the meaning of secularism to overcome the predominant restrictive interpretation, reform of the 2011 Law on Religious Activity and Religious Associations, further development of the programmes on religious information for students and discontinuation of the Government's anti-sect campaigns that stoked negative stereotypes against new religious movements.

Following his mission to Viet Nam (21–31 July) [A/HRC/28/66/Add.2], the Special Rapporteur identified positive developments as well as serious problems; mainly the lack of clarity in the legal provisions that tended to give broad leeway to regulate, restrict or forbid the exercise of freedom of religion or belief in the interest of "national unity and public order". Other challenges originated from the Government's tight control of religious communities. The autonomy and activities of unrecognized communities remained restricted and unsafe, with the rights to freedom of religion or belief of such communities grossly violated in the face of constant surveillance, intimidation, harassment and persecution. The Rapporteur saw the need for improvements and shared his recommendations to maintain a constructive dialogue and cooperation with the Government.

In February, Jordan [A/HRC/25/58/Add.4] and Sierra Leone [A/HRC/25/58/Add.3] submitted comments on the Special Rapporteur's 2013 mission to those countries [YUN 2013, pp. 650 & 649].

Human Rights Council action. On 27 March [A/69/53 (res. 25/12)], the Council urged States to promote and protect freedom of thought, conscience and religion or belief and to make use of the potential of education for the eradication of prejudices against and stereotypes of individuals on the basis of their religion or belief. It requested the Special Rapporteur to report annually to the Council and to the General Assembly.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/175** without vote [agenda item 68 (b)].

Freedom of religion or belief

The General Assembly,

Recalling its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of

All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling also article 18 of the International Covenant on Civil and Political Rights, article 18 of the Universal Declaration of Human Rights and other relevant human rights provisions,

Recalling further its previous resolutions on freedom of religion or belief and on the elimination of all forms of intolerance and of discrimination based on religion or belief, including resolution 68/170 of 18 December 2013, and Human Rights Council resolution 25/12 of 27 March 2014,

Recognizing the important work carried out by the Human Rights Committee in providing guidance with respect to the scope of freedom of religion or belief,

Noting the conclusions and recommendations of the expert workshops organized by the Office of the United Nations High Commissioner for Human Rights and contained in the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, adopted in Rabat on 5 October 2012,

Considering that religion or belief, for those who profess either, is one of the fundamental elements in their conception of life and that freedom of religion or belief, as a universal human right, should be fully respected and guaranteed,

Seriously concerned at continuing acts of intolerance and violence based on religion or belief against individuals, including against persons belonging to religious communities and religious minorities around the world, and at the increasing number and intensity of such incidents, which are often of a criminal nature and may have international characteristics,

Deeply concerned at the limited progress that has been made in the elimination of all forms of intolerance and of discrimination based on religion or belief, and believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience and religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, as well as at the Durban Review Conference, held in Geneva from 20 to 24 April 2009,

Recalling that States have the primary responsibility to promote and protect human rights, including the human rights of persons belonging to religious minorities, including their right to exercise their religion or belief freely,

Concerned that official authorities sometimes tolerate or encourage acts of violence, or credible threats of violence, against persons belonging to religious communities and religious minorities,

Concerned also at the increasing number of laws and regulations that limit the freedom of thought, conscience and religion or belief and at the implementation of existing laws in a discriminatory manner,

Convinced of the need to urgently address the rapid rise in various parts of the world of religious extremism that affects the rights of individuals, in particular persons belonging to religious communities and religious minorities, the situations of violence and discrimination that affect many individuals, particularly women and children, on the basis or in the name of religion or belief or in accordance with

cultural and traditional practices, and the misuse of religion or belief for ends inconsistent with the principles set out in the Charter of the United Nations and in other relevant instruments of the United Nations,

Seriously concerned about all attacks on religious places, sites and shrines in violation of international law, in particular human rights and humanitarian law, including any deliberate destruction of relics and monuments,

Emphasizing that States, regional organizations, non-governmental organizations, religious bodies, the media and civil society as a whole have an important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Underlining the importance of education, including human rights education, in the promotion of tolerance, which involves the acceptance by the public of, and its respect for, diversity, including with regard to religious expression, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

1. *Stresses* that everyone has the right to freedom of thought, conscience and religion or belief, which includes the freedom to have or not to have, or to adopt, a religion or belief of one's own choice and the freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance, including the right to change one's religion or belief;

2. *Also stresses* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection by the law;

3. *Strongly condemns* violations of freedom of thought, conscience and religion or belief as well as all forms of intolerance, discrimination and violence based on religion or belief;

4. *Recognizes with deep concern* the overall rise in instances of discrimination, intolerance and violence, regardless of the actors, directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia and prejudices against persons of other religions or beliefs;

5. *Reaffirms* that terrorism cannot and should not be associated with any religion or belief as this may have adverse consequences on the enjoyment of the right to freedom of religion or belief of all members of the religious communities concerned;

6. *Strongly condemns* violence and acts of terrorism, which are increasing in number and intensity, targeting individuals, including persons belonging to religious minorities, on the basis of or in the name of religion or belief;

7. *Recalls* that States have an obligation to exercise due diligence to prevent, investigate and punish acts of violence against persons belonging to religious minorities, regardless of the perpetrator, and that failure to do so may constitute a human rights violation;

8. *Emphasizes* that freedom of religion or belief and freedom of expression are interdependent, interrelated and mutually reinforcing, and stresses the role that these rights can play in the fight against all forms of intolerance and of discrimination based on religion or belief;

9. *Strongly condemns* any advocacy of hatred based on religion or belief that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

10. *Expresses concern* at the persistence of institutionalized social intolerance and discrimination practised against many on the grounds of religion or belief, and emphasizes that legal procedures pertaining to religious or belief-based groups and places of worship are not a prerequisite for the exercise of the right to manifest one's religion or belief and that such procedures, when legally required at the national or local level, should be non-discriminatory in order to contribute to the effective protection of the right of all persons to practise their religion or belief, either individually or in community with others and in public or private;

11. *Recognizes with concern* the situation of persons in vulnerable situations, including persons deprived of their liberty, refugees, asylum seekers and internally displaced persons, children, persons belonging to national or ethnic, religious and linguistic minorities and migrants, as regards their ability to freely exercise their right to freedom of religion or belief;

12. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest one's religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others, are non-discriminatory and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion or belief;

13. *Expresses deep concern* at continued obstacles to the enjoyment of the right to freedom of religion or belief as well as the increasing number of instances of intolerance, discrimination and violence based on religion or belief, including:

(a) Acts of violence and intolerance directed against individuals based on their religion or belief, including religious persons and persons belonging to religious minorities and other communities in various parts of the world;

(b) The rise of religious extremism in various parts of the world that affects the human rights of individuals, including persons belonging to religious minorities;

(c) Incidents of hatred, discrimination, intolerance and violence based on religion or belief, which may be associated with or manifested by the derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief;

(d) Attacks on or destruction of religious places, sites and shrines in violation of international law, in particular human rights and humanitarian law, as they have more than material significance for the dignity and lives of persons holding spiritual or religious beliefs;

(e) Instances, both in law and practice, that constitute violations of the human right to freedom of religion or belief, including of the individual right to publicly express one's spiritual and religious beliefs, taking into account the relevant articles of the International Covenant on Civil and Political Rights, as well as other international instruments;

(f) Constitutional and legislative systems that fail to provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction;

14. *Urges* States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief, and to this end:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction by, inter alia, providing access to justice, including by facilitating legal assistance and effective remedies in cases where the right to freedom of thought, conscience and religion or belief or the right to freely choose and practise one's religion is violated, paying particular attention to persons belonging to religious minorities;

(b) To implement all accepted universal periodic review recommendations related to the promotion and protection of freedom of religion or belief;

(c) To ensure that no one within their jurisdiction is deprived of the right to life, liberty and security of person because of religion or belief, to provide adequate protection to persons at risk of violent attack on the grounds of their religion or belief, to ensure that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment or arbitrary arrest or detention on that account and to bring to justice all perpetrators of violations of these rights;

(d) To end violations of the human rights of women and to devote particular attention to appropriate measures modifying or abolishing existing laws, regulations, customs and practices that discriminate against women, including in the exercise of their right to freedom of thought, conscience and religion or belief, and to foster practical ways to ensure equality between men and women;

(e) To ensure that existing legislation is not implemented in a discriminatory manner or does not result in discrimination based on religion or belief, that no one is discriminated against on the basis of his or her religion or belief when accessing, inter alia, education, medical care, employment, humanitarian assistance or social benefits and that everyone has the right and the opportunity to have access, on general terms of equality, to public services in their country, without any discrimination based on religion or belief;

(f) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all persons to manifest their religion or belief, either alone or in community with others and in public or private;

(g) To ensure that no official documents are withheld from the individual on the grounds of religion or belief and that everyone has the right to refrain from disclosing information concerning their religious affiliation in such documents against their will;

(h) To ensure, in particular, the right of all persons to worship, assemble or teach in connection with a religion or belief, their right to establish and maintain places for these purposes and the right of all persons to seek, receive and impart information and ideas in these areas;

(i) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(j) To ensure that all public officials and civil servants, including members of law enforcement bodies, and personnel of detention facilities, the military and educators, in the course of fulfilling their official duties, respect freedom of

religion or belief and do not discriminate for reasons based on religion or belief, and that they receive all necessary and appropriate awareness-raising, education or training on respect for freedom of religion or belief;

(k) To take all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to persons belonging to religious minorities in all parts of the world;

(l) To promote, through education and other means, mutual understanding, tolerance, non-discrimination and respect in all matters relating to freedom of religion or belief by encouraging, in society at large, a wider knowledge of the diversity of religions and beliefs and of the history, traditions, languages and cultures of the various religious minorities existing within their jurisdiction;

(m) To prevent any distinction, exclusion, restriction or preference based on religion or belief that impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis and to detect signs of intolerance that may lead to discrimination based on religion or belief;

15. *Welcomes and encourages* initiatives by the media to promote tolerance and respect for religious and cultural diversity and the universal promotion and protection of human rights, including freedom of religion or belief, and stresses the importance of unhindered participation in the media and in public discourse for all persons, regardless of their religion or belief;

16. *Stresses* the importance of a continued and strengthened dialogue in all its forms, including among and within religions or beliefs, and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding, and welcomes different initiatives in this regard, including the Alliance of Civilizations initiative and the programmes led by the United Nations Educational, Scientific and Cultural Organization;

17. *Welcomes and encourages* the continuing efforts of all actors in society, including non-governmental organizations and bodies and groups based on religion or belief, to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and further encourages their work in promoting freedom of religion or belief, in highlighting cases of religious intolerance, discrimination and persecution and in promoting religious tolerance;

18. *Recommends* that States, the United Nations and other actors, including non-governmental organizations and bodies and groups based on religion or belief, in their efforts to promote freedom of religion or belief, ensure the widest possible dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief in as many different languages as possible, and promote its implementation;

19. *Takes note with appreciation* of the work and the interim report of the Special Rapporteur of the Human Rights Council on freedom of religion or belief on tackling religious intolerance and discrimination in the workplace;

20. *Urges* all Governments to cooperate fully with the Special Rapporteur, to respond favourably to his requests

to visit their countries and to provide all information and follow-up necessary for the effective fulfilment of his mandate;

21. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the resources necessary to fully discharge his mandate;

22. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its seventieth session;

23. *Decides* to consider the question of the elimination of all forms of religious intolerance at its seventieth session under the item entitled "Promotion and protection of human rights".

Combating intolerance, negative stereotyping and incitement to violence

Report of High Commissioner. In accordance with Human Rights Council resolution 22/31 [YUN 2013, p. 653], the High Commissioner in April submitted a report [A/HRC/25/34] on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons based on religion or belief. The report summarized information received from 24 States on efforts and measures taken to foster a domestic environment of religious tolerance, peace and respect; promote the ability of members of all religious communities to manifest their religion; and counter religious profiling. The High Commissioner concluded that the steps taken by States were largely policy oriented or legal in nature, with many of them enshrining protection against discrimination on the basis of religion or belief in national constitutions, criminal codes and other civil laws. Advocacy of incitement to hatred was for the most part criminalized and often prohibited on several grounds, including religion or belief.

Report of Secretary-General. In accordance with Assembly resolution 68/169 [YUN 2013, p. 653], the Secretary-General in August submitted a report [A/69/336] summarizing information received from 16 States on steps taken to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons based on religion or belief.

Human Rights Council action. On 28 March [A/69/53 (res. 25/34)], the Council called on States to adopt measures and policies to promote full respect for and protection of places of worship and religious sites, cemeteries and shrines and to take measures in cases where they were vulnerable to vandalism or destruction; foster a domestic environment of religious tolerance; and ensure that public functionaries did not discriminate against an individual on the basis of religion or belief. It requested the High Commissioner to submit to the Council's twenty-eighth (2015) session a follow-up report on the efforts and measures taken by States to implement the resolution.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/174** without vote [agenda item 68 (b)].

Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

The General Assembly,

Reaffirming the commitment made by all States under the Charter of the United Nations to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to, inter alia, religion or belief,

Reaffirming also the obligation of States to prohibit discrimination and violence on the basis of religion or belief and to implement measures to guarantee the equal and effective protection of the law,

Reaffirming further that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming that the International Covenant on Civil and Political Rights provides, inter alia, that everyone shall have the right to freedom of thought, conscience and religion or belief, which shall include freedom to have or to adopt a religion or belief of one's choice and freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in worship, observance, practice and teaching,

Reaffirming also the positive role that the exercise of the right to freedom of opinion and expression and full respect for the freedom to seek, receive and impart information can play in strengthening democracy and combating religious intolerance, and reaffirming further that the exercise of the right to freedom of expression carries with it special duties and responsibilities, in accordance with article 19 of the International Covenant on Civil and Political Rights,

Expressing deep concern at those acts that advocate religious hatred and thereby undermine the spirit of tolerance,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Condemning the criminal acts committed by terrorist and extremist groups and movements against persons based on their religion or belief, and deeply regretting attempts to link these acts to any one specific religion or belief,

Reaffirming that violence can never be an acceptable response to acts of intolerance on the basis of religion or belief,

Welcoming Human Rights Council resolutions 16/18 of 24 March 2011, 19/25 of 23 March 2012 and 22/31 of 22 March 2013 and General Assembly resolutions 67/178 of 20 December 2012 and 68/169 of 18 December 2013,

Deeply concerned about incidents of intolerance, discrimination and violence against persons based on their religion or belief in all regions of the world,

Deploping any advocacy of discrimination or violence on the basis of religion or belief,

Strongly deploring all acts of violence against persons on the basis of their religion or belief, as well as any such

acts directed against their homes, businesses, properties, schools, cultural centres or places of worship,

Strongly deploring also all attacks on and in religious places, sites and shrines in violation of international law, in particular human rights law and international humanitarian law, including any deliberate destruction of relics and monuments,

Deeply concerned about the prevalence of impunity in some instances, and the lack of accountability in some cases, in addressing violence against persons on the basis of religion or belief in public and private spheres, and stressing the importance of making necessary efforts to raise awareness to address the spread of hate speech against persons on the basis of religion or belief,

Concerned about actions that wilfully exploit tensions or target individuals on the basis of their religion or belief,

Expressing deep concern at the instances of intolerance, discrimination and acts of violence occurring in the world, including cases motivated by discrimination against persons belonging to religious minorities, in addition to the negative projection of the followers of religions and the enforcement of measures that specifically discriminate against persons on the basis of religion or belief,

Expressing concern at the growing manifestations of intolerance based on religion or belief, which can generate hatred and violence among individuals from and within different nations and which may have serious implications at the national, regional and international levels, and in this regard emphasizing the importance of respect for religious and cultural diversity, as well as interreligious, interfaith and intercultural dialogue aimed at promoting a culture of tolerance and respect among individuals, societies and nations,

Recognizing the valuable contribution of people of all religions or beliefs to humanity and the contribution that dialogue among religious groups can make towards an improved awareness and understanding of the common values shared by all humankind,

Underlining the fact that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Underlining also the importance of raising awareness about different cultures and religions or beliefs and of education in the promotion of tolerance, which involves the acceptance by the public of and its respect for religious and cultural diversity, including with regard to religious expression, and underlining further the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Recognizing that working together to enhance the implementation of existing legal regimes that protect individuals against discrimination and hate crimes, increase interreligious, interfaith and intercultural efforts and expand human rights education is an important first step in combating incidents of intolerance, discrimination and violence against individuals on the basis of religion or belief,

Recalling General Assembly resolution 68/127, entitled "A world against violence and violent extremism", adopted by consensus on 18 December 2013, welcoming the leading role of the United Nations Educational, Scientific and

Cultural Organization in promoting intercultural dialogue, the work of the Alliance of Civilizations, the Anna Lindh Euro-Mediterranean Foundation for Dialogue between Cultures and the work of the King Abdullah Bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue in Vienna, and recalling also Assembly resolution 65/5 of 20 October 2010 on World Interfaith Harmony Week, proposed by King Abdullah II of Jordan,

Welcoming, in this regard, all international, regional and national initiatives aimed at promoting interreligious, intercultural and interfaith harmony and combating discrimination against individuals on the basis of religion or belief, including the launching of the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, and taking note of the initiative of the Office of the United Nations High Commissioner for Human Rights on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence,

Welcoming also the continuation of the organization of workshops and meetings in the framework of the Istanbul Process and the promotion of effective implementation of Human Rights Council resolution 16/18 to counter global violence, religious discrimination and intolerance,

1. *Takes note* of the report of the Secretary-General;

2. *Expresses deep concern* at the continued serious instances of derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief, as well as programmes and agendas pursued by extremist individuals, organizations and groups aimed at creating and perpetuating negative stereotypes about religious groups, in particular when condoned by Governments;

3. *Expresses concern* that the number of incidents of religious intolerance, discrimination and related violence, as well as of negative stereotyping of individuals on the basis of religion or belief, continues to rise around the world, which may have serious implications at the national, regional and international levels, condemns, in this context, any advocacy of religious hatred against individuals that constitutes incitement to discrimination, hostility or violence, and urges States to take effective measures, as set forth in the present resolution and consistent with their obligations under international human rights law, to address and combat such incidents;

4. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

5. *Recognizes* that the open public debate of ideas, as well as interreligious, interfaith and intercultural dialogue, at the local, national and international levels, can be among the best protections against religious intolerance and can play a positive role in strengthening democracy and combating religious hatred, and expresses its conviction that a continuing dialogue on these issues can help to overcome existing misperceptions;

6. *Also recognizes* the strong need for global awareness about the possible serious implications of incitement to discrimination and violence, which may have serious implications at the national, regional and international levels, and urges all Member States to make renewed efforts to develop educational systems that promote all human

rights and fundamental freedoms that enhance tolerance for religious and cultural diversity, which is fundamental to promoting tolerant, peaceful and harmonious multicultural societies;

7. *Calls upon* all States to take the following actions, as called for by the Secretary-General of the Organization of Islamic Cooperation, to foster a domestic environment of religious tolerance, peace and respect by:

(a) Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education;

(b) Creating an appropriate mechanism within Governments to, inter alia, identify and address potential areas of tension between members of different religious communities and assisting with conflict prevention and mediation;

(c) Encouraging the training of government officials in effective outreach strategies;

(d) Encouraging the efforts of leaders to discuss within their communities the causes of discrimination and developing strategies to counter those causes;

(e) Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence;

(f) Adopting measures to criminalize incitement to imminent violence based on religion or belief;

(g) Understanding the need to combat denigration and the negative religious stereotyping of persons, as well as incitement to religious hatred, by strategizing and harmonizing actions at the local, national, regional and international levels through, inter alia, education and awareness-raising;

(h) Recognizing that the open, constructive and respectful debate of ideas, as well as interreligious, interfaith and intercultural dialogue, at the local, national, regional and international levels, can play a positive role in combating religious hatred, incitement and violence;

8. *Also calls upon* all States:

(a) To take effective measures to ensure that public functionaries, in the conduct of their public duties, do not discriminate against an individual on the basis of religion or belief;

(b) To foster religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion and to contribute openly and on an equal footing to society;

(c) To encourage the representation and meaningful participation of individuals, irrespective of their religion or belief, in all sectors of society;

(d) To make a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questioning, searches and other investigative law enforcement procedures;

9. *Further calls upon* all States to adopt measures and policies to promote full respect for and protection of places of worship and religious sites, cemeteries and shrines and to take protective measures in cases where they are vulnerable to vandalism or destruction;

10. *Calls for* strengthened international efforts to foster a global dialogue for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religions and beliefs;

11. *Encourages* all States to consider providing updates on efforts made in this regard as part of ongoing reporting to the Office of the United Nations High Commissioner for Human Rights, and in this respect requests the United Nations High Commissioner for Human Rights to include those updates in her reports to the Human Rights Council;

12. *Requests* the Secretary-General to submit to the General Assembly at its seventieth session a report that includes information provided by the High Commissioner on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the present resolution.

Right to self-determination

Report of Secretary-General. In response to General Assembly resolution 68/153 [YUN 2013, p. 655], the Secretary-General in August submitted a report [A/69/342] on the universal realization of the right of peoples to self-determination. The report summarized developments relating to the consideration of that subject by the Human Rights Council, including by its special procedures, and outlined the related jurisprudence of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights. It also summarized information on the right to self-determination as contained in the report [S/2014/258] of the Secretary-General to the Security Council on the situation concerning Western Sahara.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/487], adopted **resolution 69/164** without vote [agenda item 67].

Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights, as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514(XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its sixty-first and previous sessions,

Reaffirming its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution 68/153 of 18 December 2013,

Reaffirming also its resolution 55/2 of 8 September 2000, containing the United Nations Millennium Declaration, and recalling its resolution 60/1 of 16 September 2005, containing the 2005 World Summit Outcome, which, inter alia, upheld the right to self-determination of peoples under colonial domination and foreign occupation,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and with honour;

5. *Requests* the Human Rights Council to continue to give special attention to violations of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on the question to the General Assembly at its seventieth session under the item entitled "Right of peoples to self-determination".

Right of Palestinians to self-determination

During the year, the General Assembly reaffirmed the right of the Palestinian people to self-determination, including the right to their independent State of Palestine, as well as the right of all States in the region to live in peace within secure and internationally recognized borders. States and UN system bodies were urged to assist Palestinians in the early realization of the right.

Human Rights Council action. On 28 March [A/69/53 (res. 25/27)], by a recorded vote of 46 to 1, with no abstentions, the Council urged Member States and UN system bodies to support and assist the Palestinian people in the early realization of their right to self-determination.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/487], adopted **resolution 69/165** by recorded vote (180-7-4) [agenda item 67].

**The right of the Palestinian people
to self-determination**

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625(XXV) of 24 October 1970, entitled “Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations”,

Bearing in mind the International Covenants on Human Rights, the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,

Recalling also the United Nations Millennium Declaration,

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory, and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, based on the relevant resolutions of the United Nations, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,

Stressing also the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard its resolution 58/292 of 6 May 2004,

Recalling its resolution 68/154 of 18 December 2013,

Taking note of its resolution 67/19 of 29 November 2012,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to

support and assist the Palestinian people in the early realization of their right to self-determination.

RECORDED VOTE ON RESOLUTION 69/165:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Canada, Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Paraguay, South Sudan, Tonga.

Mercenaries

Reports of Working Group. In a June report [A/HRC/27/50], the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination described the activities undertaken since its last report [YUN 2013, p. 656] and presented the results of its global study on national legislation concerning private military and/or security companies (PMSCs), which focused on 16 selected countries in Africa and Asia. The Working Group observed that while there were common elements in the laws of those countries, diverse national contexts affected the way in which PMSCs were regulated and the regulatory approach of each country varied significantly. It reiterated the need for effective regulation of PMSC activities and invited States to facilitate its study of national legislation, which aimed to identify trends and good practices and to develop guidance for States in overseeing PMSC activities.

In response to a Human Rights Council request [YUN 2013, p. 657] and General Assembly resolution 68/152 [ibid.], the Secretary-General in August transmitted the Working Group's report [A/69/338] focusing on the use by the United Nations of private security companies in light of the vast and complex challenges which outsourcing security to PMSCs posed to the United Nations and to local populations. The report was the outcome of a year-long study that aimed to examine how the United Nations contracted PMSCs and for what services. It reviewed the efforts undertaken to mitigate risks relating to the recruitment of private security providers, in particular the recently adopted policy and guidelines on the use of private armed guards. The report considered the limitations of those policy tools, suggested ways to ensure an efficient selection and vetting process when employing PMSCs and examined ways to ensure that PMSCs were held accountable for possible human rights violations.

Mission reports. Following its visit to the Comoros (7–16 May) [A/HRC/27/50/Add.1], the Working Group noted the country's difficult and turbulent history since its independence in 1975. A series of coups d'état by mercenaries and the political instability that prevailed during the three decades following independence had prevented the country's development. The Working Group recognized the negative and interdependent effects of mercenarism, separatism and the Mayotte issue on the human rights of Comorians. Despite obstacles, positive developments had brought relative stability, such as the 2009 amendment of the Constitution allowing for the rotation of the presidency that helped to counter the problem of separatism and attempted coups d'état. With respect to private security companies, the Working Group noted that the presence of natural resources in the Comoros had the potential to attract investment from multinational corporations in the extractive industry, which often used private security companies to protect their facilities. The likelihood of an increase in the number of private security companies operating in the Comoros and ongoing concerns surrounding maritime delimitation issues required the introduction of appropriate regulations.

Following its mission to Côte d'Ivoire (7–10 October) [A/HRC/30/34/Add.1], the Working Group expressed concern about the widespread lack of confidence in the justice system and the prevalent culture of impunity for perpetrators of human rights violations. The Working Group was informed that mercenaries had been recruited by both sides during the 2002 armed conflict and the 2010 post-election crisis, and had been responsible for grave violations. There had been little progress in prosecuting mercenaries or other armed actors in Côte d'Ivoire or in their countries of origin. The Working Group also noted the huge increase in private security companies after the conflicts and the existence of hundreds of such companies operating illegally. It

recommended improving access to justice and remedies for victims; ending the culture of impunity by bringing perpetrators to justice; and strengthening oversight of private security companies.

Intergovernmental working group. The open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of PMSCs, established in 2010 [YUN 2010, p. 690], held its third session (Geneva, 21–25 July) [A/HRC/WG.10/3/2]. In the discussions, there was widespread agreement about gaps in the regulatory framework, as very few States had specific legislation on PMSCs. Efforts to ensure regulation through voluntary self-regulatory mechanisms were still being rolled out. In his concluding remarks, the Chair noted that the discussions had reaffirmed the shared goal of protecting human rights and ensuring accountability for violations and abuses relating to the PMSCs activities.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/10)], by a recorded vote of 32 to 14, with 1 abstention, the Council requested States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries, and in banning the use of private companies offering international military consultancy and security services when intervening in armed conflicts or actions to destabilize constitutional regimes. It requested the Working Group to continue work on strengthening the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries; to monitor mercenaries and mercenary-related activities; and to report to the Assembly's seventieth (2015) session and the Council's thirtieth (2015) session on implementation of the resolution.

International Convention

As at 31 December, the number of States parties to the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries remained at 33. The Convention was adopted by the General Assembly in resolution 44/34 [YUN 1989, p. 825] and entered into force in 2001 [YUN 2001, p. 632].

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/487], adopted **resolution 69/163** by recorded vote (130–52–7) [agenda item 67].

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The General Assembly,

Recalling all of its previous resolutions on the subject, including resolution 68/152 of 18 December 2013, and

Human Rights Council resolutions 15/12 of 30 September 2010, 15/26 of 1 October 2010, 18/4 of 29 September 2011, 21/8 of 27 September 2012, 24/13 of 26 September 2013 and 27/10 of 25 September 2014, as well as all resolutions adopted by the Commission on Human Rights in this regard,

Recalling also all of its relevant resolutions, in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit or use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling further the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the elimination of mercenarism in Africa, as well as by the African Union,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the self-determination of peoples, the non-use of force or of the threat of use of force in international relations and non-interference in affairs within the domestic jurisdiction of States,

Reaffirming also that, by virtue of the principle of self-determination, all peoples have the right freely to determine their political status and to pursue their economic, social and cultural development and that every State has the duty to respect this right in accordance with the provisions of the Charter,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Welcoming the establishment of the open-ended intergovernmental working group of the Human Rights Council with the mandate of considering the possibility of elaborating an international regulatory framework, including the option of elaborating a legally binding instrument on the regulation, monitoring and oversight of the activities of private military and security companies,

Alarmed and concerned at the danger that the activities of mercenaries constitute to peace and security in developing countries in various parts of the world, in particular in areas of conflict,

Deeply concerned at the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from international criminal mercenary activities,

Extremely alarmed and concerned about recent mercenary activities in some developing countries in various parts of the world, including in areas of armed conflict, and the threat they pose to the integrity of and respect for the constitutional order of the affected countries,

Convinced that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form that they take to acquire some semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of all human rights by peoples,

1. *Acknowledges with appreciation* the work and contributions of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, including its research activities, and takes note with appreciation of its latest report;

2. *Reaffirms* that the use of mercenaries and their recruitment, financing, protection and training are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Recognizes* that armed conflict, terrorism, arms trafficking and covert operations by third Powers encourage, inter alia, the demand for mercenaries on the global market;

4. *Urges once again* all States to take the steps necessary and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training, protection or transit of mercenaries for the planning of activities designed to impede the right of peoples to self-determination, to destabilize or overthrow the Government of any State or to dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

5. *Requests* all States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries by private companies offering international military consultancy and security services, as well as to impose a specific ban on such companies intervening in armed conflicts or actions to destabilize constitutional regimes;

6. *Encourages* States that import the military assistance, consultancy and security services provided by private companies to establish regulatory national mechanisms for the registering and licensing of those companies in order to ensure that imported services provided by those private companies neither impede the enjoyment of human rights nor violate human rights in the recipient country;

7. *Emphasizes its utmost concern* about the impact of the activities of private military and security companies on the enjoyment of human rights, in particular when operating in armed conflicts, and notes that private military and security companies and their personnel are rarely held accountable for violations of human rights;

8. *Calls upon* all States that have not yet done so to consider taking the action necessary to accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

9. *Welcomes* the cooperation extended by those countries that received a visit by the Working Group on the use of mercenaries and the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

10. *Condemns* recent mercenary activities in developing countries in various parts of the world, in particular in areas of conflict, and the threat they pose to the integrity of and respect for the constitutional order of those countries and the exercise of the right of their peoples to self-determination, and stresses the importance for the Working Group on the use of mercenaries of looking into

sources and root causes, as well as the political motivations of mercenaries and for mercenary-related activities;

11. *Calls upon* States to investigate the possibility of mercenary involvement whenever and wherever criminal acts of a terrorist nature occur and to bring to trial those found responsible or to consider their extradition, if so requested, in accordance with national law and applicable bilateral or international treaties;

12. *Condemns* any form of impunity granted to perpetrators of mercenary activities and to those responsible for the use, recruitment, financing and training of mercenaries, and urges all States, in accordance with their obligations under international law, to bring them, without distinction, to justice;

13. *Calls upon* Member States, in accordance with their obligations under international law, to cooperate with and assist the judicial prosecution of those accused of mercenary activities in transparent, open and fair trials;

14. *Recalls* the holding of the third session of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies, expresses satisfaction at the participation of experts, including of the members of the Working Group on the use of mercenaries, as resource persons at the above-mentioned session, and requests the Working Group and other experts to continue their participation during the fourth session of the open-ended intergovernmental working group;

15. *Requests* the Working Group on the use of mercenaries to continue the work already done by previous Special Rapporteurs on the use of mercenaries on the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition of a mercenary drafted by the Special Rapporteur on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination in his report to the Commission on Human Rights at its sixtieth session;

16. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to publicize the adverse effects of the activities of mercenaries on the right of peoples to self-determination and, when requested and where necessary, to render advisory services to States that are affected by those activities;

17. *Recommends* that all Member States, including those confronted with the phenomenon of private military and security companies, as contracting States, States of operations, home States or States whose nationals are employed to work for a private military and security company, contribute to the work of the open-ended intergovernmental working group, taking into account the initial work done by the Working Group on the use of mercenaries;

18. *Urges* all States to cooperate fully with the Working Group on the use of mercenaries in the fulfilment of its mandate;

19. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide the Working Group on the use of mercenaries with all the assistance and support necessary for the fulfilment of its mandate, both professional and financial, including through the promotion of cooperation between the Working Group and other components of the United Nations system that deal with countering mercenary-

related activities, in order to meet the demands of its current and future activities;

20. *Requests* the Working Group on the use of mercenaries to consult States and intergovernmental and non-governmental organizations in the implementation of the present resolution and to report, with specific recommendations, to the General Assembly at its seventieth session its findings on the use of mercenaries to undermine the enjoyment of all human rights and to impede the exercise of the right of peoples to self-determination;

21. *Decides* to consider at its seventieth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Right of peoples to self-determination".

RECORDED VOTE ON RESOLUTION 69/163:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Chad, Fiji, Kenya, Liberia, Mexico, Switzerland, Tonga.

Rule of law, democracy and human rights

Administration of justice

Panel discussion. Pursuant to Human Rights Council resolution 24/12 [YUN 2013, p. 660], OHCHR submitted a summary report [A/HRC/28/29] of the panel discussion held at the Council's twenty-seventh (2014) session on the protection of the human rights

of persons deprived of their liberty (Geneva, 10 September). Participants reaffirmed the adequacy of existing forms of protection in international human rights law, as well as of the international human rights mechanisms that focused on the issue. Challenges, however, remained in the national implementation of international norms and standards. Political will, or lack of thereof, was identified as one factor contributing to the failure of national implementation.

Children and access to justice

Reports of High Commissioner. Pursuant to Human Rights Council Resolution 22/32 [YUN 2013, p. 719], the High Commissioner submitted a report [A/HRC/25/35] on access to justice for children, which addressed the definition of access to justice for children and its relation to other concepts, such as child-sensitive justice and juvenile justice, and discussed the legal framework and challenges for children in accessing justice. The main part of the report reviewed standards and good practices. The High Commissioner concluded that international and regional human rights norms and standards provided a comprehensive framework for ensuring access to justice for children. Due to their special and dependent status, however, children were faced with serious challenges in accessing justice. She recommended that States revise their laws, policies and procedures to ensure better compliance with international norms and standards; strengthen capacity-building and training initiatives to ensure that persons working with, and for, children had the necessary knowledge and skills relating to their rights and needs; ensure that the views of children were given due consideration; and protect children from the risk of manipulation, harassment, reprisals or intimidation.

In an addendum [A/HRC/25/35/Add.1], the High Commissioner submitted information received from Monaco and Uruguay for her annual report after the deadline for submission.

Pursuant to Council request [YUN 2013, p. 719], the High Commissioner submitted a summary [A/HRC/27/25] of the full-day meeting on access to justice for children (Geneva, 13 March), comprising two panel discussions: one on international norms and standards on access to justice for children and child-sensitive justice, and the other on empowering children to claim their rights.

Human Rights Council action. On 27 March [A/69/53 (res. 25/6)], the Council emphasized that children in contact with the justice system were entitled to the safeguarding of their rights, and called on States to remove barriers to children's access to justice.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee

[A/69/488/Add.2 & Corr.1], adopted **resolution 69/172** without vote [agenda item 68 (b)].

Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles embodied in articles 3, 5, 6, 8, 9, 10 and 11 of the Universal Declaration of Human Rights and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto, in particular articles 6, 7, 9, 10, 14 and 15 of the Covenant, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto, the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Elimination of All Forms of Discrimination against Women, in particular article 2 (c) thereof, the Convention on the Rights of the Child, in particular articles 37, 39 and 40 thereof, and the International Covenant on Economic, Social and Cultural Rights, as well as all other relevant international treaties,

Calling attention to the numerous international standards in the field of the administration of justice,

Recalling all the resolutions of the General Assembly, the Human Rights Council, the Commission on Human Rights and the Economic and Social Council that are relevant to the subject of human rights in the administration of justice, including General Assembly resolutions 65/213 of 21 December 2010 and 67/166 of 20 December 2012 and Human Rights Council resolutions 18/12 of 29 September 2011 and 24/12 of 26 September 2013,

Recalling also its resolution 67/1 of 24 September 2012, entitled "Declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels",

Noting the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities,

Welcoming the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),

Welcoming also the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,

Welcoming further the work of all special procedures of the Human Rights Council that address human rights in the administration of justice in the discharge of their mandates,

Taking note of the work of all human rights treaty body mechanisms on human rights in the administration of justice, in particular of general comments No. 21 on the humane treatment of persons deprived of their liberty and No. 32 on the right to equality before courts and tribunals and to a fair trial, adopted by the Human Rights Committee, and general comments No. 10 on children's rights in juvenile justice and No. 13 on the right of the child to freedom from all forms of violence, adopted by the Committee on the Rights of the Child,

Noting with appreciation the important work in the field of the administration of justice of the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, the United Nations Children's Fund, the Department of Peacekeeping Operations of the Secretariat and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)

as well as the work of the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict,

Noting with appreciation also the thematic report by the Special Representative of the Secretary-General on Violence against Children entitled “Promoting restorative justice for children”,

Noting with satisfaction the work of the Interagency Panel on Juvenile Justice and of its members, in particular their coordination in providing technical advice and assistance in juvenile justice, and the active participation of civil society in their respective work,

Encouraging continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice, and noting in this regard the initiative to convene a world congress on juvenile justice in Geneva from 26 to 30 January 2015,

Convinced that the independence and impartiality of the judiciary and the integrity of the judicial system as well as an independent legal profession are essential prerequisites for the protection of human rights, the rule of law, good governance and democracy and for ensuring that there is no discrimination in the administration of justice and should therefore be respected in all circumstances,

Recalling that every State should provide an effective framework of remedies to redress human rights grievances or violations,

Emphasizing that the right to access to justice for all forms an important basis for strengthening the rule of law through the administration of justice,

Mindful of the importance of ensuring respect for the rule of law and human rights in the administration of justice as a crucial contribution to building peace and justice and ending impunity,

Recognizing the importance of the principle that, except for those lawful limitations that are demonstrably necessitated by the fact of incarceration, persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms,

Recalling that the social rehabilitation and reintegration of persons deprived of their liberty shall be among the essential aims of the criminal justice system, ensuring, as far as possible, that offenders are able to lead a law-abiding and self-supporting life upon their return to society,

Aware of the need for special vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, and their vulnerability to various forms of violence, abuse, injustice and humiliation,

Reaffirming that children who are victims and witnesses of crime and violence are particularly vulnerable and require special protection, assistance and support appropriate to their age, level of maturity and needs, in order to prevent further hardship and trauma that may result from their participation in the criminal justice process,

Recognizing the specific situation and needs of children formerly associated with armed forces or armed groups when accused of crimes under international law allegedly committed while they were associated with armed forces or armed groups,

Reaffirming that the best interests of the child shall be a primary consideration in all decisions concerning the child in

the administration of justice, including in relation to pretrial measures, as well as being an important consideration in all matters concerning the child related to sentencing of his or her parents, or, where applicable, legal guardians or primary caregivers,

1. *Takes note with appreciation* of the most recent report of the Secretary-General on human rights in the administration of justice, containing an analysis of the international legal and institutional framework for the protection of all persons deprived of their liberty;

2. *Also takes note with appreciation* of the reports of the United Nations High Commissioner for Human Rights on the protection of human rights of juveniles deprived of their liberty and on access to justice for children and the joint report of the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system, submitted to the Human Rights Council;

3. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

4. *Reiterates its call upon* all Member States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure the full implementation of those standards;

5. *Invites* States to make use of technical assistance offered by the relevant United Nations entities and programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

6. *Appeals* to Governments to include, in their national development plans, the effective administration of justice and equal access to justice as an integral part of the development process, with a view to promoting and protecting human rights, and to allocate adequate resources for the provision of legal aid services, and invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

7. *Stresses* the special need for national capacity-building in the field of the administration of justice, in particular through reform of the judiciary, the police and the penal system, as well as juvenile justice reform, and through the encouragement of independence, accountability and transparency in the judiciary, in order to establish and maintain stable societies and the rule of law in post-conflict situations, and welcomes the role of the Office of the High Commissioner in supporting the establishment and functioning of transitional justice mechanisms in post-conflict situations;

8. *Reaffirms* that no one should be unlawfully or arbitrarily deprived of his or her liberty, and notes the principles of necessity and proportionality in this regard;

9. *Calls upon* States to ensure that anyone who is deprived of his or her liberty through arrest or detention has prompt access to a competent court with the effective power to determine the lawfulness of the detention and to order release if the detention or imprisonment is determined not to be lawful and prompt access to legal counsel, in accordance with their international obligations and commitments;

10. *Affirms* that States must ensure that any measure taken to combat terrorism, including in the administration

of justice, complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

11. *Notes* the work of the open-ended intergovernmental expert group to exchange information on best practices, as well as on national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners, and invites the expert group to continue its work and to conclude the review and update of the standard minimum rules, reiterating that any changes should not lower any existing standards but should improve them and reflect recent advances in correctional science and best practices, as well as human rights standards, so as to promote safety, security and humane conditions for prisoners, and in this regard acknowledges that the expert group can benefit from the expertise of the United Nations Office on Drugs and Crime and of the Office of the High Commissioner and other relevant stakeholders;

12. *Recalls* the absolute prohibition of torture in international law, and calls upon States to address and prevent the detention conditions, treatment and punishment of persons deprived of their liberty that amount to cruel, inhuman or degrading treatment or punishment;

13. *Calls upon* States to investigate promptly, effectively and impartially all alleged human rights violations suffered by persons deprived of their liberty, in particular cases involving death, torture and cruel, inhuman or degrading treatment or punishment, and to provide effective remedy to the victims, in accordance with their international obligations and commitments;

14. *Urges* States to endeavour to reduce, where appropriate, pretrial detention, inter alia, by adopting legislative and administrative measures and policies on its preconditions, limitations, duration and alternatives and by taking measures aimed at the implementation of existing legislation, as well as by ensuring access to justice and legal advice and assistance;

15. *Encourages* States to address overcrowding in detention facilities by taking effective measures, including through enhancing the use of alternatives to pretrial detention and custodial sentences where possible, access to legal aid and the efficiency as well as the capacity of the criminal justice system and its facilities;

16. *Welcomes* the panel discussion on the protection of the human rights of persons deprived of their liberty, held during the twenty-seventh session of the Human Rights Council, which highlighted challenges and good practices for ensuring the protection of the rights of persons deprived of their liberty, in particular with regard to judicial oversight of detention, overcrowding and overuse of detention, including by examining the use of pretrial detention and alternatives to detention;

17. *Continues to encourage* States to pay due attention to the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) when developing and implementing relevant legislation, procedures, policies and action plans, and invites relevant special procedure mandate holders, the Office of the High Commissioner, the United Nations Office on Drugs and Crime and all other relevant organizations to take those rules into consideration in their activities;

18. *Recognizes* that every child and juvenile alleged as, accused of or recognized as having infringed the law, partic-

ularly those who are deprived of their liberty, as well as child victims and witnesses of crimes, should be treated in a manner consistent with his or her rights, dignity and needs, in accordance with international law, bearing in mind relevant international standards on human rights in the administration of justice, taking into account also the age, gender, social circumstances and development needs of such children, and calls upon States parties to the Convention on the Rights of the Child to abide strictly by its principles and provisions;

19. *Welcomes* the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice, and urges States to consider applying them, as appropriate, in the design, implementation, monitoring and evaluation of laws, policies, programmes, budgets and mechanisms aimed at eliminating violence against children in the field of crime prevention and criminal justice;

20. *Also welcomes* the Global Programme on Violence against Children in the Field of Crime Prevention and Criminal Justice recently developed by the United Nations Office on Drugs and Crime and the United Nations Children's Fund, which is intended to promote and assist in the effective implementation of the Model Strategies and Practical Measures, and encourages Member States and other relevant stakeholders to support and to benefit from this programme;

21. *Encourages* States that have not yet integrated children's issues into their overall rule of law efforts to do so and to develop and implement a comprehensive and coordinated juvenile justice policy to prevent and address juvenile delinquency and to address risks and causes for children's contact with the juvenile and/or criminal justice system, as well as with a view to promoting, inter alia, the use of alternative measures, such as diversion and restorative justice, and complying with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

22. *Stresses* the importance of including reintegration strategies for former child offenders in juvenile justice policies, in particular through the provision of gender-sensitive education and life skills programmes, as well as treatment and services for substance abuse and mental health needs, with a view to their assuming a constructive role in society;

23. *Urges* States to take all necessary and effective measures, including legal reform where appropriate, to prevent and respond to all forms of violence against children within the justice system, including within the informal justice system, where it exists;

24. *Also urges* States to ensure that, under their legislation and practice, neither capital punishment nor life imprisonment without the possibility of release nor corporal punishment is imposed for offences committed by persons under 18 years of age, and encourages States to consider repealing all other forms of life imprisonment for offences committed by persons under 18 years of age;

25. *Encourages* States not to set the minimum age of criminal responsibility at too low an age level, bearing in mind the emotional, mental and intellectual maturity of the child, and in this respect notes the recommendation of the Committee on the Rights of the Child to increase the lower minimum age of criminal responsibility to the age of

12 years as the absolute minimum age, and to continue to increase it to a higher age level;

26. *Also encourages* States to gather relevant information, including through data collection and research, concerning children within their criminal justice systems so as to improve their administration of justice, while being mindful of the children's right to privacy, with full respect for relevant international human rights instruments, and bearing in mind applicable international standards on human rights in the administration of justice;

27. *Stresses* the importance of paying greater attention to the impact on children of imprisonment or other sentences imposed upon their parents, while noting with interest the convening of and reports on all relevant meetings and panel discussions on these issues held by the Human Rights Council;

28. *Invites* Governments to provide for tailored and interdisciplinary human rights training, including anti-racist, multicultural, gender-sensitive and child rights training, to all judges, lawyers, prosecutors, social workers, immigration and police officers and other professionals concerned, including personnel deployed in international field presences;

29. *Encourages* the regional commissions, the specialized agencies, United Nations institutes active in the areas of human rights and crime prevention and criminal justice, and other relevant parts of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field, and other segments of civil society, including the media, to continue to develop their activities in promoting human rights in the administration of justice;

30. *Invites* States, upon their request, to benefit from technical advice and assistance in juvenile justice provided by the relevant United Nations entities and programmes, in particular the Interagency Panel on Juvenile Justice, in order to strengthen national capacities and infrastructures in the field of the administration of justice, in particular juvenile justice;

31. *Invites* the Human Rights Council and the Commission on Crime Prevention and Criminal Justice, as well as the Office of the High Commissioner, the Special Representative of the Secretary-General on Violence against Children and the United Nations Office on Drugs and Crime, to continue to closely coordinate their activities relating to the administration of justice;

32. *Invites* the Office of the High Commissioner and the United Nations Office on Drugs and Crime to reinforce, within their respective mandates, their activities relating to national capacity-building in the field of the administration of justice, in particular in post-conflict situations, and in this context to strengthen cooperation with relevant United Nations entities;

33. *Underlines* the importance of rebuilding and strengthening structures for the administration of justice and of respecting the rule of law and human rights, including in post-conflict situations, as a crucial contribution to building peace and justice and ending impunity, and in this respect requests the Secretary-General to further streamline and strengthen system-wide coordination and coherence of programmes and activities of the relevant parts of the United Nations system, including through the Rule of Law

Coordination and Resource Group chaired by the Deputy Secretary-General, the Rule of Law Unit in the Executive Office of the Secretary-General and the joint global focal point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations;

34. *Invites* States, in the context of the universal periodic review mechanism and in their reports under international human rights treaties, to consider addressing the promotion and protection of human rights in the administration of justice;

35. *Invites* relevant special procedure mandate holders of the Human Rights Council, as well as relevant treaty bodies, to give special attention to questions relating to the effective protection of human rights in the administration of justice, including juvenile justice, and to provide, wherever appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

36. *Requests* the Secretary-General to submit to the General Assembly at its seventy-first session a report on the latest developments, challenges and good practices in human rights in the administration of justice and on the activities undertaken by the United Nations system as a whole;

37. *Decides* to continue its consideration of the question of human rights in the administration of justice at its seventy-first session under the item entitled "Promotion and protection of human rights".

Rule of law

Transitional justice

OHCHR report. Pursuant to a Human Rights Council request [YUN 2012, p. 661], OHCHR in June submitted a study [A/HRC/27/21] focusing on gender-based and sexual violence in relation to transitional justice in conflict and post-conflict situations, which covered the effective participation of victims and the participatory procedures necessary to address the different needs and opportunities of women, men, girls and boys, as well as good practices with regard to national consultations, truth-seeking, criminal justice, reparations and institutional reform. While there had been progress, as greater attention had been given to such violence and some good practices had been developed, more efforts were needed to ensure that transitional justice processes addressed the full spectrum of gender-based and sexual violence. OHCHR recommended that the good practices highlighted in the study should be emulated in other countries, while taking into account the national context. The study also made recommendations on how transitional justice measures could be improved to address the issue.

Truth, justice, reparation and non-recurrence

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2011, p. 686], the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff (Colombia), in August submitted a report

[A/HRC/27/56] that listed his activities between August 2013 and June 2014 and addressed the topic of prosecutorial prioritization strategies in the aftermath of gross human rights violations and serious violations of international humanitarian law. The Rapporteur elaborated on possible elements of a prioritization strategy; called for such strategies to tackle the systemic dimensions of violations so as to dismantle the web of players and structures that enabled the atrocities to take place; and underscored the importance of the independence of prosecutors. He also emphasized the growing importance of the participation of victims in judicial processes, including in relation to the design of prosecutorial strategies, and called for in-depth studies on the institutionalization of participation mechanisms.

In accordance with a Council request [YUN 2011, p. 686], in October, the Secretary-General transmitted the Special Rapporteur's report [A/69/518] focusing on reparation for victims in the aftermath of gross violations of human rights and serious violations of international humanitarian law. Despite significant normative progress in establishing the rights of victims to reparations and some practical experiences, the Rapporteur noted that most victims did not receive any reparation and that the implementation gap had reached scandalous proportions. It not only affected victims directly, but had a ripple effect that could be felt across generations and entire societies and was laden with legacies of mistrust, institutional weaknesses and failed notions and practices of citizenship. The Rapporteur addressed implementation challenges, including States' political unwillingness to implement existing obligations, the inadmissible exclusion of entire categories of victims on the basis of political considerations and the gender insensitivity of most reparation programmes. He urged States to address those challenges and called for a human rights-based approach in implementing reparation programmes.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission reports. Following his visit to Spain (21 January–3 February) [A/HRC/27/56/Add.1], the Special Rapporteur stated that the Spanish Civil War and the 40 years of dictatorship that followed left a colossal aftermath in terms of victims of human rights and humanitarian law violations, including executions, torture, arbitrary detentions, disappearances, forced labour for prisoners and exile. On the other hand, the consolidation of democracy constituted one of the outstanding achievements of the Spanish transition. He noted a considerable discrepancy between the positions adopted by the majority of State institutions and those of the victims and associations. The authorities maintained that, as far as possible, the claims of the victims and associations had mostly been met, while the latter felt insufficiently recognized and compensated. The most serious shortcomings were in the spheres of truth and justice. No State policy had ever been es-

tablished with respect to the truth, and there was no official information and no mechanisms for elucidating the truth. The Rapporteur made recommendations to the Government and State bodies, including on truth, guarantees of non-recurrence and reparation.

In September [A/HRC/27/56/Add.3], Spain submitted its comments on the report.

Following his visit to Burundi (8–16 December) [A/HRC/30/42/Add.1], the Special Rapporteur said that serious efforts to redress past massive violations were required to demonstrate the authorities' commitment to break with the tradition of impunity, which, in turn, would enable domestic institutions and mechanisms to protect human rights in the present. Transitional justice initiatives needed to foster human rights and should not be used as instruments of "turn-taking" that benefited only one side. Reparation schemes needed systematic treatment, with special attention to the needs of the most vulnerable. Reform of the security sector should be linked with justice considerations to ensure an institutional set-up that contributed to preventing violations. While there was broad acknowledgement that reforms were required to establish an independent judiciary, the executive branch and the governing political party continued to tightly control the justice sector.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/3)], the Council extended the mandate of the Special Rapporteur for a three-year period, and requested him to report annually to the Council and the General Assembly.

Independence of judges and lawyers

Reports of Special Rapporteur. In accordance with a Human Rights Council request [YUN 2011, p. 687], the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul (Brazil), in April submitted a report [A/HRC/26/32], which focused on judicial accountability and judicial independence. The report considered concepts and definitions of judicial accountability; highlighted its importance for upholding the rule of law and strengthening the independence of the judiciary; examined related international human rights standards; analysed the different forms of judicial accountability and the mechanisms and proceedings for its implementation; and addressed the issue of State responsibility and the right to a remedy for people whose human rights had been violated as the result of a wrongful conviction or miscarriage of justice. The Rapporteur made recommendations to assist States in establishing judicial accountability mechanisms in line with the principles of judicial independence and impartiality.

In accordance with a Council request (see below), the Secretary-General in August transmitted the Special Rapporteur's report [A/69/294], which focused on the incorporation of the concepts of the rule of law

and access to justice into the post-2015 development framework (see p. 960). It formulated responses to the shortcomings of the Millennium Development Goals [YUN 2000, p. 51] and highlighted the opportunity for the international community to better address the connection among the rule of law, human rights and development in the post-2015 agenda. Noting that the rule of law and development were mutually reinforcing concepts, the Rapporteur emphasized the need for incorporating human rights standards and obligations throughout the post-2015 agenda, and urged that access to justice and the independence of the justice system be reflected as goals in their own right.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission reports. Following her visit to Qatar (19–26 January) [A/HRC/29/26/Add.1], the Special Rapporteur presented her findings on the independence and impartiality of the judiciary, including respect for the principle of separation of powers, the selection and appointment of judges and the impartiality of the judiciary; non-Qatari judges; accountability and disciplinary measures for judges; fair trial, due process guarantees and the administration of justice; access to justice and the situation of migrant workers; women in the justice system; prosecution services; lawyers; and education and training. She recognized Qatar's progress and achievements and made recommendations to address challenges and shortcomings that could undermine positive reform efforts.

Following her mission to the United Arab Emirates (27 January–5 February) [A/HRC/29/26/Add.2], the Special Rapporteur provided an overview of the federal justice system and presented her findings on topics such as legal uncertainty; the independence and impartiality of the judiciary; non-national judges; accountability and disciplinary measures; fair trial, due process and administration of justice; access to justice and legal aid; women in the justice system; prosecution services; lawyers; and education, training and capacity-building. She noted that the justice system had developed into an elaborate and complex court system in a relatively short time. Despite commendable progress, she expressed concern that the challenges and shortcomings she had identified were serious and negatively affected the delivery of justice. The report concluded with recommendations to relevant stakeholders.

Following her visit to Tunisia (27 November–5 December) [A/HRC/29/26/Add.3], the Special Rapporteur presented an overview of the justice system and its constitutional and legal frameworks, as well as her findings and concerns with regard to the need to adopt a comprehensive legal framework; independence, impartiality, integrity and accountability; the selection, appointment and tenure of judges; budget and conditions of work; case management, internal regulations and procedures, judicial delays and access to justice; threats, attacks and lack of protection; prosecutorial

services; military courts; lawyers; and education, training and capacity-building. She concluded the report with recommendations to relevant stakeholders.

Human Rights Council action. On 27 March [A/69/53 (res. 25/4)], the Council, by a recorded vote of 27 to 1, with 19 abstentions, requested the High Commissioner to convene, prior to the Council's twenty-eighth (2015) session, an expert consultation on human rights considerations relating to the issues of administration of justice through military tribunals and the role of the integral judicial system in combating human rights violations; and to present a summary of the consultation to the Council's twenty-eighth session.

On 26 June [res. 26/7], the Council extended the mandate of the Special Rapporteur for a three-year period.

Report of High Commissioner. Pursuant to Council resolution 25/4 (see above), the High Commissioner convened an expert consultation on the issues of administration of justice through military tribunals and the role of the integral judicial system in combating human rights violations (Geneva, 24 November), and submitted a summary report [A/HRC/28/32]. Issues discussed by participants included independence, impartiality and competence of the judiciary, including military courts; the right to fair trial before courts and other procedural protections; the personal jurisdiction of military courts; and subject matter jurisdiction of military courts.

Right to a nationality

Human Rights Council action. On 26 June [A/69/53 (res. 26/14)], the Council called on States to refrain from taking discriminatory measures and from enacting or maintaining legislation that would arbitrarily deprive persons of their nationality on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, especially if such measures and legislation rendered a person stateless; welcomed the efforts made to reduce statelessness and combat arbitrary deprivation of nationality by UN entities and human rights treaty bodies; and requested the Secretary-General to report to the Council before its thirty-first (2016) session on the impact the arbitrary deprivation of nationality had on the enjoyment of the rights of children concerned, as well as on the laws and practices on accessibility for children to acquire nationality, *inter alia*, of the country in which they were born, if they otherwise would be stateless.

Equal political participation

OHCHR report. Pursuant to a Human Rights Council request [YUN 2013, p. 663], OHCHR in June submitted a study [A/HRC/27/29] on factors that impeded equal political participation and steps to overcome

them. The study examined the human rights framework relating to participation in political and public affairs, noted that discrimination against women, indigenous peoples, minorities, persons with disabilities, human rights defenders and other marginalized groups might prevent their enjoyment of the rights to participate in political and public affairs, identified some major barriers to equal participation and made recommendations on measures to overcome them.

Human Rights Council action. On 26 September [A/69/53/Add.1 (res. 27/24)], the Council noted the OHCHR study (see above) and urged States to consider its conclusions and recommendations, and to ensure the full, effective and equal participation of all citizens in political and public affairs. It requested OHCHR to present to the Council's thirtieth (2015) session a study on best practices, experiences and challenges and ways to overcome them with regard to implementation of the right to participate in public affairs, with a view to identifying elements of principles guiding that implementation.

Civil society space

Panel discussion. Pursuant to a Human Rights Council request [YUN 2013, p. 666], OHCHR submitted a summary report [A/HRC/27/33] of the panel discussion held at the Council's twenty-fifth (2014) session on the importance of the promotion and protection of civil society space (Geneva, 11 March). Panellists addressed the challenges that States faced in their efforts to ensure such space; experiences, lessons learned and good practices with regard to such space; and strategies and steps to ensure a safe and enabling environment for civil society. Participants recommended that the Council, through its special procedures mechanisms, develop and adopt guiding principles on creating such an environment.

Human Rights Council action. On 26 September [A/69/53/Add.1 & Corr.2 (res. 27/31)], the Council welcomed the holding of the panel discussion (see above); urged States to create and maintain a safe and enabling environment in which civil society could operate free from hindrance and insecurity; and requested the High Commissioner to submit to the Council's thirty-second (2016) session a compilation of practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practices and lessons learned.

Freedom of expression

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2011, p. 690], the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue (Guatemala), in July submitted a report [A/HRC/26/30] which described his activities

and focused on freedom of opinion and expression in electoral contexts, particularly on the establishment and enforcement of legal instruments regulating political communications. He detailed the human rights framework applicable to the question in political communications and electoral processes; described common violations of the right in electoral periods; and provided recommendations on aligning national legal frameworks to international human rights standards.

In accordance with a Council request (see below), the Secretary-General in August transmitted the Special Rapporteur's report [A/69/335] that focused on the right of the child to freedom of expression. Despite the almost universal ratification of the Convention on the Rights of the Child (see p. 763), too little had been done to give effect to the right of children to freedom of expression. He noted with concern the adoption of various restrictive measures allegedly aimed at protecting children from harmful information, and called for a greater focus by the international community and States on children's right to freedom of expression and access to information.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission reports. In April [A/HRC/26/30/Add.5], May [A/HRC/26/30/Add.4] and June [A/HRC/26/30/Add.6], respectively, the former Yugoslav Republic of Macedonia, Montenegro and Italy submitted their comments on the Special Rapporteur's visit to their country in 2013 [YUN 2013, p. 666].

Human Rights Council action. On 27 March [A/69/53 (res. 25/2)], the Council extended the mandate of the Special Rapporteur for three years and requested the Rapporteur to report annually to the Council and the General Assembly.

In June, the Council appointed David Kaye (United States) as Special Rapporteur.

Human rights and the Internet

Global multi-stakeholder meeting. The Global Multi-stakeholder Meeting on the Future of Internet Governance (NETmundial) (Sao Paulo, Brazil, 23–24 April) sought to develop a set of universally acceptable Internet governance principles, as well as a way forward for the evolution of the Internet governance system. It brought together 930 participants from 110 countries, representing civil society, the private sector, academia, the technical community, governments and intergovernmental organizations, as well as over 1,000 remote participants from 23 countries. In his message to the meeting, the Secretary-General stated that building consensus on a roadmap for the future of Internet governance was crucial and NETMundial was an important milestone.

Human Rights Council action. On 26 June [A/69/53 (res. 26/13)], the Council took note of the meeting

(see above), which acknowledged the need for human rights to underpin Internet governance and that rights that people had offline must also be protected online. It called on States to address security concerns on the Internet to ensure protection of freedom of expression, freedom of association, privacy and other human rights online; and to consider adopting national Internet-related policies that had the objective of universal access and enjoyment of human rights at their core.

Right to privacy in digital age

Human Rights Council action. On 27 March [A/69/53 (dec. 25/117)], the Council decided to convene a panel discussion at its twenty-seventh (2014) session on the promotion and protection of the right to privacy in the digital age in the context of domestic and extraterritorial surveillance and/or the interception of digital communications and the collection of personal data; and requested the High Commissioner to organize the panel discussion and submit a summary report to the Council's twenty-eighth (2015) session.

OHCHR report. Pursuant to General Assembly resolution 68/167 [YUN 2013, p. 667], OHCHR in June submitted a report [A/HRC/27/37] on the right to privacy in the digital age, which focused on the protection and promotion of the right in the context of domestic and extraterritorial surveillance and/or the interception of digital communications and the collection of personal data, including on a mass scale. The report concluded that while international human rights law provided a clear and universal framework for protecting the right to privacy, practices in many States had revealed a lack of adequate legislation and/or enforcement, weak procedural safeguards and ineffective oversight. In addressing the gaps in implementation, it was observed that information relating to domestic and extraterritorial surveillance policies and practices continued to emerge. Inquiries were ongoing to gather information on electronic surveillance and the collection and storage of personal data, as well as to assess its impact on human rights. The lack of governmental transparency associated with surveillance policies, laws and practices hindered efforts to assess their coherence with international human rights law and to ensure accountability. Addressing the challenges related to the right to privacy in the context of modern communications technology would require a concerted multi-stakeholder engagement. As an immediate measure, States should review their own laws, policies and practices to ensure full conformity with international human rights law.

By a 7 August note [A/69/276], the Secretariat referred the Assembly to the OHCHR report. The General Assembly took note of the Secretariat note on 18 December (**decision 69/536**).

Panel discussion. Pursuant to Council decision 25/117 (see above), OHCHR submitted a summary

report [A/HRC/28/39] of the panel discussion held at the Council's twenty-seventh (2014) session on the right to privacy in the digital age (Geneva, 12 September). Topics examined included the promotion and protection of the right to privacy in the digital age in the context of domestic and extraterritorial surveillance, the interception of digital communications and the collection of personal data, including on a mass scale. Panellists concluded that technological change might pose new challenges to existing legislation; noted the need to develop effective oversight and legal safeguards against violations; and stressed that the protection of the right to privacy required the engagement of all stakeholders, including Governments, industry, civil society and international organizations.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/166** without vote [agenda item 68 (b)].

The right to privacy in the digital age

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights and relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Reaffirming further the Vienna Declaration and Programme of Action,

Recalling its resolution 68/167 of 18 December 2013 on the right to privacy in the digital age,

Welcoming the adoption by the Human Rights Council of resolution 26/13 of 26 June 2014 on the promotion, protection and enjoyment of human rights on the Internet,

Welcoming also the work of the Office of the United Nations High Commissioner for Human Rights on the right to privacy in the digital age, noting with interest its report on the subject, and recalling the panel discussion on the right to privacy in the digital age held during the twenty-seventh session of the Human Rights Council,

Noting the report of the Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the report of the Special Rapporteur of the Council on the promotion and protection of the right to freedom of opinion and expression,

Noting with appreciation general comment No. 16 of the Human Rights Committee on the right to respect of privacy, family, home and correspondence, and protection of honour and reputation, while also noting the vast technological leaps that have taken place since its adoption,

Recognizing the need to further discuss and analyse, based on international human rights law, issues relating to the promotion and protection of the right to privacy in the digital age, procedural safeguards, effective domestic

oversight and remedies, the impact of surveillance on the right to privacy and other human rights, as well as the need to examine the principles of non-arbitrariness and lawfulness, and the relevance of necessity and proportionality assessments in relation to surveillance practices,

Noting the holding of the Global Multi-stakeholder Meeting on the Future of Internet Governance, “NETmundial”, in São Paulo, Brazil, in April 2014, and recognizing that effectively addressing the challenges relating to the right to privacy in the context of modern communications technology will require an ongoing, concerted multi-stakeholder engagement,

Noting also that the rapid pace of technological development enables individuals all over the world to use new information and communication technologies and at the same time enhances the capacity of governments, companies and individuals to undertake surveillance, interception and data collection, which may violate or abuse human rights, in particular the right to privacy, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights, and is therefore an issue of increasing concern,

Reaffirming the human right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference, and recognizing that the exercise of the right to privacy is important for the realization of the right to freedom of expression and to hold opinions without interference and the right to freedom of peaceful assembly and association, and is one of the foundations of a democratic society,

Stressing the importance of full respect for the freedom to seek, receive and impart information, including the fundamental importance of access to information and democratic participation,

Noting that while metadata can provide benefits, certain types of metadata, when aggregated, can reveal personal information and can give an insight into an individual's behaviour, social relationships, private preferences and identity,

Emphasizing that unlawful or arbitrary surveillance and/or interception of communications, as well as unlawful or arbitrary collection of personal data, as highly intrusive acts, violate the right to privacy, can interfere with the right to freedom of expression and may contradict the tenets of a democratic society, including when undertaken on a mass scale,

Noting in particular that surveillance of digital communications must be consistent with international human rights obligations and must be conducted on the basis of a legal framework, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory and that any interference with the right to privacy must not be arbitrary or unlawful, bearing in mind what is reasonable to the pursuance of legitimate aims, and recalling that States that are parties to the International Covenant on Civil and Political Rights must undertake the necessary steps to adopt laws or other measures as may be necessary to give effect to the rights recognized in the Covenant,

Emphasizing that States must respect international human rights obligations regarding the right to privacy

when they intercept digital communications of individuals and/or collect personal data and when they require disclosure of personal data from third parties, including private companies,

Recalling that business enterprises have a responsibility to respect human rights as set out in the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework,

Deeply concerned at the negative impact that surveillance and/or interception of communications, including extraterritorial surveillance and/or interception of communications, as well as the collection of personal data, in particular when carried out on a mass scale, may have on the exercise and enjoyment of human rights,

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms frequently face threats and harassment and suffer insecurity as well as unlawful or arbitrary interference with their right to privacy as a result of their activities,

Noting that while concerns about public security may justify the gathering and protection of certain sensitive information, States must ensure full compliance with their obligations under international human rights law,

Noting also in that respect that the prevention and suppression of terrorism is a public interest of great importance, while reaffirming that States must ensure that any measures taken to combat terrorism are in compliance with their obligations under international law, in particular international human rights, refugee and humanitarian law,

1. *Reaffirms* the right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights;

2. *Recognizes* the global and open nature of the Internet and the rapid advancement in information and communications technologies as a driving force in accelerating progress towards development in its various forms;

3. *Affirms* that the same rights that people have offline must also be protected online, including the right to privacy;

4. *Calls upon* all States:

(a) To respect and protect the right to privacy, including in the context of digital communication;

(b) To take measures to put an end to violations of those rights and to create the conditions to prevent such violations, including by ensuring that relevant national legislation complies with their obligations under international human rights law;

(c) To review their procedures, practices and legislation regarding the surveillance of communications, their interception and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law;

(d) To establish or maintain existing independent, effective, adequately resourced and impartial judicial, administrative and/or parliamentary domestic oversight mechanisms capable of ensuring transparency, as appropri-

ate, and accountability for State surveillance of communications, their interception and the collection of personal data;

(e) To provide individuals whose right to privacy has been violated by unlawful or arbitrary surveillance with access to an effective remedy, consistent with international human rights obligations;

5. *Encourages* the Human Rights Council to remain actively seized of the debate, with the purpose of identifying and clarifying principles, standards and best practices regarding the promotion and protection of the right to privacy, and to consider the possibility of establishing a special procedure to that end;

6. *Decides* to remain seized of the matter.

Safety of journalists

Panel discussion. Pursuant to a Human Rights Council decision [YUN 2013, p. 668], OHCHR submitted a summary report [A/HRC/27/35] on the panel discussion on the safety of journalists (Geneva, 11 June) held at the Council's twenty-sixth (2014) session. Participants agreed that journalists and media workers played a critical role in any democratic society. They helped to keep the public informed and the authorities and institutions that purported to work in the public interest in check. The report concluded that the safety of journalists could not be realized without a domestic legal framework and that every State needed a protection mechanism for journalists. Good practices included the creation of special investigative units or independent commissions, the appointment of a specialized prosecutor, the adoption of protocols and methods of investigation and prosecution, and the training of prosecutors and the judiciary on the safety of journalists.

Report of Secretary-General. Pursuant to General Assembly resolution 68/163 [YUN 2013, p. 668], the Secretary-General in August submitted a report [A/69/268] on the safety of journalists and the issue of impunity, which reviewed recent trends with regard to the safety of journalists and media workers as well as initiatives undertaken to ensure their protection. He expressed concern about the upward trend in the number of journalists killed in recent years and the increased targeting of journalists and media workers to silence them, and noted that impunity for attacks against journalists remained the biggest obstacle to ensuring their safety. He recommended that States: establish an enabling environment for journalists and media workers so that they could fulfil their role effectively; ensure that the freedom of expression and the safety of journalists was an integral part of broader justice reforms and rule of law initiatives; ensure that investigations into threats and attacks were conducted effectively and that prosecutions were brought where supported by evidence; provide remedies to victims; and reinforce good practices.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/5)], the Council called on

States to implement strategies for combating impunity for attacks and violence against journalists, including by using good practices such as those identified during the panel discussion (see above) and/or compiled in the OHCHR report on good practices on the safety of journalists [YUN 2013, p. 668]; and acknowledged the importance of addressing the issue through the universal periodic review process [YUN 2008, p. 713].

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/185** without vote [agenda item 68 (b)].

The safety of journalists and the issue of impunity

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Convention for the Protection of All Persons from Enforced Disappearance, as well as the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto,

Recalling its resolution 68/163 of 18 December 2013 on the safety of journalists and the issue of impunity, in which it proclaimed 2 November as the International Day to End Impunity for Crimes against Journalists,

Welcoming the report of the Secretary-General,

Taking note with appreciation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, endorsed by the United Nations System Chief Executives Board for Coordination on 12 April 2012, in which United Nations agencies, funds and programmes were invited to work with Member States towards a free and safe environment for journalists and media workers in both conflict and non-conflict situations, with a view to strengthening peace, democracy and development worldwide,

Recalling Human Rights Council resolutions 21/12 of 27 September 2012 and 27/5 of 25 September 2014 on the safety of journalists, 20/8 of 5 July 2012 on the promotion, protection and enjoyment of human rights on the Internet, and 27/12 of 25 September 2014 on the World Programme for Human Rights Education, as well as Security Council resolution 1738(2006) of 23 December 2006,

Welcoming the panel discussion of the Human Rights Council on the issue of the safety of journalists, held on 11 June 2014, and taking note with appreciation of the summary report of the Office of the United Nations High Commissioner for Human Rights thereon, submitted to the Council at its twenty-seventh session, as well the 2014 report of the United Nations Educational, Scientific and Cultural Organization entitled *World Trends in Freedom of Expression and Media Development*,

Taking note of all relevant reports of the special procedures of the Human Rights Council with regard to the safety of journalists, in particular the reports of the Special Rapporteurs on the promotion and protection of the right

to freedom of opinion and expression and on extrajudicial, summary or arbitrary executions submitted to the Human Rights Council at its twentieth session and the interactive dialogue thereon,

Commending the role and the activities of the Office of the United Nations High Commissioner for Human Rights and the United Nations Educational, Scientific and Cultural Organization with regard to the safety of journalists and the issue of impunity, and their facilitation of the commemoration of the International Day to End Impunity for Crimes against Journalists, in consultation with relevant entities within the United Nations system, Governments and relevant stakeholders,

Taking note with appreciation of the report of the Office of the High Commissioner for Human Rights on good practices concerning the safety of journalists, submitted to the Human Rights Council at its twenty-fourth session,

Noting with appreciation the international conference on the safety of journalists, held in Warsaw on 23 and 24 April 2013, and its specific recommendations,

Mindful that the right to freedom of opinion and expression is a human right guaranteed to all, in accordance with article 19 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights, and that it constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and development,

Acknowledging that journalism is continuously evolving to include inputs from media institutions, private individuals and a range of organizations that seek, receive and impart information and ideas of all kinds, online as well as offline, in the exercise of freedom of opinion and expression, in accordance with article 19 of the International Covenant on Civil and Political Rights, thereby contributing to the shaping of public debate,

Recognizing the relevance of freedom of expression and of free media, online as well as offline, in building inclusive and peaceful knowledge societies and democracies and in fostering intercultural dialogue, peace and good governance, as well as understanding and cooperation,

Recognizing also that the work of journalists often puts them at specific risk of intimidation, harassment and violence,

Noting the good practices of different countries aimed at the protection of journalists, as well as, inter alia, those designed for the protection of human rights defenders that can, where applicable, be relevant to the protection of journalists,

Recognizing that the number of people whose lives are influenced by the way information is presented is significant and that journalism influences public opinion,

Bearing in mind that impunity for attacks against journalists remains one of the greatest challenges to the safety of journalists and that ensuring accountability for crimes committed against journalists is a key element in preventing future attacks,

Recalling, in this regard, that journalists, media professionals and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be respected and protected as such, provided that they take no action adversely affecting their status as civilians,

Deeply concerned by all human rights violations and abuses committed in relation to the safety of journalists, in-

cluding killing, torture, enforced disappearance, arbitrary arrest and arbitrary detention, expulsion, intimidation, harassment, threats and other forms of violence,

Expressing deep concern at the increased number of journalists and media workers who have been killed or detained in recent years as a direct result of their profession,

Expressing deep concern also at the growing threat to the safety of journalists posed by non-State actors, including terrorist groups and criminal organizations,

Acknowledging the specific risks faced by women journalists in the exercise of their work, and underlining, in this context, the importance of taking a gender-sensitive approach when considering measures to address the safety of journalists,

Acknowledging also the particular vulnerability of journalists to becoming targets of unlawful or arbitrary surveillance or interception of communications in violation of their rights to privacy and to freedom of expression,

1. *Condemns unequivocally* all attacks and violence against journalists and media workers, such as torture, extrajudicial killings, enforced disappearances, arbitrary arrest and arbitrary detention, as well as intimidation and harassment in both conflict and non-conflict situations;

2. *Strongly condemns* the prevailing impunity for attacks and violence against journalists, and expresses grave concern that the vast majority of these crimes go unpunished, which in turn contributes to the recurrence of these crimes;

3. *Urges* the immediate release of journalists and media workers who have been taken as hostages or who have become victims of enforced disappearances;

4. *Encourages* States to take the opportunity of the proclamation of 2 November as the International Day to End Impunity for Crimes against Journalists to raise awareness regarding the issue of the safety of journalists and to launch concrete initiatives in this regard;

5. *Requests* the United Nations Educational, Scientific and Cultural Organization, in consultation with relevant entities of the United Nations system, and mindful of the provisions of the annex to Economic and Social Council resolution 1980/67 of 25 July 1980, to continue facilitating the implementation of the International Day in collaboration with Governments and relevant stakeholders;

6. *Urges* Member States to do their utmost to prevent violence, threats and attacks against journalists and media workers, to ensure accountability through the conduct of impartial, speedy, thorough, independent and effective investigations into all alleged violence, threats and attacks against journalists and media workers falling within their jurisdiction, to bring perpetrators, including those who command, conspire to commit, aid and abet or cover up such crimes to justice, and to ensure that victims and their families have access to appropriate remedies;

7. *Calls upon* States to create and maintain, in law and in practice, a safe and enabling environment for journalists to perform their work independently and without undue interference, including by means of: (a) legislative measures; (b) awareness-raising in the judiciary and among law enforcement officers and military personnel, as well as among journalists and in civil society, regarding international human rights and humanitarian law obligations and commitments relating to the safety of journalists; (c) the monitoring and reporting of attacks against journal-

ists; (d) publicly and systematically condemning violence and attacks; and (e) dedicating the resources necessary to investigate and prosecute such attacks and to develop and implement strategies for combating impunity for attacks and violence against journalists, including by using, where appropriate, good practices such as those identified in Human Rights Council resolution 27/5 of 25 September 2014;

8. *Stresses* the need to ensure better cooperation and coordination at the international level, including through technical assistance and capacity-building, with regard to ensuring the safety of journalists, including with regional organizations;

9. *Calls upon* States to cooperate with relevant United Nations entities, in particular the United Nations Educational, Scientific and Cultural Organization, as well as international and regional human rights mechanisms, and to share information on a voluntary basis on the status of investigations into attacks and violence against journalists;

10. *Invites* the relevant agencies, organizations, funds and programmes of the United Nations system to actively exchange information, including through already identified focal points, about the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, in cooperation with Member States and under the overall coordination of the United Nations Educational, Scientific and Cultural Organization;

11. *Requests* the Secretary-General to report to the General Assembly at its seventieth session and to the Human Rights Council at its thirtieth session on the implementation of the present resolution.

Freedom of peaceful assembly and association

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2013, p. 670], the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai (Kenya), in April submitted a report [A/HRC/26/29] describing his activities and assessing the threats to the rights to freedom of peaceful assembly and of association for groups most at risk. The Rapporteur called on States to ratify all international human rights instruments that protected the rights of individuals belonging to groups most at risk; to ensure that discrimination on prohibited grounds was eliminated and that individuals belonging to groups most at risk had the ability to exercise their rights; and to refrain from supporting limitations imposed by private parties on the rights to freedom of peaceful assembly and of association.

An addendum [A/HRC/26/29/Add.1] listed communications sent by the Special Rapporteur to 70 States between 1 March 2013 and 28 February 2014, as well as responses received until 30 April 2014.

In accordance with a Human Rights Council request [YUN 2013, p. 670], the Secretary-General transmitted in September the Special Rapporteur's report [A/69/365] focusing on the exercise of the rights to freedom of peaceful assembly and of association in the context of multilateral institutions. The Rapporteur

concluded that multilateral entities had responsibilities to protect peaceful assemblies and to maintain an enabling environment for civil society. He called for multilateral institutions to implement policies that emphasized the importance of substantive engagement with civil society organizations; to engage with smaller, local civil society organizations; to increase use of information technology to encourage greater civil society participation in multilateral processes; and to undertake studies on comparative good practices in civil society engagement.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission reports. Following his visit to Rwanda (20–27 January) [A/HRC/26/29/Add.2], the Special Rapporteur referred to the historical and political background of the country; identified issues of concern related to measures to prevent and combat genocide; examined the challenges to the exercise of the rights to freedom of peaceful assembly and of association; and recognized the work of the National Commission for Human Rights. While acknowledging the progress achieved, the Rapporteur expressed concern about the Government's hostility towards peaceful initiatives by its critics, the existence of a legal framework that silenced dissent and the prevailing opposition to vigorous debate and free expression of opinions, which made social reconciliation unstable. Stressing that a society without room for critical voices speaking freely and peacefully was unsustainable, he made recommendations for consideration by the authorities and offered to provide technical cooperation to the Government when implementing them.

In June, Rwanda submitted its preliminary comments on that report [A/HRC/26/29/Add.3].

Human Rights Council action. On 28 March [A/69/53 (res. 25/38)], the Council, by a recorded vote of 31 to 9, with 7 abstentions, called on States to promote a safe and enabling environment for individuals and groups to exercise their rights to freedom of peaceful assembly; affirmed that nothing could ever justify the indiscriminate use of lethal force against a crowd; and requested the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions to submit to the Council's thirty-first (2016) session a compilation of practical recommendations for the proper management of assemblies based on best practices and lessons learned.

Other issues

Capital punishment

Panel discussion. Pursuant to Human Rights Council decision 22/117 [YUN 2013, p. 670], OHCHR submitted a summary report [A/HRC/27/26] of the panel discussion on the question of the death pen-

alty held at the Council's twenty-fifth (2014) session (Geneva, 5 March). The panellists emphasized that the international community had a responsibility to move universal abolition of the death penalty forward and that discussions on the issue should continue at both the national and international levels. They recommended that States ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (see p. 761), aimed at the abolition of the death penalty.

Reports of Secretary-General. Pursuant to a Human Rights Council request [YUN 2011, p. 691], the Secretary-General in June submitted a report on the question of the death penalty [A/HRC/27/23 & Corr.1]. The Secretary-General noted that the trend towards the universal abolition of the death penalty was continuing. Numerous concerns remained, however, with regard to the lack of respect for international human rights norms and standards in States where the death penalty was still imposed. He recommended that States using the death penalty on persons who committed crimes before the age of 18 stop that practice, and that the effects of the death penalty system in its entirety be further examined.

Pursuant to General Assembly resolution 67/176 [YUN 2012, p. 666], the Secretary-General in August submitted a report [A/69/288] on moratoriums on the use of the death penalty. According to the report, 160 of the 193 Member States had abolished the death penalty or introduced moratoriums, either in law or in practice. Clemency, pardons and commutations remained critical to the process of the abolition of the death penalty. The Secretary-General recommended that States adhere to fair trial guarantees in capital cases; provide up-to-date and accurate global figures on the application of the death penalty; and not reintroduce the death penalty once abolished.

Human Rights Council action. On 26 June [A/69/53 (res. 26/2)], by a recorded vote of 29 to 10, with 8 abstentions, the Council requested the Secretary-General to dedicate the 2015 supplement to his quinquennial report on capital punishment to the consequences of the imposition and application of the death penalty and present it to the Council's thirtieth (2015) session. It decided to convene biennial panel discussions on the question, the first of which was to be held at the Council's twenty-eighth (2015) session and was to address regional efforts aimed at abolishing the death penalty. OHCHR was requested to organize the panel discussions and submit a summary report to the Council's thirtieth (2015) session.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/186** by recorded vote (117-37-34) [agenda item 68 (b)].

Moratorium on the use of the death penalty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child,

Reaffirming also its resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008, 65/206 of 21 December 2010 and 67/176 of 20 December 2012 on the question of a moratorium on the use of the death penalty, in which the General Assembly called upon States that still maintain the death penalty to establish a moratorium on executions with a view to abolishing it,

Welcoming all relevant decisions and resolutions of the Human Rights Council,

Mindful that any miscarriage or failure of justice in the implementation of the death penalty is irreversible and irreparable,

Convinced that a moratorium on the use of the death penalty contributes to respect for human dignity and to the enhancement and progressive development of human rights, and considering that there is no conclusive evidence of the deterrent value of the death penalty,

Noting ongoing local and national debates and regional initiatives on the death penalty, as well as the readiness of an increasing number of Member States to make available to the public information on the use of the death penalty, and also, in this regard, the decision by the Human Rights Council in its resolution 26/2 of 26 June 2014 to convene biennial high-level panel discussions in order to further exchange views on the question of the death penalty,

Recalling the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and in this regard welcoming the increasing number of accessions to and ratifications of the Second Optional Protocol,

Noting the technical cooperation among Member States, as well as the role of relevant United Nations entities and human rights mechanisms, in supporting State efforts to establish moratoriums on the death penalty,

1. *Expresses its deep concern* about the continued application of the death penalty;

2. *Welcomes* the report of the Secretary-General on the implementation of resolution 67/176 and the recommendations contained therein;

3. *Also welcomes* the steps taken by some States to reduce the number of offences for which the death penalty may be imposed, as well as steps taken to limit its application;

4. *Further welcomes* the decisions made by an increasing number of States, at all levels of government, to apply a moratorium on executions, followed in many cases by the abolition of the death penalty;

5. *Calls upon* all States:

(a) To respect international standards that provide safeguards guaranteeing protection of the rights of those facing the death penalty, in particular the minimum standards, as set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984, as well as to provide the Secretary-General with information in this regard;

(b) To comply with their obligations under article 36 of the 1963 Vienna Convention on Consular Relations,

particularly the right to receive information on consular assistance within the context of a legal procedure;

(c) To make available relevant information, disaggregated by applicable criteria, with regard to their use of the death penalty, inter alia, the number of persons sentenced to death, the number of persons on death row and the number of executions carried out, which can contribute to possible informed and transparent national and international debates, including on the obligations of States pertaining to the use of the death penalty;

(d) To progressively restrict the use of the death penalty and not to impose capital punishment for offences committed by persons below 18 years of age, on pregnant women or on persons with mental or intellectual disabilities;

(e) To reduce the number of offences for which the death penalty may be imposed;

(f) To establish a moratorium on executions with a view to abolishing the death penalty;

6. *Calls upon* States which have abolished the death penalty not to reintroduce it, and encourages them to share their experience in this regard;

7. *Calls upon* States that have not yet done so to consider acceding to or ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

8. *Requests* the Secretary-General to report to the General Assembly at its seventy-first session on the implementation of the present resolution;

9. *Decides* to continue consideration of the matter at its seventy-first session under the item entitled "Promotion and protection of human rights".

RECORDED VOTE ON RESOLUTION 69/186:

In favour: Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, South Sudan, Spain, Suriname, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Venezuela.

Against: Afghanistan, Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, China, Democratic People's Republic of Korea, Dominica, Egypt, Ethiopia, Grenada, Guyana, India, Iran, Iraq, Jamaica, Japan, Kuwait, Libya, Malaysia, Oman, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Sudan, Syrian Arab Republic, Trinidad and Tobago, Yemen, Zimbabwe.

Abstaining: Bahrain, Belarus, Cameroon, Comoros, Cuba, Democratic Republic of the Congo, Djibouti, Gambia, Ghana, Guinea, Indonesia, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Liberia, Malawi, Maldives, Mauritania, Morocco, Myanmar, Namibia, Nigeria, Republic of Korea, Senegal, Solomon Islands, Sri Lanka, Thailand, Tonga, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

Disappearance of persons

Working Group activities. The five-member Working Group on Enforced or Involuntary Disappearances held three sessions in 2014: its 102nd (3–7 February), 103rd (7–16 May) and 104th (15–19 September) [A/HRC/27/49 & A/HRC/30/38], all in Geneva. In addition to its core mandate to assist families in determining the fate or whereabouts of family members who had reportedly disappeared and to act as a communication channel between families and the Government concerned, the Group monitored compliance by States with the 1992 Declaration on the Protection of All Persons from Enforced Disappearance [YUN 1992, p. 744].

As at 16 May 2014, the total number of cases transmitted by the Group to Governments since its inception was 54,405. Cases under active consideration that had not been clarified, closed or discontinued totalled 43,250 concerning 88 States. The Group had clarified 254 cases over the past five years.

During the year [A/HRC/WGEID/102/1, A/HRC/WGEID/103/1, A/HRC/WGEID/104/1], the Working Group adopted or reviewed general allegations concerning specific countries and clarified cases in a number of countries. It also transmitted to States cases under its urgent action procedure; transmitted communications under its prompt intervention procedure; transmitted newly reported cases of enforced disappearance; and transmitted urgent appeals concerning persons who had been arrested, detained, abducted or otherwise deprived of their liberty or who had been forcibly disappeared or were at risk of disappearance.

Mission reports. Following a regional visit in June to Croatia, Serbia and Montenegro, the Working Group noted that given the amount of time that had passed since the enforced disappearances occurred and the advanced age of many witnesses, relatives and perpetrators, there was a need for everyone involved in the search for missing persons in the region to set as a priority the determination of the fate and whereabouts of all the disappeared. Expressing concern that regional cooperation was marred with mutual mistrust, and stressing that such cooperation required strong political commitment from the highest levels, the Working Group called on everyone involved to foster a trusting environment to promote regional cooperation, inter-ethnic reconciliation and social cohesion.

Following its visit to Croatia (15–18 June) [A/HRC/30/38/Add.3], the Working Group called on the

Government to establish enforced disappearance as a separate offence; to continue its efforts in the search for missing persons and the identification of human remains; to ensure efficient prosecution of war crimes; to combat impunity; and to set up comprehensive reparations programmes.

Following its visit to Serbia, including Kosovo (19–26 June) [A/HRC/30/38/Add.1], the Working Group called on the Serbian Government and the Kosovo authorities to continue their efforts in the search for missing persons and the identification of human remains; to ensure efficient prosecution of war crimes; to combat impunity; and to establish comprehensive reparations programmes.

Following its mission to Montenegro (27–30 June) [A/HRC/30/38/Add.2], the Working Group called on the Government to establish enforced disappearance as a separate offence; to ensure efficient prosecution of war crimes; combat impunity; and to set up comprehensive reparations programmes.

In September [A/HRC/27/49/Add.2], the Working Group submitted a follow-up report to the recommendations it had made following its missions to Argentina [YUN 2008, p. 807] and Bosnia and Herzegovina [YUN 2010, p. 700].

In December [A/HRC/27/49/Add.3], Spain submitted its comments on the Working Group's report on its visit to the country [YUN 2013, p. 671].

Human Rights Council action. On 27 March [A/69/53 (dec. 25/116)], the Council decided, in an effort to synchronize schedules for resolutions, mandates and the presentation of special procedures' reports, to postpone the renewal of the Working Group's mandate to the Council's twenty-seventh (2014) session.

On 25 September [A/69/53/Add.1 (res. 27/1)], the Council extended the Working Group's mandate for three years and called on States that had not provided for a long period substantive replies concerning claims of enforced disappearances in their countries to do so.

Missing persons

Pursuant to General Assembly resolution 67/177 [YUN 2012, p. 668], the Secretary-General in August submitted a report on missing persons [A/69/293] reviewing implementation of that resolution. Information was received from eight States, the International Committee of the Red Cross, the International Commission on Missing Persons and three UN system entities. The report dealt with measures to prevent persons from going missing; mechanisms to clarify the fate and whereabouts of missing persons; children; criminal investigation and prosecution; forensic recovery and identification of missing persons' remains; and the legal status of missing persons and support for their families. It ended with conclusions and recommendations.

Secretariat note. In December [A/HRC/28/52], the Secretariat referred the Council to the Secretary-General's report (see above).

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/184** without vote [agenda item 68 (b)].

Missing persons

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977, as well as international standards of human rights, in particular the Universal Declaration of Human Rights, 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, the Convention on the Rights of the Child and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,

Recalling the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance, and calling upon States that have not yet done so to consider signing, ratifying or acceding to it as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances,

Recalling also all previous relevant resolutions on missing persons adopted by the General Assembly, as well as the resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council,

Recalling further General Assembly resolution 68/165 of 18 December 2013 on the right to the truth, as well as Commission on Human Rights resolution 2005/66 of 20 April 2005 and Human Rights Council decision 2/105 of 27 November 2006 and Council resolutions 9/11 of 24 September 2008, 12/12 of 1 October 2009 and 21/7 of 27 September 2012 on the right to the truth,

Noting with deep concern that armed conflicts are continuing in various parts of the world, often resulting in serious violations of international humanitarian law and international human rights law,

Noting that the issue of persons reported missing in connection with international or non-international armed conflicts, in particular those who are victims of serious violations of international humanitarian law and international human rights law, continues to have a negative impact on efforts to put an end to those conflicts and inflicts grievous suffering on the families of missing persons, and stressing in this regard the need to address the issue from, inter alia, a humanitarian and rule of law perspective,

Considering that the problem of missing persons may raise questions of international humanitarian law and international human rights law, as appropriate,

Bearing in mind that cases of missing persons involve conduct that may constitute criminal offences, and stress-

ing the importance of ending impunity for violations of international humanitarian law and international human rights law with respect to missing persons,

Cognizant that States that are parties to an armed conflict have a responsibility for countering the phenomenon of missing persons, taking all appropriate measures to prevent persons from going missing, including, when appropriate, effectively investigating the conditions relating to persons going missing and determining the fate of missing persons, and for recognizing their accountability as regards implementing the relevant mechanisms, policies and laws,

Bearing in mind the effective search for and identification of missing persons using forensic sciences, and recognizing that great technological progress has been made in this field, including DNA forensic analysis, which can significantly assist efforts to identify missing persons and to investigate violations of international humanitarian law and international human rights law,

Recognizing that the establishment and effective work of competent national institutions can play a crucial role in clarifying the fate of missing persons in connection with armed conflict,

Recognizing also the importance of addressing the legal situation of missing persons in connection with armed conflict and supporting their family members through national policies that include a gender perspective, as appropriate,

Noting, in this regard, the progress made by coordination mechanisms, established in different parts of the world, aiming at exchanging information and identifying missing persons, which have contributed to informing families of the fate and whereabouts of their missing relatives,

Recognizing that respect for and implementation of international humanitarian law can reduce the number of cases of missing persons in armed conflict,

Stressing the importance of measures to prevent persons from going missing in connection with armed conflict, which may include enacting national legislation, producing and providing proper means of identification, the establishment of information bureaux, grave registration services and registers of deaths and ensuring accountability in cases of the missing,

Taking note of the four-year plan of action for the implementation of international humanitarian law, adopted by the Thirty-first International Conference of the Red Cross and Red Crescent, held in Geneva from 28 November to 1 December 2011, in which, *inter alia*, States were invited, as part of its fourth objective, to consider, in the light of the right of families to know the fate of their relatives, enacting appropriate legislation or arrangements to ensure adequate participation and representation of victims and their families as well as access to justice and protection for victims and witnesses, especially women and children, in proceedings before their courts and in other transitional justice mechanisms concerning serious violations of international humanitarian law,

Taking note also of the report of the Human Rights Council Advisory Committee on best practices in the matter of missing persons,

Welcoming the convocation of the international conference entitled “The missing: an agenda for the future”, organized by the International Commission on Missing Persons in The Hague from 30 October to 1 November 2013, and taking note of the comprehensive report entitled

“The missing: an agenda for the future” and its recommendations to address the problem of missing persons and the impact on their families,

Noting with appreciation the ongoing international and regional efforts to address the question of missing persons and the initiatives undertaken by international and regional organizations in this field,

1. *Urges* States to strictly observe and to respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of 12 August 1949 and, where applicable, in the Additional Protocols thereto of 1977;

2. *Calls upon* States that are parties to an armed conflict to take all appropriate measures to prevent persons from going missing in connection with the armed conflict, to account for persons reported missing as a result of such a situation and, in cases of the missing persons, to take such measures, as appropriate, to ensure thorough, prompt, impartial and effective investigations and the prosecution of offences linked to missing persons, consistent with their obligations under international law, with a view to full accountability;

3. *Calls upon* States to take measures to prevent persons from going missing in connection with armed conflict, including by fully implementing their obligations and commitments under relevant international law;

4. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflict;

5. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and, at the latest, from the end of active hostilities, shall search for the persons who have been reported missing by an adverse party;

6. *Calls upon* States that are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity and fate of persons reported missing in connection with the armed conflict and, to the greatest extent possible, to provide their family members, through appropriate channels, with all relevant information that they have on their fate, including their whereabouts or, if they are dead, the circumstances and cause of their death;

7. *Recognizes*, in this regard, the need for appropriate means of identification and for the collection, protection and management of data on missing persons and unidentified remains according to international and national legal norms and standards, and urges States to cooperate with each other and with other concerned actors working in this area by, *inter alia*, providing all relevant information related to missing persons, including on their fate and whereabouts;

8. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflict and to take appropriate measures to search for and identify those children and to reunite them with their families;

9. *Invites* States that are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing persons and to adopt a comprehensive approach to this issue, including all such legal and practical measures and coordination mechanisms as may be necessary, based on humanitarian considerations only;

10. *Urges* States that are parties to an armed conflict to cooperate, consistent with their international obligations,

in order to effectively solve cases of missing persons, including by providing mutual assistance in terms of information-sharing, victim assistance, location and identification of missing persons and recovery, identification and return of human remains and, if possible, by identifying, mapping and preserving burial sites;

11. *Invites* States to encourage interaction between competent organizations and institutions, such as national commissions on missing persons, which play a crucial role in clarifying the fate of persons missing in connection with armed conflict and providing support to the families of the missing;

12. *Urges* States, and encourages intergovernmental and non-governmental organizations, to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflict and to provide appropriate assistance, as requested by the concerned States, and welcomes in this regard the establishment and efforts of commissions and working groups on missing persons;

13. *Calls upon* States, without prejudice to their efforts to determine the fate of persons reported missing in connection with armed conflict, to take appropriate steps with regard to the legal situation of missing persons and the needs and accompaniment of their family members, with particular attention to the needs of women and children, in such fields as social welfare, psychological and psychosocial support, financial matters, family law and property rights;

14. *Invites* States, national institutions and, as appropriate, intergovernmental, international and non-governmental organizations to further their engagement in order to follow forensic best practices as they apply to preventing and resolving cases of missing persons in connection with armed conflict;

15. *Also invites* States, national institutions and, as appropriate, intergovernmental, international and non-governmental organizations to ensure the development and proper management of archives pertaining to missing persons and unidentified remains in connection with armed conflict, as well as access to those archives in accordance with relevant applicable laws and regulations;

16. *Stresses* the need to address the issue of missing persons as a part of peace and peacebuilding processes, with reference to all justice and rule-of-law mechanisms, including the judiciary, parliamentary commissions and truth-finding mechanisms, on the basis of transparency, accountability and public involvement and participation;

17. *Invites* relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflict in their forthcoming reports to the General Assembly;

18. *Requests* the Secretary-General to submit to the Human Rights Council at its relevant session and to the General Assembly at its seventy-first session a comprehensive report on the implementation of the present resolution, including relevant recommendations;

19. *Also requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

20. *Decides* to consider the question at its seventy-first session.

Extralegal executions

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2011, p. 693], the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns (South Africa), in April submitted a report [A/HRC/26/36] covering his activities and focusing on the protection of the right to life during law enforcement. The Rapporteur made the case for a concerted effort to bring domestic laws on the use of (especially lethal) force by the police in line with the international standards. He also suggested that the Council outline the legal framework for the use of remotely piloted aircraft or armed drones and called on the Council to remain engaged with the matter of autonomous weapons systems. As a starting point, States should be asked whether their laws, seen as a whole, recognized the “protect life” principle. The Rapporteur presented recommendations addressed to the United Nations, States, regional bodies, national human rights institutions, NGOs and civil society and donors.

A 2 June addendum [A/HRC/26/36/Add.2] contained observations by the Special Rapporteur on 128 communications to 55 States and other actors sent between 1 March 2013 and 28 February 2014 and responses received between 1 May 2013 and 30 April 2014. Those included 75 urgent appeals and 53 allegation letters concerning attacks or killings (56), the death penalty (39), excessive use of force (21), death threats (22), deaths in custody (8), impunity (2), expulsion (4) and armed conflict (4). The Rapporteur received responses to 53 communications.

In August, pursuant to General Assembly resolution 67/168 [YUN 2012, p. 671], the Secretary-General transmitted the Special Rapporteur's report [A/69/265] focusing on four topics relating to the protection of the right to life: the role of regional human rights systems; less lethal and unmanned weapons in law enforcement; resumption of the death penalty; and the role of statistical indicators. The Rapporteur noted that the world was not yet at a stage where each individual life was equally well tracked. States needed to treat any loss of life (whether a homicide, a death occurring during armed conflict or a death occurring during a legal intervention) as an event worthy of official record. He welcomed that the issue of violence reduction had been proposed as part of the post-2015 development agenda, with a proposal to halve violent deaths by 2030, and recommended that UN agencies and other international actors support efforts to establish a specific target for reducing violent deaths within that agenda.

Mission reports. Following his visit to Papua New Guinea (3–14 March) [A/HRC/29/37/Add.1], the Special Rapporteur noted that while many formal steps had been taken to ensure the protection of the right to life, they had not been properly implemented. A package of reforms was required. He recommended

that Papua New Guinea establish: a national human rights institution to help facilitate the introduction of human rights in school curricula and police training; a centre for human rights within the University of Papua New Guinea; witness and victim protection programmes; and a human rights-focused NGO. A larger and better trained police force would strengthen the certainty of conviction for criminal offences, which, in turn, would contribute to countering calls for the reintroduction of the death penalty.

Following his mission to the Gambia (3–7 November) [A/HRC/29/37/Add.2], the Special Rapporteur presented his main findings, including with regard to the imposition of the death penalty, the resumption of executions, the use of force by law enforcement agencies, impunity for extrajudicial executions, the use of force during demonstrations, lack of accountability for human rights violations, groups at risk and fear of reprisals. He made recommendations to the Government, the international community and civil society to prevent unlawful killings and ensure better protection of the right to life.

In April [A/HRC/26/36/Add.3], Mexico submitted its comments on the Special Rapporteur's 2013 mission to the country [YUN 2013, p. 671].

Human Rights Council action. On 26 June [A/69/53 (res. 26/12)], the Council demanded that States ensure that the practice of extrajudicial, summary or arbitrary executions was brought to an end; take action to combat and eliminate the phenomenon; and ensure follow-up to the recommendations and conclusions of the Special Rapporteur. It also extended the Rapporteur's mandate for three years.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/182** by recorded vote (122-0-66) [agenda item 68 (b)].

Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights, which guarantees the right to life, liberty and security of person, the relevant provisions of the International Covenant on Civil and Political Rights and other relevant human rights conventions,

Reaffirming the mandate of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions, as set out in Council resolution 26/12 of 26 June 2014,

Welcoming the universal ratification of the Geneva Conventions of 12 August 1949, which, alongside international human rights law, provide important legal frameworks of accountability in relation to extrajudicial, summary or arbitrary executions during armed conflict,

Recalling all its resolutions on the subject of extrajudicial, summary or arbitrary executions as well as the resolutions

of the Commission on Human Rights and the Human Rights Council on the subject, and emphasizing the importance of their full and effective implementation,

Recognizing the positive role that regional human rights systems can play in the global protection against arbitrary deprivation of life,

Noting with deep concern that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions,

Noting that enforced disappearances can end up in extrajudicial, summary or arbitrary executions, recalling the importance in this regard of the International Convention for the Protection of All Persons from Enforced Disappearance, and calling upon all States which have not yet done so to consider signing and ratifying or acceding to the Convention,

Acknowledging that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Noting with deep concern the growing number of civilians and persons hors de combat killed in situations of armed conflict and internal strife,

Noting also with deep concern the continuing instances of the arbitrary deprivation of life, resulting from, inter alia, the imposition and implementation of capital punishment when carried out in a manner that violates international law,

Deeply concerned about acts that can amount to extrajudicial, summary or arbitrary executions committed against persons exercising their rights of peaceful assembly and freedom of expression in all regions of the world,

Deeply concerned also about killings committed by non-State actors, including terrorist groups and criminal organizations, which may amount to abuses of international human rights law and violations of international humanitarian law,

Acknowledging that extrajudicial, summary or arbitrary executions may under certain circumstances amount to genocide, crimes against humanity or war crimes, as defined in international law, including in the Rome Statute of the International Criminal Court, and recalling in this regard that each individual State has the responsibility to protect its populations from such crimes, as set out by the General Assembly in its resolutions 60/1 of 16 September 2005 and 63/308 of 14 September 2009,

Convinced of the need for effective action to prevent, combat and eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent flagrant violations of international human rights law, particularly the right to life, as well as of international humanitarian law,

1. *Reiterates its strong condemnation* of all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;

2. *Demands* that all States ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to prevent, combat and eliminate the phenomenon in all its forms and manifestations;

3. *Reiterates* that all States must conduct prompt, exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions,

identify and bring to justice those responsible, while ensuring the right of every person to a fair hearing by a competent, independent and impartial tribunal established by law, grant adequate compensation within a reasonable time to the victims or their families and adopt all necessary measures, including legal and judicial measures, to put an end to impunity and prevent the further occurrence of such executions, as recommended in the Principles on the Effective Prevention and Investigation of Extrajudicial, Arbitrary and Summary Executions, fully consistent with their obligations under international law;

4. *Calls upon* Governments, and invites intergovernmental and non-governmental organizations, to pay greater attention to the work of national-level commissions of inquiry into extrajudicial, summary or arbitrary executions, with a view to ensuring the effective contribution of these commissions to accountability and to combating impunity;

5. *Calls upon* all States, in order to prevent extrajudicial, summary or arbitrary executions, to comply with their obligations under the relevant provisions of international human rights instruments, and also calls upon States which retain the death penalty to pay particular regard to the provisions contained in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights and articles 37 and 40 of the Convention on the Rights of the Child, bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989 and taking into account the recommendations of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions in his reports to the Council and the General Assembly, including the report submitted to the Assembly at its sixty-seventh session, regarding the need to respect all safeguards and restrictions, including limitation to the most serious crimes, stringent respect of due process and fair trial safeguards and the right to seek pardon or commutation of sentence;

6. *Urges* all States:

(a) To take all measures required by international human rights law and international humanitarian law to prevent loss of life, in particular that of children, during detention, arrest, public demonstrations, internal and communal violence, civil unrest, public emergencies or armed conflicts and to ensure that the police, law enforcement agents, armed forces and other agents acting on behalf of or with the consent or acquiescence of the State act with restraint and in conformity with international human rights law and international humanitarian law, including the principles of proportionality and necessity, and in this regard to ensure that police and law enforcement officials are guided by the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

(b) To ensure the effective protection of the right to life of all persons, to conduct, when required by obligations under international law, prompt, exhaustive and impartial investigations into all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of persons belonging to national or ethnic, religious and linguistic minorities or because of their sexual orientation or gender identity, killings of persons affected by terrorism or hostage-taking or living under foreign occupation, killings of refugees, internally displaced persons, migrants,

street children or members of indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour and killings committed for discriminatory reasons on any basis, to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

7. *Affirms* the obligation of States, in order to prevent extrajudicial, summary or arbitrary executions, to protect the lives of all persons deprived of their liberty in all circumstances and to investigate and respond to deaths in custody;

8. *Encourages* States, taking into account the relevant recommendations of the United Nations and of regional human rights systems, to review, where necessary, their domestic laws and practices with regard to the use of force in law enforcement in order to ensure that these laws and practices are in conformity with their international obligations and commitments;

9. *Urges* all States to ensure that all persons deprived of their liberty are treated humanely and with full respect for international law and that their treatment, including judicial guarantees and conditions, conform to the Standard Minimum Rules for the Treatment of Prisoners and, where applicable, to the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977, as well as to other pertinent international instruments;

10. *Welcomes* the International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions, and noting the growing awareness of the Court worldwide, calls upon those States that are under an obligation to cooperate with the Court to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences, further welcomes the fact that 122 States have already ratified or acceded to and 139 States have signed the Rome Statute of the Court, and calls upon all those States that have not ratified or acceded to the Rome Statute and the Agreement on the Privileges and Immunities of the International Criminal Court to give serious consideration to doing so;

11. *Acknowledges* the importance of ensuring the protection of witnesses for the prosecution of those suspected of extrajudicial, summary or arbitrary executions, urges States to intensify efforts to establish and implement effective witness protection programmes or other measures, and in this regard encourages the Office of the United Nations High Commissioner for Human Rights to develop practical tools designed to encourage and facilitate greater attention to the protection of witnesses;

12. *Encourages* Governments and intergovernmental and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials in international humanitarian and human rights law connected with their work and to include a gender and child rights perspective in such training, and

appeals to the international community and requests the Office of the High Commissioner to support endeavours to that end;

13. *Takes note with appreciation* of the reports of the Special Rapporteur to the General Assembly and the Human Rights Council, and invites States to take due consideration of the recommendations contained therein;

14. *Commends* the important role that the Special Rapporteur plays towards the elimination of extrajudicial, summary or arbitrary executions, and encourages the Special Rapporteur to continue, within his mandate, to collect information from all concerned, to respond effectively to reliable information that comes before him, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in his reports;

15. *Acknowledges* the important role of the Special Rapporteur in identifying cases where extrajudicial, summary or arbitrary executions could amount to genocide and crimes against humanity or war crimes, and urges the Special Rapporteur to collaborate with the United Nations High Commissioner for Human Rights and, as appropriate, the Special Adviser to the Secretary-General on the Prevention of Genocide, in addressing situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;

16. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue his efforts in that regard;

17. *Urges* all States, in particular those that have not done so, to cooperate with the Special Rapporteur so that his mandate can be carried out effectively, including by favourably and rapidly responding to requests for visits, mindful that country visits are one of the essential tools for the fulfilment of his mandate, and by responding in a timely manner to communications and other requests transmitted to them by the Special Rapporteur;

18. *Expresses its appreciation* to those States that have received the Special Rapporteur, asks them to examine his recommendations carefully, invites them to inform him of the actions taken on those recommendations, and requests other States to cooperate in a similar way;

19. *Once again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

20. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable him to carry out his mandate effectively, including through country visits;

21. *Also requests* the Secretary-General to continue, in close collaboration with the High Commissioner and in conformity with the mandate of the High Commissioner, established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in international humanitarian and human rights law form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

22. *Requests* the Special Rapporteur to submit to the General Assembly, at its seventieth and seventy-first sessions, a report on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and his recommendations for more effective action to combat this phenomenon;

23. *Decides* to continue its consideration of the question at its seventy-first session.

RECORDED VOTE ON RESOLUTION 69/182:

In favour: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cabo Verde, Cambodia, Canada, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kiribati, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom, United States, Uruguay, Venezuela, Viet Nam.

Against: None.

Abstaining: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Chad, China, Comoros, Congo, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Guinea, Guyana, Indonesia, Iran, Iraq, Israel, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Mauritania, Morocco, Mozambique, Namibia, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Tonga, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Yemen, Zambia, Zimbabwe.

Torture and cruel treatment

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2011, p. 694], the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez (Argentina), in April submitted a report [A/HRC/25/60] covering his activities and focusing on the exclusionary rule—the prohibition on the use of statements made as a result of torture or other ill-treatment—in judicial proceedings, and its fundamental role in upholding the prohibition of torture and other ill-treatment by providing a disincentive to carry out such acts. The report also focused on the use of information obtained by torture or other

ill-treatment by executive agencies and its relation to the absolute prohibition of torture and other ill-treatment and the obligation of the State to prevent and discourage such acts. The Rapporteur concluded that all actions of executive agencies should be reviewed under the absolute prohibition of torture and that the standards contained in the exclusionary rule should apply to the collecting, sharing and receiving of information by executive actors.

In an 11 March addendum [A/HRC/25/60/Add.2], the Special Rapporteur provided observations on communications sent to 68 Governments between 1 December 2012 and 30 November 2013, as well as on responses received until 31 January 2014.

In accordance with Assembly resolution 68/156 [YUN 2013, p. 673], the Secretary-General in September transmitted the Special Rapporteur's report [A/69/387] focusing on the role forensic science played in the obligation of States to investigate and prosecute allegations of torture or other ill-treatment. He elaborated on existing standards on how legal and medical investigations into such allegations should be conducted, challenges observed during country visits and basic requirements for implementing those standards. He concluded that there was a need to step up the overall involvement of forensic medical science across the various sectors of the criminal justice cycle; and that the lack of independence and impartiality of many forensic medical services and health professionals was a key obstacle to combating impunity for perpetrators and ensuring reparations to victims.

The General Assembly took note of the report on 18 December (**decision 69/536**).

Mission reports. Following his visit to Mexico (21 April–2 May) [A/HRC/28/68/Add.3], the Special Rapporteur noted that torture was generalized in the country. It occurred especially from the moment when a person was detained until he or she was brought before a judge, and was used as punishment and as a means of investigation. He identified a number of reasons for the weakness of preventive safeguards and recommended measures for addressing them. He also observed serious problems in conditions of detention, especially overcrowding. The Rapporteur called on the Government to implement his recommendations promptly and on the international community to assist Mexico in its efforts to eliminate torture and ill-treatment, end impunity and guarantee redress to victims.

Following his mission to the Gambia (3–7 November) [A/HRC/28/68/Add.4], the Special Rapporteur noted that the visit was compromised by the Government's unwillingness to grant him freedom of movement and inquiry in all areas of detention facilities. He noted that human rights activism was a weak concept in the country; that there were no institutions or legal mechanisms to counter the powers of law

enforcement and security forces, which engaged in practices that violated human rights with impunity; that the practice of torture was prevalent and routine; and that the Government had not fulfilled its obligation to investigate, prosecute and punish incidents of torture and ill-treatment. The Rapporteur made recommendations that he hoped the Government would use to commence a constructive dialogue with all interlocutors to strengthen legal safeguards and improve the conditions of those deprived of their liberty.

Human Rights Council action. On 27 March [A/69/53 (res. 25/13)], the Council extended the mandate of the Special Rapporteur for three years and urged those Governments that had not responded to communications transmitted to them by the Rapporteur to answer without further delay.

Voluntary fund for torture victims

Reports of Secretary-General. In his annual report [A/69/296] to the General Assembly on the status of the United Nations Voluntary Fund for Victims of Torture, the Secretary-General presented the recommendations adopted by the Fund's Board of Trustees at its thirty-ninth session (Geneva, 10–14 March). The Board recommended clearer grant-making parameters for the Fund and the progressive introduction, as at 2015, of a case-by-case competitive review of project proposals, based on merit, documented needs and years of continuous support to the same project. It was expected that by 2017, the Fund's project portfolio would be reduced to a manageable number of projects and that the average size of the grants would increase noticeably. Contributions received from 15 countries and three private and public donors from 13 July 2013 to 1 July 2014 amounted to \$7,490,935, while pledges from two countries totalled \$208,804.

The General Assembly took note of that report on 18 December (**decision 69/536**).

The Secretary-General reported [A/HRC/28/25] on the Board's fortieth session (Geneva, 29 September–3 October), at which the Board recommended for a grant 167 ongoing projects amounting to \$5,670,000; 20 new projects amounting to \$590,000; and three grants for new training and seminars projects amounting to \$75,400. Between 1 January and 10 November, the Fund received \$8,808,111 in contributions from 16 countries and one donor and \$358,692 in pledges from three countries.

Arbitrary detention

Working Group activities. The five-member Working Group on Arbitrary Detention held its sixty-ninth (22 April–1 May), seventieth (25–29 August) and seventy-first (17–21 November) sessions in Geneva [A/HRC/30/36]. States informed the Working Group that they had taken measures to remedy the

situation of detainees: in some cases, detainees had been released; in other cases, the Working Group was assured that the detainees concerned would be guaranteed a fair trial. The Working Group engaged in continuous dialogue with countries that it visited, particularly concerning its recommendations. Information on the implementation of recommendations made by the Working Group was received from El Salvador.

In the report, the Working Group analysed issues relating to detention in the context of drug control and to peaceful protests and arbitrary detention, and emphasized the need of remedies for arbitrary detention. It recommended that States enforce the protection of every person's right to liberty; ensure that guarantees and safeguards were extended to all forms of deprivation of liberty; and ensure that persons were not held in pretrial detention for periods longer than those prescribed by law, and were promptly brought before a judge. It also recommended that the Human Rights Council change the title of the Working Group to the Working Group on Arbitrary Deprivation of Liberty.

Pursuant to a Human Rights Council request [YUN 2012, p. 679], the Working Group presented a June report [A/HRC/27/47], which reviewed the national, regional and international laws, regulations and practices on the right of anyone to challenge the lawfulness of his or her detention before court. The report was a compilation of information submitted by a wide range of stakeholders, including 44 States, and was the result of an independent review of international and regional legal frameworks. The exercise was undertaken as a first step in the Working Group's preparation of draft basic principles and guidelines on remedies and procedures on the right of anyone deprived of his or her liberty to challenge the lawfulness of detention before court.

Mission reports. Following its visit to New Zealand (24 March–7 April) [A/HRC/30/36/Add.2], the Working Group noted that the country's legal framework regarding the right not to be arbitrarily deprived of one's liberty was well-developed and consistent with international human rights law and standards. Arrested persons were immediately brought before a judge, police officers informed arrested persons of the grounds for their arrest and their legal rights immediately after their apprehension, and detainees had the right to initiate habeas corpus proceedings to challenge the lawfulness of their detention. On the other hand, it also noted that the country had a high rate of reoffending and that people of Maori descent made up 51.4 per cent of the prison population, while Maori comprised 15 per cent of the general population. The number of young Maori appearing in court was four times that of non-Maori. The Working Group recommended that the Government prevent discrimination against Maori in the administration of justice; reduce the reoffending

rate through adequate programmes; and deprive of liberty asylum seekers and irregular immigrants only as a measure of last resort.

Following its mission to Italy (7–9 July) [A/HRC/30/36/Add.3] to assess progress since 2008 [YUN 2008, p. 799], the Working Group welcomed the measures undertaken by the Government and noted that there was a clear realization of the need to prevent arbitrary deprivation of liberty. Despite those positive developments, concerns remained with regard to the high number of pretrial detainees; the disproportionate application of pretrial detention in the case of foreign nationals and Roma, including minors; overcrowding in the penitentiary system; and the lack of compliance with international human rights requirements of the special detention regime for mafia offenders. With regard to the latter, the judicial review of the orders imposing or extending that form of detention needed to be strengthened and expedited. The Working Group issued a number of recommendations to the Government.

In its follow-up visit to Germany (12–14 November) [A/HRC/30/36/Add.1], the Working Group noted that the reduction in the prison population was a remarkable achievement, the positive trends observed in 2011 [YUN 2011, p. 698] had continued and the sentencing regime and review of pretrial detention constituted international best practice; however, certain detention regimes and restrictions on personal liberty that under international law were considered punishment were not regarded as such under German law. Consequently, there were different guarantees against retroactivity, including less effective remedies. The Working Group repeated its recommendations that members of the police in all Länder should be identifiable so that they could be held accountable. It also asked the Government not to limit court review of deportation orders, and to build on the achievements in reducing the number of foreigners awaiting deportation in detention.

In August [A/HRC/27/48/Add.6] and September [A/HRC/27/48/Add.7], respectively, Greece and Morocco submitted their comments on the Working Group's mission to their country in 2013 [YUN 2013, p. 677].

Terrorism

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2013, p. 678], the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Emmerson (United Kingdom), in March submitted an annual report [A/HRC/25/59], which covered his activities from 10 January to 16 December 2013 and examined the use of remotely piloted aircraft, or drones, in extraterritorial lethal counter-terrorism operations, including in the context of asymmetrical armed con-

flict, and allegations that the increasing use of drones had caused a disproportionate number of civilian casualties. In his recommendations, the Rapporteur called on States identified in the report to disclose the results of any fact-finding inquiries into the alleged incidents listed therein, or to explain why no inquiries had been made; called on States on whose territory those strikes reportedly took place to provide information on those strikes; and encouraged all States to respond to his requests for clarification on legal issues on which there was no international consensus.

In accordance with General Assembly resolution 68/178 [YUN 2013, p. 678], the Secretary-General in September transmitted the Special Rapporteur's annual report [A/69/397], covering his activities from 17 December 2013 to 31 July 2014, examining the use of mass digital surveillance for counter-terrorism purposes and considering the implications of bulk access technology for the right to privacy. The Rapporteur concluded that there was a need for States using that technology to revise and update national legislation to ensure consistency with international human rights law. States should establish strong and independent oversight bodies, and individuals should have the right to seek a remedy for any alleged violation of their online privacy rights.

Mission report. In March [A/HRC/25/59/Add.3], Chile submitted its comments on the Special Rapporteur's mission to the country in 2013 [YUN 2013, p. 678].

Human Rights Council action. On 27 March [A/69/53 (res. 25/7)], the Council called on States to safeguard the right to privacy, to ensure that interferences with that right were regulated by law, and to ensure that any measure taken to counter terrorism, including the use of remotely piloted aircraft, complied with their obligations under international law. It requested the Special Rapporteur to report regularly to the Council.

On 28 March [A/69/53 (res. 25/22)], by a recorded vote of 27 to 6, with 14 abstentions, the Council called on States to ensure transparency in their records on the use of remotely piloted aircraft or armed drones and to conduct investigations whenever there were indications of a violation to international law caused by their use; decided to organize a panel discussion at its twenty-seventh (2015) session on the issues raised in the Rapporteur's report; and requested OHCHR to present a summary of the panel discussion at its twenty-eighth (2015) session.

Right to peace

Working Group activities. The Human Rights Council in 2012 [YUN 2012, p. 680] established the Open-ended Intergovernmental Working Group on the Draft United Nations Declaration on the Right to Peace, with the mandate of negotiating a draft

on the basis of the one submitted by the Human Rights Council Advisory Committee [ibid.]. The first session of the Working Group was held in 2013 [YUN 2013, p. 682].

By a note of 22 April 2014 [A/HRC/WG.13/2/1], the Secretariat informed the Council that the Working Group's Chairperson-Rapporteur would present, prior to the second session, a new draft text based on the discussions held during the first session and intersessional consultations. On 22 May [A/HRC/WG.13/2/2], the Chairperson-Rapporteur outlined his preliminary ideas to the Working Group. The new text was circulated to Member States by a note of 24 June.

At its second session (Geneva, 30 June–4 July 2014) [A/HRC/27/63], the Working Group proceeded with the first and second readings of the new draft text prepared by the Chairperson-Rapporteur, acknowledged the constructive dialogue, broad participation and active engagement of governments, regional and political groups, civil society and relevant stakeholders, and took note of the input received from them. The Chairperson-Rapporteur recommended that another session of the Working Group be held before the Council's twenty-eighth (2015) session to finalize the text of the declaration.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/17)], the Council, by a recorded vote of 33 to 9, with 5 abstentions, decided that the Working Group should hold its third session in 2015 to finalize the declaration. It requested the Chairperson-Rapporteur to conduct informal consultations with Governments, regional groups and stakeholders, prepare a revised text based on the discussions held during the Working Group's first and second sessions and on the intersessional consultations, and present it prior to the third session of the Working Group for consideration. It also requested the Working Group to report to the Council's twenty-ninth (2015) session.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/176** by recorded vote (134-53-2) [agenda item 68 (b)].

Promotion of peace as a vital requirement for the full enjoyment of all human rights by all

The General Assembly,

Recalling its resolutions 65/222 of 21 December 2010 and 67/173 of 20 December 2012, and Human Rights Council resolutions 20/15 of 5 July 2012, 23/16 of 13 June 2013 and 27/17 of 25 September 2014, entitled "Promotion of the right to peace",

Recalling also its resolution 39/11 of 12 November 1984, entitled "Declaration on the Right of Peoples to Peace", and the United Nations Millennium Declaration,

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Bearing in mind that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Underlining, in accordance with the purposes and principles of the United Nations, its full and active support for the United Nations and for the enhancement of its role and effectiveness in strengthening international peace and security and justice and in promoting the solution of international problems, as well as the development of friendly relations and cooperation among States,

Reaffirming the obligation of all States to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

Emphasizing its objective of promoting better relations among all States and contributing to setting up conditions in which their people can live in true and lasting peace, free from any threat to or attempt against their security,

Reaffirming the obligation of all States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming its commitment to peace and security and justice and the continuing development of friendly relations and cooperation among States,

Rejecting the use of violence in pursuit of political aims, and stressing that only peaceful political solutions can ensure a stable and democratic future for all people around the world,

Reaffirming the importance of ensuring respect for the principles of the sovereignty, territorial integrity and political independence of States and non-intervention in matters that are essentially within the domestic jurisdiction of any State, in accordance with the Charter and international law,

Reaffirming also that all peoples have the right to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Recognizing that peace and development are mutually reinforcing, including in the prevention of armed conflict,

Affirming that human rights include social, economic and cultural rights and the right to peace, a healthy environment and development, and that development is in fact the realization of those rights,

Underlining the fact that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental rights, is contrary to the Charter and is an impediment to the promotion of world peace and cooperation,

Recalling that everyone is entitled to a social and international order in which the rights and freedoms set

forth in the Universal Declaration of Human Rights can be fully realized,

Convinced of the aim of creating conditions of stability and well-being, which are necessary for peaceful and friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples,

Convinced also that life without war is the primary international prerequisite for the material well-being, development and progress of countries and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations,

Convinced further that international cooperation in the field of human rights contributes to creating an international environment of peace and stability,

1. *Reaffirms* that the peoples of our planet have a sacred right to peace;

2. *Also reaffirms* that the preservation of the right of peoples to peace and the promotion of its implementation constitute a fundamental obligation of all States;

3. *Stresses* that peace is a vital requirement for the promotion and protection of all human rights for all;

4. *Also stresses* that the deep fault line that divides human society between the rich and the poor and the ever-increasing gap between the developed and developing worlds pose a major threat to global prosperity, peace and security and stability;

5. *Emphasizes* that the preservation and promotion of peace demands that the policies of States be directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations;

6. *Affirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and an international system based on respect for the principles enshrined in the Charter and the promotion of all human rights and fundamental freedoms, including the right to development and the right of peoples to self-determination;

7. *Urges* all States to respect and to put into practice the purposes and principles of the Charter in their relations with other States, irrespective of their political, economic or social system and of their size, geographical location or level of economic development;

8. *Reaffirms* the duty of all States, in accordance with the principles of the Charter, to use peaceful means to settle any dispute to which they are party and the continuance of which is likely to endanger the maintenance of international peace and security, as a vital requirement for the promotion and protection of all human rights of everyone and all peoples;

9. *Welcomes* the decision of the Human Rights Council, in its resolution 20/15, to establish an open-ended intergovernmental working group with the mandate of progressively negotiating a draft United Nations declaration on the right to peace;

10. *Underlines* the vital importance of education for peace as a tool to foster the realization of the right of peoples to peace, and encourages States, the specialized agencies of the United Nations system and intergovernmental and non-governmental organizations to contribute actively to this endeavour;

11. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

12. *Decides* to continue consideration of the question of the promotion of the right of peoples to peace at its seventy-first session under the item entitled “Promotion and protection of human rights”.

RECORDED VOTE ON RESOLUTION 69/176:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Singapore, Tonga.

Civilians and firearms

Human Rights Council action. On 26 June [A/69/53 (res. 26/16)], by a recorded vote of 44 to 0, with 3 abstentions, the Council expressed concern that hundreds of thousands of human beings of all ages around the world, including women and children, had lost their lives or suffered injuries and psychological harm by the misuse of firearms by civilians. It called on States to take legislative, administrative and other measures, consistent with their constitutional frameworks, to ensure that civilian acquisition, possession and use of firearms were regulated with the aim of enhancing the protection of human rights, in particular the right to life and security of person.

Sexual orientation and gender identity

Human Rights Council action. On 26 September [A/69/53/Add.1 (res. 27/32)], by a recorded vote of 25 to 14, with 7 abstentions, the Council expressed concern at acts of violence and discrimination committed against individuals worldwide because of their sexual orientation and gender identity; welcomed positive developments at the international, regional and national levels in the fight against such acts; and requested the High Commissioner to present it to the Council's twenty-ninth (2015) session an update of the 2011 report [YUN 2011, p. 704] on the issue with a view to sharing good practices and ways to overcome violence and discrimination.

Economic, social and cultural rights

Realizing economic, social and cultural rights

Human Rights Council action. On 27 March [A/69/53 (res. 25/11)], the Council welcomed the entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 5 May 2013 [YUN 2013, p. 600]; underlined the importance of the joint United Nations Social Protection Floor Initiative [YUN 2010, p. 1229] for the realization of economic, social and cultural rights; and requested the Secretary-General to continue to report annually to the Council on the question of the realization of those rights in all countries, with a focus on the importance of social protection floors for their realization.

Report of Secretary-General. Pursuant to Council resolution 25/11 (see above), the Secretary-General in December submitted a report [A/HRC/28/35] that outlined the main characteristics of social protection floors and how their adoption by States could contribute to ensuring the enjoyment of minimum essential levels of economic, social and cultural rights, reducing poverty and inequality. In that context, the Social Protection Floor Initiative, led by the International Labour Organization and supported by all UN agencies, was pivotal in promoting basic income security and access to health care, and in facilitating the enjoyment of several economic and social rights by the most marginalized groups.

Report of High Commissioner. Pursuant to General Assembly resolution 48/141 [YUN 1993, p. 906], the High Commissioner in July submitted a report [E/2014/86] that offered a human rights analysis of land-related issues, in particular on land management, States' obligations and other actors' responsibilities. It also laid out the criteria that States should apply when considering land and human rights issues in relation to specific groups and existing human rights.

The Economic and Social Council took note of that report on 17 November (**decision 2014/253**).

Human rights in post-disaster and post-conflict situations

Advisory Committee report. As requested by the Human Rights Council [YUN 2013, p. 683], the Human Rights Council Advisory Committee in August submitted a progress report [A/HRC/27/57] on best practices and main challenges in the promotion and protection of human rights in post-disaster and post-conflict situations. The report summarized responses to a questionnaire received from 36 States, listed the main issues identified and provided conclusions and recommendations.

Human Rights Council action. On 27 June [A/69/53 (dec. 26/116)], the Council requested the Advisory Committee to submit the final report on the topic at its twenty-eighth (2015) session.

Right to development

Working Group activities. The Working Group on the Right to Development, at its fifteenth session (Geneva, 12–16 May) [A/HRC/27/45], finalized the first reading of the remaining draft right to development operational subcriteria proposed by the High-Level Task Force on the implementation of the right to development [YUN 2010, p. 719]. It also proposed draft operational subcriteria for new draft criteria proposed at the Working Group's thirteenth session [YUN 2012, p. 683]. The Working Group recommended continuing to consider, revise and refine the draft right to development criteria and corresponding operational subcriteria, and to invite the Chairperson-Rapporteur to hold informal consultations with Governments, groups of Governments, regional groups and other stakeholders in preparation for the sixteenth (2015) session of the Working Group.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/2)], by a recorded vote of 42 to 1, with 4 abstentions, the Council endorsed the Working Group's recommendations; decided that the Working Group would continue to consider, revise and refine the draft right to development criteria and corresponding operational sub-criteria; and requested OHCHR to continue to report annually on its activities with regard to the right to development.

Report of Secretary-General and High Commissioner. Pursuant to General Assembly resolution 68/158 [YUN 2013, p. 683], the Secretary-General and the High Commissioner in June submitted a consolidated report [A/HRC/27/27] which reviewed the activities of OHCHR and UN human rights mechanisms relating to the promotion and realization of the right to development from May 2013 to April 2014. The

activities included support for Council mechanisms, as well as events and initiatives in the areas of inter-agency coordination and mainstreaming of the right to development into the policies and programmes of international organizations and into the post-2015 development agenda (see p. 960).

In July, a secretariat note [A/69/121] informed the General Assembly of the report. The Assembly took note of that note on 18 December (**decision 69/536**).

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/181** by recorded vote (156-5-26) [agenda item 68 (b)].

The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom and, to that end, to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration of Human Rights, as well as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, which confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing the importance of the World Conference on Human Rights, held in Vienna in 1993, and that the Vienna Declaration and Programme of Action reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,

Deeply concerned that the majority of indigenous peoples in the world live in conditions of poverty, and recognizing the critical need to address the negative impact of poverty and inequity on indigenous peoples by ensuring their full and effective inclusion in development and poverty eradication programmes,

Recalling the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, and its outcome document,

Reaffirming the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of

all civil, cultural, economic, political and social rights, including the right to development,

Expressing deep concern over the lack of substantial progress in the trade negotiations of the World Trade Organization, and reaffirming the need for a successful outcome of the Doha Development Round in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services,

Recalling the outcome of the twelfth session of the United Nations Conference on Trade and Development, held in Accra from 20 to 25 April 2008, on the theme “Addressing the opportunities and challenges of globalization for development”,

Recalling also all its previous resolutions, Human Rights Council resolution 21/32 of 28 September 2012, previous resolutions of the Council and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998 on the urgent need to make further progress towards the realization of the right to development, as set out in the Declaration on the Right to Development,

Recalling further the outcome of the eleventh session of the Working Group on the Right to Development of the Human Rights Council, held in Geneva from 26 to 30 April 2010, as contained in the report of the Working Group and as referred to in the report of the Secretary-General and the United Nations High Commissioner for Human Rights,

Recalling the Sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 2012, and the previous summits and conferences at which the States members of the Movement of Non-Aligned Countries stressed the need to operationalize the right to development as a priority,

Reiterating its continuing support for the New Partnership for Africa's Development as a development framework for Africa,

Expressing its appreciation for the efforts of the Chair-Rapporteur of the Working Group on the Right to Development of the Human Rights Council and the members of the high-level task force on the implementation of the right to development in completing the 2008–2010 three-phase road map established by the Council in its resolution 4/4 of 30 March 2007,

Deeply concerned about the negative impacts of the global economic and financial crises on the realization of the right to development,

Recognizing that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights,

Recognizing also that Member States should cooperate with each other in ensuring development and eliminating obstacles to development, that the international community should promote effective international cooperation for the realization of the right to development and the elimination of obstacles to development and that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recognizing further that poverty is an affront to human dignity,

Recognizing that extreme poverty and hunger are among the greatest global threats and require the collective commitment of the international community for their eradication, pursuant to Millennium Development Goal 1, and therefore calling upon the international community, including the Human Rights Council, to contribute towards achieving that goal,

Recognizing also that historical injustices, inter alia, have contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the Millennium Development Goal of halving, by 2015, the proportion of the world's people whose income is less than one United States dollar a day and the proportion of people who suffer from hunger,

Emphasizing that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, interdependent and interrelated,

Emphasizing also that the right to development should be central to the post-2015 development agenda,

1. *Takes note* of the consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights, which provides information on the activities undertaken by the Office of the United Nations High Commissioner for Human Rights relating to the promotion and realization of the right to development;

2. *Recognizes* the significance of all the events held to commemorate the twenty-fifth anniversary of the Declaration on the Right to Development, including the panel discussion on the theme “The way forward in the realization of the right to development: between policy and practice”, held during the eighteenth session of the Human Rights Council;

3. *Supports* the realization of the mandate of the Working Group on the Right to Development, as renewed by the Human Rights Council in its resolution 9/3 of 24 September 2008, with the recognition that the Working Group may convene annual sessions of five working days and submit its reports to the Council;

4. *Endorses* the recommendations adopted by the Working Group at its fourteenth session, and, while reaffirming them, calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors, noting also the efforts under way within the framework of the Working Group with a view to completing the tasks entrusted to it by the Council in its resolution 4/4;

5. *Emphasizes* the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, and in this regard calls upon the Council to implement the agreement to continue to act to ensure that its agenda promotes and advances sustainable development and the achievement of the Millennium Development Goals, and also in this regard to lead the raising of the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of

Action, to the same level as and on a par with all other human rights and fundamental freedoms;

6. *Welcomes* the launching, by the Working Group, of the process for considering, revising and refining the draft right-to-development criteria and corresponding operational subcriteria, with the first reading of the draft criteria and operational subcriteria;

7. *Stresses* that the above-mentioned compilations of views, criteria and corresponding operational subcriteria, once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

8. *Emphasizes* the importance of the Working Group taking appropriate steps to ensure respect for and practical application of the above-mentioned standards, which could take various forms, including the elaboration of guidelines on the implementation of the right to development, and evolve into a basis for the consideration of an international legal standard of a binding nature through a collaborative process of engagement;

9. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session, congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

10. *Also stresses* that it is important that the Chair-Rapporteur and the Working Group, in the discharge of their mandates, take into account the need:

(a) To promote the democratization of the system of international governance in order to increase the effective participation of developing countries in international decision-making;

(b) To also promote effective partnerships such as the New Partnership for Africa's Development and other similar initiatives with the developing countries, particularly the least developed countries, for the purpose of the realization of their right to development, including the achievement of the Millennium Development Goals;

(c) To strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms, and also while urging all States to expand and deepen mutually beneficial cooperation in ensuring development and eliminating obstacles to development in the context of promoting effective international cooperation for the realization of the right to development, bearing in mind that lasting progress towards the implementation of the right to development requires effective development policies at the national level and a favourable economic environment at the international level;

(d) To consider ways and means to continue to ensure the operationalization of the right to development as a priority;

(e) To mainstream the right to development in the policies and operational activities of the United Nations and the specialized agencies, funds and programmes, as

well as in the policies and strategies of the international financial and multilateral trading systems, bearing in mind in this regard that the core principles of the international economic, commercial and financial spheres, such as equity, non-discrimination, transparency, accountability, participation and international cooperation, including effective partnerships for development, are indispensable in achieving the right to development and preventing discriminatory treatment arising from political or other non-economic considerations in addressing the issues of concern to the developing countries;

11. *Encourages* the Human Rights Council to continue considering how to ensure follow-up to the work of the former Subcommission on the Promotion and Protection of Human Rights on the right to development, in accordance with the relevant provisions of the resolutions adopted by the General Assembly and the Commission on Human Rights and in compliance with decisions to be taken by the Council;

12. *Invites* Member States and all other stakeholders to participate actively in future sessions of the Social Forum, while recognizing the strong support extended to the Forum at its first four sessions by the Subcommission on the Promotion and Protection of Human Rights;

13. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

14. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

15. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

16. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development, as well as their commitment to cooperate with each other to that end;

17. *Also reaffirms* the need for an international environment that is conducive to the realization of the right to development;

18. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon all States to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms;

19. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and international levels;

20. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

21. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that most of the developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

22. *Expresses its deep concern*, in this regard, about the negative impact on the realization of the right to development due to the further aggravation of the economic and social situation, in particular of developing countries, as a result of the ongoing international energy, food and financial crises, as well as the increasing challenges posed by global climate change and the loss of biodiversity, which have increased vulnerabilities and inequalities and have adversely affected development gains, in particular in developing countries;

23. *Underlines* the fact that the international community is far from meeting the target set in the United Nations Millennium Declaration of halving the number of people living in poverty by 2015, reaffirms the commitment made to meet that target, and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

24. *Notes with concern* that some developing countries will fail to meet the deadline of 2015 to achieve the Millennium Development Goals, and in this regard invites Member States and the international community to take proactive measures aimed at creating a conducive environment to contribute to meeting the targets set in the Millennium Development Goals and to allow for the effective implementation of the post-2015 development agenda;

25. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

26. *Recognizes* the need to address market access for developing countries, including in the sectors of agriculture, services and non-agricultural products, in particular those of interest to developing countries;

27. *Calls once again* for the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation in the World Trade Organization, the implementation of commitments on implementation-related issues and concerns, a review of special and differential treatment provisions, with a view to strengthening them and making them more precise, effective and operational, the avoidance of new forms of protectionism and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

28. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses in this regard the need for good governance and for broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as to strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

29. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

30. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between the education of women and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

31. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

32. *Recalls* the Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS, adopted on 10 June 2011 at the high-level meeting of the General Assembly on HIV and AIDS, stresses that further and additional measures must be taken at the national and international levels to fight HIV and AIDS and other communicable diseases, taking into account ongoing efforts and programmes, and reiterates the need for international assistance in this regard;

33. *Welcomes* the political declaration of the high-level meeting of the General Assembly on the prevention and control of non-communicable diseases, adopted on 19 September 2011, with its particular focus on development and other challenges and social and economic impacts, particularly for developing countries;

34. *Recalls* the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want";

35. *Also recalls* the Convention on the Rights of Persons with Disabilities, which entered into force on 3 May 2008, and stresses the need to take into consideration the rights of persons with disabilities and the importance of international cooperation in support of national efforts in the realization of the right to development;

36. *Stresses its commitment* to indigenous peoples in the process of the realization of the right to development, reaffirms the commitment to promote their rights in the areas of education, employment, vocational training and

retraining, housing, sanitation, health and social security, in accordance with recognized international human rights obligations and taking into account, as appropriate, the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007, and in this regard takes note of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in 2014;

37. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

38. *Emphasizes* the urgent need for taking concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery, consistent with the principles of the United Nations Convention against Corruption, particularly chapter V thereof, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify the Convention as soon as possible and States parties to implement it effectively;

39. *Also emphasizes* the need to strengthen further the activities of the Office of the High Commissioner for Human Rights in the promotion and realization of the right to development, including by ensuring effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office of the High Commissioner with the necessary resources;

40. *Reaffirms* the request to the High Commissioner for Human Rights, in mainstreaming the right to development, to effectively undertake activities aimed at strengthening the global partnership for development among Member States, development agencies and the international development, financial and trade institutions and to reflect those activities in detail in his next report to the Human Rights Council;

41. *Calls upon* the United Nations funds and programmes, as well as the specialized agencies, to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

42. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, the specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

43. *Also requests* the Secretary-General to submit a report to the General Assembly at its seventieth session and an interim report to the Human Rights Council on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chair-Rapporteur of the Working Group to present an oral report and to engage in an interactive dialogue with the Assembly at its seventieth session.

RECORDED VOTE ON RESOLUTION 69/181:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, France, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Canada, Israel, Palau, United Kingdom, United States.

Abstaining: Australia, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Iceland, Japan, Latvia, Lithuania, Netherlands, New Zealand, Norway, Poland, Republic of Korea, Republic of Moldova, Romania, Samoa, Slovakia, Sweden, Ukraine.

Human rights and international solidarity

Reports of Independent Expert. Pursuant to a Human Rights Council request [YUN 2013, p. 687], the Independent Expert on human rights and international solidarity, Virginia Dandan (Philippines), in April submitted a report [A/HRC/26/34] summarizing her activities from May 2013 to January 2014 and work on the proposed draft declaration on the right of peoples and individuals to international solidarity, which was annexed to the report. Due to budgetary constraints, it had not been possible to hold regional consultations and the draft declaration had been finalized in the absence of comments from States, except for those received from Guatemala and Qatar. The comments and inputs from UN agencies, independent experts, NGOs, academics, national human rights institutions and local communities on the preliminary text were contained in an addendum [A/HRC/26/34/Add.1]. The Expert recommended that regional consultations be held on the proposed draft declaration. She would consolidate the outputs from the consultations, revise the draft and submit it for the Council's consideration.

In accordance with Human Rights Council resolution 26/6 (see below), the Secretary-General in September transmitted the Independent Expert's report [A/69/366] covering her activities since the previous report [YUN 2013, p. 687], notably on the draft declaration (see above), as well as on contributing to the formulation of the future sustainable development goals. In regard to the latter, the report focused on three areas of concern: overcoming inequality and ending poverty and discrimination; building effective and accountable institutions and peaceful societies; and strengthening implementation and revitalizing global partnerships for international cooperation.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Human Rights Council action. On 26 June [A/69/53 (res. 26/6)], by a recorded vote of 33 to 14, with no abstentions, the Council extended the Independent Expert's mandate for three years and requested her to report regularly to the Council and the General Assembly; to convene regional consultations to obtain inputs from States on the draft declaration on the right of peoples and individuals to international solidarity; to report on the consultations at the Council's thirty-second (2016) session; and to submit a revised draft declaration to the Council and the Assembly before the end of her second term.

Democratic and equitable international order

Reports of Independent Expert. Pursuant to a Human Rights Council request (see below), the Independent Expert on the promotion of a democratic and equitable international order, Alfred-Maurice de Zayas (United States), submitted a July report [A/HRC/27/51] covering his activities from June 2013 to June 2014. In the report, he undertook a preliminary study of the adverse impacts of military spending, including ongoing armed conflict, the war on terror, surveillance, procurement, military research, diversion and corruption, on the realization of a democratic and equitable international order. He concluded that reduced military budgets would release funds for promoting human rights and addressing global problems. He made recommendations to States, parliaments, national human rights institutions, civil society and the Human Rights Council.

In August, in accordance with Assembly resolution 68/175 [YUN 2013, p. 688], the Secretary-General transmitted the Independent Expert's report [A/69/272], which focused on the implementation of the right of self-determination as key to the international order envisaged by the UN Charter. The Expert acknowledged the need to balance competing rights and interests in the spirit of the Charter and proposed criteria to facilitate an understanding of the various manifestations of self-determination.

Human Rights Council action. On 27 March [A/69/53 (res. 25/15)], by a recorded vote of 30 to 14, with 3 abstentions, the Council urged States to continue their efforts towards the promotion of a democratic and equitable international order; called on OHCHR to build on the issue and to bring the resolution to the attention of States, UN entities, intergovernmental organizations, in particular the Bretton Woods institutions (the World Bank Group and the International Monetary Fund), and NGOs; and requested the Independent Expert to report on its implementation at the Council's twenty-seventh (2014) session.

On 25 September [A/69/53/Add.1 (res. 27/9)], by a recorded vote of 29 to 14, with 4 abstentions, the Council reaffirmed that everyone was entitled to a democratic and equitable international order. It extended the Independent Expert's mandate for three years and requested him to report regularly to the Council and the General Assembly.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/178** by recorded vote (129-53-6) [agenda item 68 (b)].

Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 68/175 of 18 December 2013, and Human Rights Council resolutions 18/6 of 29 September 2011 and 25/15 of 27 March 2014,

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and with full respect for, inter alia, sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing world-wide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures at the global level that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of, technology transfer to and capacity-building in developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Recalling Human Rights Council resolutions 5/1 on institution-building of the Council and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council of 18 June 2007, and stressing that all mandate holders shall discharge their duties in accordance with those resolutions and the annexes thereto,

Emphasizing the importance of a global and inclusive post-2015 development agenda for the promotion of a democratic and equitable international order,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Takes note* of the report of the Independent Expert on the promotion of a democratic and equitable international order, and notes in this regard its focus on the implementation of the right of self-determination as crucial to the international order as envisaged in the Charter of the United Nations;

4. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to maximize the benefits of globalization through, inter alia, the strengthening

and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity, and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

5. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal adherence to and implementation of the rule of law at both the national and international levels;

6. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of

national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in international economic, commercial and financial relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, which should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms for all;

9. *Urges* all actors on the international scene to build an international order based on inclusion, social justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

10. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

11. *Also reaffirms* the need to continue working urgently for the establishment of a new international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations, in accordance with relevant previous General Assembly resolutions, programmes of action and major conferences and summits in the economic, social and related areas;

12. *Further reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

13. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

14. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Independent Expert;

15. *Calls upon* all Governments to cooperate with and assist the Independent Expert in his task, to supply all necessary information requested by him and to consider responding favourably to the requests of the Independent Expert to visit their countries to enable him to fulfil his mandate more effectively;

16. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the special mechanisms extended by the Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

17. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

18. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations and to disseminate it on the widest possible basis;

19. *Requests* the Independent Expert to submit to the General Assembly at its seventieth session an interim report on the implementation of the present resolution and to continue his work;

20. *Decides* to continue consideration of the matter at its seventieth session under the item entitled "Promotion and protection of human rights".

RECORDED VOTE ON RESOLUTION 69/178:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Armenia, Chile, Costa Rica, Mexico, Peru, Samoa.

Globalization

Report of Secretary-General. In response to General Assembly resolution 68/168 [YUN 2013, p. 691], the Secretary-General in June submitted a report [A/69/99] that summarized the views on globalization and its impact on the full enjoyment of all human rights received from seven Governments (Azerbaijan, Bosnia and Herzegovina, Cuba, Lebanon, Morocco, Oman, Panama), as well as from the Economic Commission for Latin America and the Caribbean and the United Nations Commission on International Trade Law. The report identified common themes and made recommendations on how to address the issue.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/173** by recorded vote (135-53-1) [agenda item 68 (b)].

Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights, as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001, the outcome document of the Durban Review Conference, adopted on 24 April 2009, and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, entitled "United against racism, racial discrimination, xenophobia and related intolerance", of 22 September 2011,

Recalling also the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration and the outcome documents of the twenty-third and twenty-fourth special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolutions 66/154 of 19 December 2011, 67/165 of 20 December 2012 and 68/168 of 18 December 2013,

Recalling further Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,

Recalling Human Rights Council resolutions 17/4 of 16 June 2011 on human rights and transnational corporations and other business enterprises and 21/5 of 27 September 2012 on the contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights and fundamental freedoms,

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and reaffirming in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome to promote fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware of the risk that globalization poses more of a threat to cultural diversity if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Realizing the need to consider the challenges and opportunities linked to globalization with a view to addressing such challenges and building on possible opportunities in order to achieve the full enjoyment of all human rights,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing grave concern at the negative impact of international financial turmoil on social and economic development and on the full enjoyment of all human rights, particularly in the light of the continuing global financial and economic crisis, which has an adverse impact on the realization of the internationally agreed development goals, particularly the Millennium Development Goals, and recognizing that developing countries are in a more vulnerable situation when facing such impact and that regional economic cooperation and development strategies and programmes can play a role in mitigating such impact,

Expressing deep concern at the negative impact of the continuing global food and energy crises and climate change challenges on social and economic development and on the full enjoyment of all human rights for all,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full realization and effective enjoyment of human rights and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Acknowledging that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries is unsustainable and constitutes one of the principal obstacles to achieving sustainable development and poverty eradication and that, for many developing countries, excessive debt servicing has severely constrained their capacity to promote social development and to provide basic services to realize economic, social and cultural rights,

Strongly reiterating the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit, described as the Millennium Development Goals, which have helped to galvanize efforts towards poverty eradication,

Gravely concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed to, inter alia, deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect all human rights,

Emphasizing also that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights,

the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

3. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

4. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the eradication of poverty by, inter alia, promoting good governance within each country and at the international level, eliminating protectionism, enhancing transparency in the financial, monetary and trading systems and committing to an open, equitable, rules-based, predictable and non-discriminatory multilateral trading and financial system;

5. *Recognizes* the impacts that the global financial and economic crisis is still having on the ability of countries, particularly developing countries, to mobilize resources for development and to address the impact of this crisis, and in this context calls upon all States and the international community to alleviate, in an inclusive and development-oriented manner, any negative impacts of this crisis on the realization and the effective enjoyment of all human rights;

6. *Also recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

7. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights, which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

8. *Reaffirms* the international commitment to eliminating hunger and to securing food for all, today and tomorrow, and reiterates that the relevant United Nations organizations should be assured the resources needed to expand and enhance their food assistance and support social safety net programmes designed to address hunger and malnutrition, when appropriate, through the use of local or regional purchase;

9. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote inclusive, equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

10. *Recognizes* that the responsible operations of transnational corporations and other business enterprises can contribute to the promotion, protection and fulfilment of all human rights and fundamental freedoms, in particular economic, social and cultural rights;

11. *Also recognizes* that only through broad and sustained efforts, including policies and measures at the global

level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

12. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

13. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

14. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that promotes and protects human rights while ensuring respect for the cultural diversity of all;

15. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

16. *Takes note* of the report of the Secretary-General, and requests him to continue to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the General Assembly at its seventieth session a substantive report on the subject based on those views, including recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

RECORDED VOTE ON RESOLUTION 69/173:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal,

Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Central African Republic.

Foreign debt

Reports of Independent Expert. In response to a Human Rights Council request [YUN 2011, p. 716], the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, Cephass Lumina (Zambia), in March submitted a report [A/HRC/25/50] that reflected on his tenure between 2008 and 2014. It described the main activities undertaken, the challenges faced by the Council in addressing sovereign debt as a human rights issue and the constraints confronting the special procedures in carrying out their mandate, including insufficient resources. He concluded that sovereign debt and its negative impact on the capacity of Governments to fulfil their human rights obligations remained an important issue and urged the Council to continue its engagement.

Pursuant to a Human Rights Council request (see below), the Secretary-General in August transmitted the report [A/69/273] of the new Independent Expert, Juan Pablo Bohoslavsky (Argentina), who was appointed by the Council on 8 May. The report set out his preliminary workplan for the period 2014–2017, which would focus on six thematic areas: preventive aspects of fiscal policy and debt management; international human rights law in the context of debt restructuring and debt relief; good practices to avoid negative human rights implications; human rights and debt arbitration in the context of bilateral investment treaties; lending to States and non-State actors involved in gross human rights violations and transitional justice; and the impact of illicit financial flows on human rights.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission report. Following his mission to Iceland (8–15 December) [A/HRC/28/59/Add.1], the Independent Expert assessed the extent to which the country had fulfilled its obligations to protect economic, social and cultural rights in the aftermath of its recent banking crisis. Although Iceland had managed the crisis better than many other countries, he identified gaps that needed to be addressed. He recommended that the country's legal and institutional framework be strengthened to prevent the recurrence of a similar crisis and that attention be paid to vulnerable groups, in particular highly indebted individuals, people living in rented accommodation, immigrants and children living in single-parent households. He concluded that international organizations and other countries could learn from the path that Iceland had chosen, which

included protecting its core social welfare system, seeking to ensure citizen participation in decision-making and endeavouring to establish accountability.

Human Rights Council action. On 27 March [A/69/53 (res. 25/16)], by a recorded vote of 30 to 14, with 3 abstentions, the Council reiterated its request to the High Commissioner to pay more attention to the problem of the debt burden of developing countries; extended the Independent Expert's mandate for three years; and requested him to report regularly to the Council and the General Assembly.

On 26 September [A/69/53/Add.1 (res. 27/30)], by a recorded vote of 33 to 5, with 9 abstentions, the Council welcomed the Advisory Committee's research proposal on the activities of vulture funds and human rights (see p. 752); condemned such activities for the negative effect that the debt repayment to those funds had on the capacity of Governments to fulfil their human rights obligations; and requested the Advisory Committee to prepare a research-based report on the issue and submit a progress report to the Council's thirty-first (2016) session.

Non-repatriation of funds of illicit origin

In response to a Human Rights Council request [YUN 2012, p. 699], the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, Cephass Lumina, in May submitted a final report [A/HRC/25/52] on the negative impact of the non-repatriation of funds of illicit origin on the enjoyment of human rights. The report indicated that by reducing the resources available to States to establish the conditions for the realization of economic, social and cultural rights and to create and strengthen institutions that upheld civil and political rights, illicit financial flows compromised the affected Governments' ability to devote resources to the realization of human rights. The Expert concluded that the substantial amounts lost to illicit financial flows, estimated at \$946.7 billion in 2011, could help the efforts of developing countries to mobilize domestic resources for poverty alleviation, development and human rights, and to reduce their costly dependence on external financing.

Human Rights Council action. On 27 March [A/69/53 (res. 25/9)], by a recorded vote of 33 to 2, with 12 abstentions, the Council called on States to consider enacting legislation to address offences by business enterprises, which deprived Governments of legitimate domestic revenue sources for implementing their development agendas; asserted the need to repatriate illicit funds to the countries of origin without conditionalities; and requested the Independent Expert to undertake a further study to analyse the negative impact of illicit financial flows on the en-

joyment of human rights in the context of the post-2015 development agenda and to present an interim study and a final study, respectively, to the Council's twenty-eighth (2015) and thirty-first (2016) sessions.

Transnational corporations

Working Group activities. Pursuant to a Human Rights Council request [YUN 2011, p. 717], the Working Group on the issue of human rights and transnational corporations and other business enterprises in May submitted a report [A/HRC/26/25], which reviewed the strategic objectives, activities and outcomes of its first three years and identified the challenges ahead. The Working Group concluded that while significant efforts had been undertaken to implement the Guiding Principles on Business and Human Rights [YUN 2011, p. 716], challenges remained, including with respect to broadening dissemination, reaching scale in implementation, building trust between stakeholders and overcoming barriers to effective remedies. There was a growing gap between the pace of implementation and the expectations of civil society and affected stakeholders. The Working Group urged that efforts towards the implementation of the Guiding Principles be scaled up and made recommendations addressed to States, business enterprises and civil society organizations.

An addendum [A/HRC/26/25/Add.1] summarized the findings from a 2013 questionnaire for corporations on the Guiding Principles, to which 153 business representatives from 39 countries had responded. The responses revealed that the majority of the sampled businesses were aware of the Guiding Principles and that half had a public statement of human rights; were engaged in the human rights agenda; and cited moving from policy to practice and addressing human rights in business relationships as the main challenges. Despite those insights, the small scale of the questionnaire and the fact that it was not randomized had limited the extent to which the results could be extrapolated and global generalizations could be made. The results underscored the value of conducting a future larger scale, randomized survey to gather a solid baseline of credible and complete data.

Pursuant to Human Rights Council resolutions 17/4 [YUN 2011, p. 717] and 26/22 (see below), the Secretary-General in August transmitted the Working Group's report [A/69/263], which explored how national action plans on business and human rights might be employed to implement the Guiding Principles and to protect against business-related human rights abuses. The Working Group made recommendations addressed to States, business enterprises and civil society.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission report. Following its visit to Azerbaijan (18–27 August) [A/HRC/29/28/Add.1], the Working

Group reported on efforts by the Government and companies to prevent, protect against and redress human rights abuses by business enterprises, in conformity with the Guiding Principles. It highlighted issues of particular importance, namely, the space for participation of civil society; efforts to tackle corruption and abuse of public positions; the oil and gas sector and the construction industry; and labour rights. The Working Group made observations on access to remedy and on ways forward to strengthen the national policy framework, and made recommendations for further action.

Reports of Secretary-General. Pursuant to Human Rights Council resolution 21/5 [YUN 2012, p. 696], the Secretary-General in April submitted a report [A/HRC/26/20] on the challenges, strategies and developments with regard to implementation of that resolution by the UN system. The report found that further efforts were needed to embed the Guiding Principles in the strategic coordination mechanisms of the UN system.

The Secretary-General also presented the conclusions from an OHCHR study on the feasibility of a global fund to enhance the capacity of stakeholders to implement the Guiding Principles [A/HRC/26/20/Add.1]. One finding was that there was strong support for such a fund among a broad range of stakeholders. Perspectives, however, differed on the most desirable mandate, governance model and sources of funding.

Forum on Business and Human Rights. The third annual United Nations Forum on Business and Human Rights (Geneva, 1–3 December) [A/HRC/FBHR/2014/3] gathered an estimated 2,000 participants from some 130 countries, with equal representation of women and men. The theme of the Forum was “Advancing business and human rights globally: alignment, adherence and accountability”. Plenary sessions focused on leadership perspectives on the business and human rights agenda in the context of global trends, and on how the Guiding Principles could contribute to human rights and dignity for all in the global economy. The thematic tracks examined issues such as: the role of public policy and national action plans; progress achieved and challenges faced by companies in integrating the corporate responsibility to respect human rights; enhancing accountability and access to remedy for victims of business-related human rights abuse; integrating the Guiding Principles in global governance structures; and good practice models for stakeholder engagement.

Human Rights Council action. On 27 June [A/69/53 (res. 26/22)], the Council decided that the two-day Forum on Business and Human Rights would continue to be held on an annual basis, with the addition of one meeting day to allow for the preparation and sharing of new tools and experience; extended the Working Group's mandate for three years; and

requested the High Commissioner to consult with States and stakeholders on whether to create a global fund to enhance the capacity of stakeholders to implement the Guiding Principles, and to report thereon to the Council's twenty-ninth (2015) session.

On 26 June [res. 26/9], by a recorded vote of 20 to 14, with 13 abstentions, the Council established an open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, to elaborate an international legally-binding instrument to regulate the activities of transnational corporations and other business enterprises. It decided that the working group's first two sessions would deliberate on the content, scope, nature and form of the international instrument; that the working group's Chairperson-Rapporteur would prepare elements for the draft instrument for negotiations at the commencement of the third session; and that the working group would hold its first session before the Council's thirtieth (2015) session and report on progress made to the Council's thirty-first (2016) session.

Unilateral coercive measures

OHCHR report. In accordance with a Human Rights Council request [YUN 2013, p. 696], OHCHR reported [A/HRC/27/32] on the workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations, in particular their socioeconomic impact on women and children, in the States targeted (Geneva, 23 May). Participants examined a wide range of impacts of coercive measures, from their impact on international humanitarian and human rights law, to their impact on the economy, on peace and security and on the social fabric of States. A number of panelists questioned the purposes and effectiveness of those measures, whether imposed to react to prior violations by the targeted State, in response to terrorism, as an alternative to war or in the context of war. The Chair pointed to a need to redefine what was understood as the effectiveness of coercive measures in order to take human rights and humanitarian concerns into account. She noted the need to move beyond tweaking sanctions to examine the place of sanctions in the international setting.

Report of Secretary-General. In accordance with General Assembly resolution 68/162 [YUN 2013, p. 696], the Secretary-General in June submitted a report [A/69/97] that summarized submissions received from five Governments (Colombia, Cuba, Iran, Lebanon, Mauritius) on the impact of unilateral coercive measures on their populations.

Human Rights Council action. On 26 September [A/69/53/Add.1 & Corr.1 (res. 27/21)], by a recorded vote of 31 to 14, with 2 abstentions, the Council decided to organize a biennial panel discussion on the issue

of unilateral coercive measures and human rights, starting at the Council's twenty-ninth (2015) session; requested OHCHR to report on the panel discussion; and requested the Council's Advisory Committee to prepare a research-based report on mechanisms to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and promote accountability and submit a progress report to the Council's twenty-eighth (2015) session. The Council decided to appoint, for a three-year period, a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights with the mandate to: gather information on the issue; study trends, developments and challenges and make recommendations; and review independent mechanisms to assess unilateral coercive measures to promote accountability. The Council requested the Rapporteur to report annually to the Council and the General Assembly.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/180** by recorded vote (134-53-1) [agenda item 68 (b)].

Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 68/162 of 18 December 2013, and Human Rights Council decision 18/120 of 30 September 2011 and resolutions 24/14 of 27 September 2013 and 27/21 of 26 September 2014, as well as previous resolutions of the Council and the Commission on Human Rights,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281(XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Secretary-General submitted pursuant to General Assembly resolution 68/162, and recalling the reports of the Secretary-General on the implementation of Assembly resolutions 52/120 of 12 December 1997 and 55/110 of 4 December 2000,

Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

Recalling the Final Document of the Sixteenth Ministerial Conference and Commemorative Meeting of the Movement of Non-Aligned Countries, held in Bali, Indonesia, from 23 to 27 May 2011, the Final Document of

the Sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 1972, and the documents adopted at previous summits and conferences, in which States members of the Movement agreed to oppose and condemn those measures or laws and their continued application, persevere with efforts to effectively reverse them, urge other States to do likewise, as called for by the General Assembly and other organs of the United Nations, and request States applying those measures or laws to revoke them fully and immediately,

Recalling also that, at the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, States were called upon to refrain from any unilateral measure not in accordance with international law and the Charter that creates obstacles to trade relations among States and impedes the full realization of all human rights and also severely threatens the freedom of trade,

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995, the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995, the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996, and in their five-year reviews,

Expressing concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented, with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and

Cultural Rights, which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Human Rights Council, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,

1. *Urges* all States to cease adopting or implementing any unilateral measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature, with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Strongly urges* States to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter that impede the full achievement of economic and social development, particularly in developing countries;

3. *Condemns* the inclusion of Member States in unilateral lists under false pretexts, which are contrary to international law and the Charter, including false allegations of terrorism sponsorship, considering such lists as instruments for political or economic pressure against Member States, particularly developing countries;

4. *Urges* all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health and well-being and his or her right to food, medical care and education and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

5. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States neither to recognize those measures nor to apply them, as well as to take administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

6. *Condemns* the continuing unilateral application and enforcement by certain Powers of unilateral coercive measures, and rejects those measures, with all their extraterritorial effects, as being tools for political or economic pressure against any country, in particular against developing countries, adopted with a view to preventing those countries from exercising their right to decide, of their own free will, their own political, economic and social systems, and because of the negative effects of those measures on the realization of all the human rights of vast sectors of their populations, in particular children, women, the elderly and persons with disabilities;

7. *Expresses grave concern* that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and

the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities;

8. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

9. *Calls upon* Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are parties by revoking such measures at the earliest possible time;

10. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

11. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625(XXV) of 24 October 1970, and the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States, proclaimed by the Assembly in its resolution 3281(XXIX), in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

12. *Rejects* all attempts to introduce unilateral coercive measures, and urges the Human Rights Council to take fully into account the negative impact of those measures, including through the enactment of national laws and their extraterritorial application that are not in conformity with international law, in its task concerning the implementation of the right to development;

13. *Requests* the United Nations High Commissioner for Human Rights, in discharging his functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in his annual report to the General Assembly;

14. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development, and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of national laws that run counter to the principles of free trade and hamper the development of developing countries, as recognized by the Working Group on the Right to Development of the Human Rights Council;

15. *Recognizes* that, in the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003, States were strongly urged to avoid and refrain from any unilateral measure not in accordance with

international law and the Charter of the United Nations in building the information society;

16. *Takes note with appreciation* of the decision of the Human Rights Council, in its resolution 27/21, to appoint a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights;

17. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Special Rapporteur;

18. *Recalls* the decision of the Human Rights Council, in its resolution 27/21, to organize a biennial panel discussion on the issue of unilateral coercive measures and human rights;

19. *Welcomes* the increased attention paid by the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights to the negative impact of the application of unilateral coercive measures, and invites the Council to continue to explore ways to address this issue;

20. *Reiterates its support* for the invitation of the Human Rights Council to all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

21. *Reaffirms* the request of the Human Rights Council that the Office of the United Nations High Commissioner for Human Rights organize a workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations, in particular their socioeconomic impact on women and children, in the States targeted;

22. *Requests* the Special Rapporteur to submit to the General Assembly at its seventieth session an interim report on the implementation of the present resolution and on the negative impact of unilateral coercive measures on the full enjoyment of human rights;

23. *Invites* Governments to cooperate fully with the Special Rapporteur in the fulfilment of his or her mandate through, inter alia, the submission of comments and suggestions on the implications and negative effects of unilateral coercive measures on the full enjoyment of human rights;

24. *Decides* to examine the question on a priority basis at its seventieth session, under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" of the item entitled "Promotion and protection of human rights".

RECORDED VOTE ON RESOLUTION 69/180:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia,

Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Chad.

Social Forum

Social Forum session. The Social Forum (Geneva, 1–3 April) [A/HRC/26/46], which was attended by States, UN bodies, intergovernmental organizations, NGOs, academic and national human rights institutions and independent experts, focused on the rights of older persons, including best practices. Participants agreed that there must be greater national and international protection of older persons' rights and that need would grow as population demographics changed to reflect longer life expectancies for people worldwide. Issues of concern included insufficient mechanisms for guaranteeing older persons the exercise of their rights; the absence of an express prohibition of age discrimination in most human rights instruments; and deficiency in the human rights framework in addressing issues affecting older persons, such as poverty, employment discrimination, inadequate systems for long-term care, violations of informed consent, insufficient services for persons with dementia, restricted autonomy and decision-making, discrimination and lack of pension coverage. Participants called for a new legally binding instrument on the rights of older persons and for further monitoring, study and analysis of older persons' issues. The report concluded that older persons contributed to economic and social development where they were not prevented from doing so through discriminatory laws, policies or attitudes, and that a paradigm change was needed to enable older persons to enjoy their rights regardless of whether or not they were able to contribute to society economically.

Human Rights Council action. On 27 June [A/69/53 (res. 26/28)], the Council decided that the Social Forum in 2015 would focus on access to medicines in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and invited the Social Forum to report to the Council's twenty-ninth (2015) session.

Extreme poverty

Reports of Special Rapporteur. As requested by the Human Rights Council [YUN 2011, p. 720], the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona (Chile), in May submitted a report [A/HRC/26/28 & Corr.1] focusing on fiscal policy, and particularly taxation policies, as a major determinant in the enjoyment of human rights. She outlined relevant human rights obligations to guide and inform State revenue-raising practices, analysed the questions of how the principles of non-discrimination and equality and the duty of international cooperation and assistance should inform global and national taxation policies and assessed how revenue-raising policies and practices could be strengthened through a human rights-based approach. She made recommendations for fiscal and tax policies that were grounded in human rights and could lead to poverty reduction, sustainable development and the realization of transformative rights.

In a 5 June addendum [A/HRC/26/28/Add.3], the Special Rapporteur reviewed her activities during the term (2008–2014) of her mandate, including country visits, thematic reports as well as her work on advocacy and in concluding the drafting process for the Guiding Principles on extreme poverty and human rights [YUN 2012, p. 700].

In accordance with Human Rights Council resolution 26/3 (see below), the Secretary-General in August transmitted the first report [A/69/297] of the new Special Rapporteur, Philip Alston (Australia), who was appointed by the Council on 8 May. The report focused on the implementation of the right to social protection through the adoption by States of social protection floors. The widely endorsed Social Protection Floor Initiative [YUN 2010, p. 1229] aimed to guarantee basic income security and access to essential social services for all. The Rapporteur examined challenges to the Initiative's success, including overcoming the ambivalence of key international actors, including the World Bank, towards the concept; the lack of sufficient legal recognition of social protection as a human right; and misgivings as to the affordability of social protection floors. He called for civil society groups to engage with the Initiative and for the World Bank to adopt a new approach that was supportive of it. He recommended greater engagement with the Initiative by both the Committee on

Economic, Social and Cultural Rights and the special procedures mandate holders.

Mission report. Following her visit to Guinea-Bissau (23 February–1 March) [A/HRC/29/31/Add.1], the Special Rapporteur reported that the country ranked as one of the poorest in the world, with a consistent decline of investment in essential social services such as health care and education. She expressed concern about the disproportionate vulnerability of certain groups, especially women, as well as obstacles to poverty reduction, such as political instability, corruption and impunity. She recommended implementing policies and programmes to enable those living in extreme poverty to enjoy their human rights on an equal basis with the rest of the population.

Human Rights Council. On 26 June [A/69/53 (res. 26/3)], the Council extended the Special Rapporteur's mandate for three years and requested the Rapporteur to report annually to the Council and the General Assembly.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/183** without vote [agenda item 68 (b)].

Human rights and extreme poverty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of Persons with Disabilities and all other human rights instruments adopted by the United Nations,

Recalling its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, and its resolution 62/205 of 19 December 2007, by which it proclaimed the Second United Nations Decade for the Eradication of Poverty (2008–2017), as well as its resolution 67/164 of 20 December 2012 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the effective understanding, promotion and protection of all human rights,

Recalling further Human Rights Council resolutions 2/2 of 27 November 2006, 7/27 of 28 March 2008, 8/11 of 18 June 2008, 12/19 of 2 October 2009, 15/19 of 30 September 2010, 17/13 of 17 June 2011 and 26/3 of 26 June 2014,

Recalling Human Rights Council resolution 21/11 of 27 September 2012, by which the Council adopted the guiding principles on extreme poverty and human rights as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate,

Reaffirming the internationally agreed development goals, including the Millennium Development Goals, welcoming the high-level plenary meeting of the General Assembly on the Millennium Development Goals, and recalling its outcome document, contained in resolution 65/1 of 22 September 2010,

Taking note of the fact that the proposal contained in the report of the Open Working Group on Sustainable Development Goals shall be the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered, in the intergovernmental negotiation process at the sixty-ninth session of the General Assembly, and noting that the report includes a goal on eradicating poverty in all its forms everywhere,

Concerned that, during the Second United Nations Decade for the Eradication of Poverty (2008–2017), while there has been progress in reducing poverty, especially in some middle-income countries, such progress has been uneven and the number of people living in poverty in some countries continues to increase, with women and children constituting the majority of those most affected, especially in the least developed countries and particularly in sub-Saharan Africa,

Deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and its manifestations, such as social exclusion, hunger, trafficking in human beings, disease, lack of adequate shelter, illiteracy and hopelessness, are particularly severe in developing countries, while acknowledging the significant progress made in several parts of the world in combating extreme poverty,

Deeply concerned also that gender inequality, violence and discrimination exacerbate extreme poverty, disproportionately impacting women and girls,

Stressing that special attention should be given to those who are living in extreme poverty and in vulnerable situations, in particular women, children, youth, older persons, persons with disabilities and indigenous peoples,

Concerned by the challenges faced today, including those derived from the ongoing impact of the financial and economic crisis, the food crisis and ongoing concerns over food security, as well as the increasing challenges posed by climate change and the loss of biodiversity, and by the resulting increase in the number of people living in extreme poverty and their negative effect on the capacity of all States, especially developing countries, to fight extreme poverty,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization that requires the coordination and continuation of inclusive policies through decisive national action and international cooperation,

Recognizing also that social protection systems make a critical contribution to the realization of human rights for all, in particular for those who are in vulnerable or marginalized situations and are trapped in poverty and subject to discrimination,

Recognizing further that persistent and growing inequalities within countries are a major challenge to poverty eradication, particularly affecting those who are living in extreme poverty and in vulnerable situations,

Stressing the necessity of better understanding and addressing the multidimensional causes and consequences of extreme poverty,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of all human rights and may, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Stressing that respect for all human rights, which are universal, indivisible, interdependent and interrelated, is of crucial importance for all policies and programmes to fight extreme poverty,

Underlining the priority and urgency given by Heads of State and Government to the eradication of extreme poverty, as expressed in the outcomes of the major United Nations conferences and summits in the economic, social and related fields,

Reaffirming that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and that they contribute to the eradication of extreme poverty,

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Also reaffirms* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty and exclusion and that it is essential for people living in and affected by poverty and in situations of vulnerability to be empowered to organize themselves and to participate in all aspects of political, economic, social and cultural life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society, community-based social organizations and the United Nations system, including international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Also emphasizes* the need to accord due consideration and priority to poverty eradication within the United Nations development agenda, while stressing the importance of addressing the causes and challenges of poverty through integrated, coordinated and coherent strategies at the national, intergovernmental and inter-agency levels, consistent with the outcomes of the major United Nations conferences and summits in the economic, social and related fields;

5. *Reaffirms* that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

6. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, in-

cluding through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

7. *Reaffirms* the commitments contained in the United Nations Millennium Declaration, in particular the commitments to spare no effort to fight against extreme poverty and to achieve development and poverty eradication, including the commitment to halve, by 2015, the proportion of the world's people whose income is less than one United States dollar a day and the proportion of people who suffer from hunger;

8. *Also reaffirms* the commitment made at the 2005 World Summit to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including women and girls;

9. *Further reaffirms* the commitment made at the high-level plenary meeting of the General Assembly on the Millennium Development Goals to accelerating progress in order to eradicate extreme poverty and hunger by 2015;

10. *Reaffirms* furthermore that the objective of the Second United Nations Decade for the Eradication of Poverty (2008–2017) is to support, in an efficient and co-ordinated manner, the follow-up to the implementation of the internationally agreed development goals relating to the eradication of poverty, including the Millennium Development Goals, and to coordinate international support to that end;

11. *Acknowledges* that, in its report, the Open Working Group on Sustainable Development Goals reiterated that poverty eradication is the greatest challenge facing the world today and included the goal to end poverty in all its forms everywhere, with a specific target to eradicate extreme poverty for all people everywhere, currently measured as people living on less than 1.25 dollars a day, by 2030;

12. *Recalls* that promoting universal access to social services and providing social protection floors can make an important contribution to consolidating and achieving further development gains and that social protection systems that address and reduce inequality and social exclusion are essential for protecting the gains made towards the achievement of the Millennium Development Goals, and in this regard takes note of International Labour Organization Recommendation No. 202 on social protection floors;

13. *Encourages* States, when designing, implementing, monitoring and evaluating social protection programmes, to ensure gender mainstreaming and the promotion and protection of all human rights in accordance with their obligations under international human rights law, throughout this process;

14. *Also encourages* States to take all necessary measures to eliminate discrimination against all persons, in particular those living in poverty, to refrain from adopting any laws, regulations or practices denying or limiting the enjoyment of all human rights and fundamental freedoms, including economic, social and cultural rights, and to ensure that people, in particular those living in poverty, have equal access to justice;

15. *Welcomes* the ongoing efforts to strengthen and support South-South cooperation and triangular cooperation, recognizing their contributions to the efforts of developing countries to collaborate in the eradication of poverty, and stresses that South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation;

16. *Encourages* the international community to strengthen its efforts to address challenges that are contributing to extreme poverty, including those derived from the ongoing impact of the financial and economic crisis, the food crisis and ongoing concerns over food security, as well as the increasing challenges posed by climate change and the loss of biodiversity in all parts of the world, especially in developing countries, by enhancing cooperation to help to build national capacities;

17. *Reaffirms* the critical role of both formal and informal education in the achievement of poverty eradication and other development goals, as envisaged in the Millennium Declaration, in particular basic education and training for eradicating illiteracy, efforts towards expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty, reaffirms in this context the Dakar Framework for Action, adopted at the World Education Forum on 28 April 2000, and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as tools for achieving the Millennium Development Goal of universal primary education by 2015;

18. *Invites* the United Nations High Commissioner for Human Rights to continue to give high priority to the question of the relationship between extreme poverty and human rights, and also invites his Office to pursue further work in this area;

19. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations to continue to give appropriate attention to the links between human rights and extreme poverty, and encourages the private sector and international financial institutions to proceed likewise;

20. *Takes note with appreciation* of the guiding principles on extreme poverty and human rights, adopted by the Human Rights Council in its resolution 21/11, as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate;

21. *Encourages* Governments, relevant United Nations bodies, funds and programmes and the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations and non-State actors, including the private sector, to consider the guiding principles in the formulation and implementation of their policies and measures concerning persons affected by extreme poverty;

22. *Requests* the Office of the High Commissioner for Human Rights to disseminate the guiding principles, as appropriate;

23. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the Millennium Declaration and the internationally agreed development goals set out therein into their work;

24. *Also welcomes* the work undertaken by the Special Rapporteur of the Human Rights Council on extreme poverty and human rights, including her report, submitted to the General Assembly at its sixty-eighth session, and

his report, submitted to the General Assembly at its sixty-ninth session;

25. *Decides* to consider the question further at its seventy-first session under the sub-item entitled “Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms” of the item entitled “Promotion and protection of human rights”.

Right to food

Reports of Special Rapporteur. In accordance with a Human Rights Council request [YUN 2013, p. 700], the Special Rapporteur on the right to food, Olivier De Schutter (Belgium), submitted his final report [A/HRC/25/57], entitled “The transformative potential of the right to food”, which presented the main conclusions from his mandate, showing the connections among his various contributions. An overview of key recommendations made in his previous thematic reports to the Council and the General Assembly was appended as an annex. He concluded that the eradication of hunger and malnutrition was an achievable goal. Reaching it, however, required improving coordination across sectors, across time and across levels of governance.

In accordance with Assembly resolution 68/177 [YUN 2013, p. 700], the Secretary-General in August transmitted the first report [A/69/275] of the new Special Rapporteur, Hilal Elver (Turkey), who was appointed by the Council on 8 May. The report outlined issues she intended to focus on during her tenure, including the obstacles faced by those wishing to seek remedy for violations related to the right to food; gender gaps related to equal assets and productive resources; the effect of unpaid care work on women’s right to food; the need for mainstreaming gender in all legislative frameworks, programmes and policies related to food security and nutrition; the nutritional dimension of national food policies and development strategies; the effects of undernutrition on the most vulnerable, particularly children under five; the relationship between climate change, the right to food and the post-2015 sustainable development agenda; and the impact of protracted conflicts and emergency situations on the right to food.

Human Rights Council action. On 27 March [A/69/53 (res. 25/14)], the Council called on States and international organizations to combat the different forms of malnutrition; urged States to give priority in their development strategies and expenditures to the realization of the right to food; and requested the Special Rapporteur to report to the Council’s twenty-eighth (2015) session.

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.2 & Corr.1], adopted **resolution 69/177** without vote [agenda item 68 (b)].

The right to food

The General Assembly,

Reaffirming the Charter of the United Nations and its importance for the promotion and protection of all human rights and fundamental freedoms for all,

Reaffirming also all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights, which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration, in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights, in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,

Reaffirming the importance of the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,

Reaffirming also the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted in Rome on 16 November 2009,

Reaffirming further that all human rights are universal, indivisible, interdependent and interrelated and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food and nutrition security and poverty eradication,

Reiterating, as set out in the Rome Declaration on World Food Security and the Declaration of the World Food Summit, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter and that endanger food and nutrition security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food and nutrition security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing the complex character of the global food crisis, in which the right to adequate food has been threatened to be violated on a substantial scale, as a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as natural disasters and the lack in many countries of the appropriate technology, investment and capacity-building necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the impacts of the global food crisis,

Expressing its deep concern at the number and scale of natural disasters, diseases and pest infestations, as well as the negative impact of climate change, and their increasing impact in recent years, which have resulted in substantial loss of life and livelihood and threatened agricultural production and food and nutrition security, in particular in developing countries,

Emphasizing that a multisectoral approach that integrates nutrition across all sectors, including agriculture, health, water and sanitation, social protection and education, as well as a gender perspective, is critical to achieving global food and nutrition security and the realization of the right to food,

Recalling the endorsement of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security by the Committee on World Food Security at its 38th session, held on 11 May 2012, and by the Council of the Food and Agriculture Organization of the United Nations at its 144th session,

Recalling also the Principles for Responsible Investment in Agriculture and Food Systems, which were transmitted to the governing bodies of the Food and Agriculture Organization of the United Nations for consideration at the forty-first session of the Committee on World Food Security, held in October 2014,

Stressing the importance of the Second International Conference on Nutrition, hosted by the World Health Organization and the Food and Agriculture Organization of the United Nations in Rome from 19 to 21 November 2014,

Stressing also the need to increase official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and the right to food for all,

Recognizing also the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Recalling the outcome document of the United Nations Conference on Sustainable Development, entitled “The future we want”, endorsed by the General Assembly in its resolution 66/288 of 27 July 2012,

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers* it intolerable that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 die from hunger-related illness and that, as estimated by the Food and Agriculture Organization of the United Nations, about 805 million people worldwide suffer from chronic hunger, including as one of the effects derived from the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its concern* at the fact that the effects created by the world food crisis still continue to have serious consequences for the poorest and most vulnerable people, particularly in developing countries, which have been further aggravated by the impacts of the world financial and economic crisis, and at the particular effects of this crisis on many net food-importing countries, especially least developed countries;

5. *Expresses its deep concern* that, according to the report of the Food and Agriculture Organization of the United Nations, entitled *The State of Food Insecurity in the World 2013*, the number of hungry people in the world remains unacceptably high and the vast majority of hungry people live in developing countries;

6. *Expresses its concern* that women and girls are disproportionately affected by hunger, food and nutrition insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular when they contribute to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and that women have equal access to resources, including income, land and water and their ownership and agricultural inputs, as well as full and equal access to health care, education, science and technology, to enable them to feed themselves and their families, and in this regard stresses the need to empower women and strengthen their role in decision-making;

8. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of her mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to

food and food insecurity to continue integrating a gender perspective into their relevant policies, programmes and activities;

9. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

10. *Calls upon* all States and, if appropriate, relevant international organizations to take measures and support programmes that are aimed at combating undernutrition in mothers, in particular during pregnancy, and children and the irreversible effects of chronic undernutrition in early childhood, in particular from birth to the age of 2 years;

11. *Encourages* all States to take steps, with a view to progressively achieving the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

12. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

13. *Stresses* that improving access to productive resources and public investment in rural development are essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investment, including private investment, in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

14. *Recognizes* the critical contribution made by the fisheries sector to the realization of the right to food and to food security and the contribution of small-scale fishers to the local food security of coastal communities;

15. *Also recognizes* that 70 per cent of hungry people live in rural areas, where nearly half a billion family farmers are located, and that these people are especially vulnerable to food insecurity given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access for their products to national and international markets and empowerment of small producers, particularly women, in value chains, is a key element for food security and the provision of the right to food;

16. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

17. *Urges* States that have not yet done so to favourably consider becoming parties to the Convention on Biological Diversity and to consider becoming parties to

the International Treaty on Plant Genetic Resources for Food and Agriculture as a matter of priority;

18. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples, acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face in achieving the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

19. *Welcomes* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held on 22 and 23 September 2014, and the commitment to developing, in conjunction with the indigenous peoples concerned and where appropriate, policies, programmes and resources to support indigenous peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition;

20. *Notes* the need to further examine various concepts, such as "food sovereignty", and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

21. *Requests* all States and private actors, as well as international organizations, within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

22. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting their enjoyment of the right to food;

23. *Takes note with appreciation* of the growing movement, in different regions of the world, towards the adoption of framework laws, national strategies and measures in support of the full realization of the right to food for all;

24. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

25. *Calls for* the conclusion and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions that permit the full realization of the right to food;

26. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

27. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty, as well as non-communicable diseases;

28. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and once again invites all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security and the United Nations Millennium Declaration;

29. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

30. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

31. *Stresses* the importance of international cooperation and development assistance as an effective contribution both to the expansion and improvement of agriculture and its environmental sustainability, food production, breeding projects on diversity of crops and livestock and institutional innovations such as community seed banks, farmer field schools and seed fairs and to the provision of humanitarian food assistance in activities related to emergency situations for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

32. *Also stresses* that States parties to the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights should consider implementing that agreement in a manner that is supportive of food security, while being mindful of the obligation of Member States to promote and protect the right to food;

33. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across different regions, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including Southern Africa;

34. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

35. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Human Rights Council;

36. *Supports* the realization of the mandate of the Special Rapporteur, as extended by the Human Rights Council in its resolution 22/9 of 21 March 2013;

37. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources

necessary for the effective fulfilment of the mandate of the Special Rapporteur;

38. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its general comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights), in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

39. *Recalls* general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant), in which the Committee noted, inter alia, the importance of ensuring sustainable access to water resources for human consumption and agriculture in realization of the right to adequate food;

40. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004, represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the Millennium Declaration, and welcomes the outcome of the meeting on the 10-year retrospective of the implementation of the Guidelines, held in October 2014;

41. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in her task, to supply all necessary information requested by her and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable her to fulfil her mandate more effectively;

42. *Requests* the Special Rapporteur to submit to the General Assembly at its seventieth session an interim report on the implementation of the present resolution and to continue her work, including by examining the emerging issues with regard to the realization of the right to food within her existing mandate;

43. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of her mandate through, inter alia, the submission of comments and suggestions on ways and means of realizing the right to food;

44. *Decides* to continue the consideration of the question at its seventieth session under the item entitled "Promotion and protection of human rights".

Rights of peasants and other rural area workers

Human Rights Council action. On 27 June [A/69/53 (res. 26/26)], by a recorded vote of 29 to 5, with 13 abstentions, the Council took note of the

expert seminar on the rights of peasants and other people working in rural areas (Geneva, 8–9 April) held at the Geneva Academy of International Humanitarian Law and Human Rights; decided that the intergovernmental working group on a UN declaration on the rights of peasants and other people working in rural areas [YUN 2012, p. 707] would hold its second session before the Council's twenty-ninth (2015) session; and requested the working group's Chairperson-Rapporteur to prepare a new text on the basis of the discussions during its first session [YUN 2013, p. 703] and the informal consultations to be held, and to present the new text to the working group's second session. It requested the working group to report on progress made to the Council's thirtieth (2015) session.

Right to adequate housing

Reports of Special Rapporteur. As requested by Human Rights Council resolution 15/8 [YUN 2010, p. 741], the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in that context, Raquel Rolnik (Brazil), submitted a report [A/HRC/25/54] recommending a set of guiding principles to assist States and other actors in addressing the tenure insecurity crisis faced by the urban poor. The 10 principles, which were based on input from States, various stakeholders and civil society organizations, dealt with: strengthening diverse tenure forms; improving security of tenure; prioritizing in situ solutions; promoting the social function of property; combating discrimination on the basis of tenure; promoting women's security of tenure; respecting security of tenure in business activities; strengthening security of tenure in development cooperation; empowering the urban poor and holding the State accountable; and ensuring access to justice.

As requested by Council resolutions 15/8 and 25/17 (see below), the Secretary-General in August transmitted to the Assembly the first report [A/69/274] of the new Special Rapporteur, Leilani Farha (Canada), who was appointed by the Council on 8 May. The Rapporteur outlined areas in which she wished to consult with States, civil society and other stakeholders as she prepared her work plan; reflected on the work undertaken by previous mandate holders and advances achieved; offered preliminary thoughts about the status of the right to adequate housing; and highlighted priority areas in which she hoped that advances could be made.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission report. In March [A/HRC/25/54/Add.4], the United Kingdom submitted its comments on the report of the Special Rapporteur's 2013 visit to the country [YUN 2013, p. 704].

Human Rights Council action. On 28 March [A/69/53 (res. 25/17)], the Council extended the mandate of the Special Rapporteur for a three-year period and requested the Rapporteur to report regularly to the Council and the General Assembly.

Right to health

Reports of Special Rapporteur. As requested by the Human Rights Council [YUN 2013, p. 705], the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover (India), in April submitted a report [A/HRC/26/31] that drew links between unhealthy foods and diet-related non-communicable diseases. He highlighted the need for States to address structural changes in the food environment, which negatively affected individuals' enjoyment of the right to adequate and nutritious food. Global trade, increased foreign direct investment in the food sector and the pervasive marketing of unhealthy foods had increased their consumption. The Rapporteur outlined policies to increase the availability and accessibility of healthier food options, as well as to increase awareness about the risks posed by unhealthy foods. He pointed to States' obligations to ensure the fulfilment of the right to health, and to the food industry's responsibility to refrain from producing, marketing and promoting unhealthy foods. He stressed the need for accountability and remedial mechanisms by which individuals could seek redress to violations of their right to health. The Rapporteur made recommendations aimed at States and the food industry.

In accordance with a Human Rights Council request [YUN 2013, p. 705], the Secretary-General in August transmitted to the General Assembly the Special Rapporteur's report [A/69/299], which considered elements that affected implementation of the right to health framework, including the justiciability of economic, social and cultural rights; the concept of the progressive realization of the right to health; and the accountability deficit of transnational corporations. The Rapporteur called for an international mechanism to hold them liable for violations of human rights and urged a review of the system of international investment agreements and the investor-State dispute settlement system, with a view to creating a level playing field between transnational corporations and States. He presented recommendations on bridging the gaps in the realization of the right to health.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission report. Following his visit to Malaysia (19 November–2 December) [A/HRC/29/33/Add.1], the new Special Rapporteur, Dainius Pūras (Lithuania), appointed by the Council in June, assessed issues related to the country's health-care system and financing, as well as to the right to health of particular

groups, such as women and girls; indigenous communities; migrants, refugees and asylum seekers; lesbian, gay, bisexual and transgender persons; persons living with HIV/AIDS; children; and persons with psychosocial and developmental disabilities. He commended the country for advances made in reducing poverty, increasing spending on health and improving basic health-related indicators. He encouraged the Government to address challenges that were mostly connected to a selective approach to human rights and the prevalence of discrimination against vulnerable groups. In that regard, the Rapporteur made a number of recommendations.

Human Rights Council action. On 26 June [A/69/53 (res. 26/18)], the Council called on States to promote physical activity and sport among all segments of their population and requested the Special Rapporteur to submit a study on sport and healthy lifestyles as contributing factors to the right of everyone to health to the Council's thirty-second (2016) session.

Maternal mortality

OHCHR report. In response to a Human Rights Council request [YUN 2012, p. 710], OHCHR in June submitted a report [A/HRC/27/20] which discussed initiatives to implement the technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal morbidity and mortality [YUN 2012, p. 710]. Taking into consideration information received from 12 States, one UN agency, civil society groups and other stakeholders, the report documented efforts in disseminating and utilizing the guidance, examined challenges in its implementation and offered recommendations to support implementation.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/11)], the Council urged States to renew their political commitment to eliminate preventable maternal mortality and morbidity; called on States and encouraged stakeholders to consider the recommendations in the OHCHR report on the technical guidance (see above); and requested the High Commissioner to submit a follow-up report on the application of the technical guidance by States and other actors to the Council's thirty-third (2016) session.

Water and sanitation

Reports of Special Rapporteur. In accordance with a Human Rights Council request [YUN 2012, p. 711], the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque (Portugal), in June submitted a report [A/HRC/27/55] that focused on common violations of those rights, as identifying them was crucial for

prevention and remedial action. She developed a typology of violations, examining breaches of the obligations to respect, to protect, to fulfil, to refrain from discrimination, to ensure substantive equality and to ensure participation, as well as extraterritorial obligations. The report also discussed access to justice for violations. The Rapporteur noted that violations of the right to sanitation had not received the attention they deserved and that victims were among the most stigmatized in society. Taboos remained that prevented open discussions about unhygienic conditions. She urged all actors to frame violations related to water and sanitation more explicitly as violations of human rights and presented conclusions and recommendations.

In a July addendum [A/HRC/27/55/Add.3], the Special Rapporteur introduced the “Handbook for realizing the human rights to safe drinking water and sanitation” that she had developed as a culmination of her six years of work as a mandate holder. The handbook would be published in September before her term ended.

In accordance with a Human Rights Council request [YUN 2011, p. 730], the Secretary-General in July transmitted the Special Rapporteur’s report [A/69/213], which focused on the right to participation in the context of realizing the right to safe drinking water and sanitation, emphasizing that States had an obligation to ensure participation. She provided guidance on what the right to participation required, what elements were essential for ensuring active, free and meaningful participation, and what participation entailed at various levels of decision-making. She noted that while there were excellent practices that ensured participation, those appeared to be isolated rather than institutionalized. The Rapporteur made recommendations for States and other stakeholders.

Mission reports. Following her visit to Jordan (11–16 March) [A/HRC/27/55/Add.2], the Special Rapporteur noted that the country, characterized by an arid environment, faced enormous challenges in providing water and sanitation services to a growing population and to the millions of refugees it hosted. The country had made considerable progress in the connection of water and sanitation networks and in the collection, treatment and reuse of wastewater; yet several challenges persisted, such as the intermittency of the water supply, with grave consequences for its quality, availability and affordability. The water and sanitation tariff system put an unjust burden on the poor and marginalized, while the heavy subsidization of water, in particular for agriculture, threatened sustainability. The Rapporteur made recommendations to address those challenges, and called on the Government to take a holistic approach, linking pressing emergency needs with a long-term development strategy.

In July, Brazil [A/HRC/27/55/Add.4] and Jordan [A/HRC/27/55/Add.5] submitted their comments on the Special Rapporteur’s report on her visit to those

countries, respectively, in 2013 [YUN 2013, p. 706] and in 2014 (see above).

Following her mission to Kenya (22–28 July) [A/HRC/30/39/Add.2], the Special Rapporteur noted that it was one of the first States to explicitly recognize the human rights to water and sanitation in national legislation, and was undertaking legal and institutional reforms in the areas related to the provision of those services. Kenya faced enormous challenges, including those related to access to sanitation in informal settlements and rural areas. The Rapporteur encouraged the Government to place the human rights to water and sanitation at the core of the reform processes and to prioritize the most marginalized groups. She made recommendations to address those challenges and called on the Government to clarify the allocation of responsibilities in the provision of water and sanitation services.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/7)], the Council took note of the work of the World Health Organization (WHO) and the United Nations Children’s Fund (UNICEF) in their 2014 update on the Joint Monitoring Programme for Water Supply and Sanitation, and called on States to progressively realize the right to safe drinking water and sanitation and to support the goals of the advocacy campaign “Sustainable sanitation: the five-year drive to 2015”. It also called on non-State actors, including business enterprises, to comply with their responsibility to respect those rights.

In November, the Council appointed Léo Heller (Brazil) as the second Special Rapporteur. He took office on 1 December.

Ebola epidemic

Human Rights Council action. In a 26 September statement [A/69/53/Add.1 (PRST/27/4)], the Council President deplored the fact that the Ebola virus had claimed, and continued to claim, the lives of so many people in West Africa, including health workers; noted that WHO had declared the Ebola outbreak a public health emergency of international concern; requested States and international organizations to support the rapid establishment of an African centre for disease control and prevention; and called on States to implement the recommendations of WHO and international health regulations in taking prevention and containment measures.

Cultural rights

Reports of Special Rapporteur. In response to a Human Rights Council request [YUN 2012, p. 712], the Special Rapporteur in the field of cultural rights, Farida Shaheed (Pakistan), in January submitted a report [A/HRC/25/49] that addressed memorialization processes of past events in post-conflict and divided

societies, with a focus on memorials and museums of history/memory. States exiting conflicts or periods of repression were increasingly engaging in memorial policies as a means of ensuring recognition for the victims, as reparation for mass or grave violations of human rights and as a guarantee of non-recurrence. Addressing challenges in memorializing the past, the Rapporteur made recommendations grounded in the principle that memorialization should be understood as a process that provided the space for those affected by human rights violations to articulate their narratives. Memorial practices should stimulate civic engagement, critical thinking and discussions on the representation of the past, as well as on contemporary challenges of exclusion and violence.

In response to a Human Rights Council request [YUN 2012, p. 712], the Secretary-General in August transmitted the Special Rapporteur's report [A/69/286], which considered the impact that commercial advertising and marketing practices had on the enjoyment of cultural rights. The Rapporteur was concerned by the disproportionate presence of advertising and marketing in public spaces, the myriad advertisements people received daily, and the resort to techniques aimed at circumventing individual rational decision-making. The Rapporteur concluded that States should protect people from undue levels of commercial advertising and marketing while increasing the space for not-for-profit expressions. She recommended that States regulate the area more effectively, and in particular that all commercial advertising and marketing in schools be banned.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission report. Following her visit to Botswana (14–26 November) [A/HRC/31/59/Add.1], the Special Rapporteur commended the country's achievements in the area of development and poverty reduction. Important nation-building policies had been implemented and efforts to recognize, value and benefit from the rich cultural diversity of the country had been developed. Many people, however, felt excluded from the main society and lacked recognition of their cultural heritage. The Rapporteur expressed concern about the imbalance in recognition and power between Tswana and non-Tswana communities, a system inherited from the colonial past that influenced the realization of cultural rights. Botswana needed to engage in a new era of nation-building that fully reflected, built upon and celebrated its rich cultural diversity.

Human Rights Council action. On 28 March [A/69/53 (res. 25/19)], the Council decided to hold, at its twenty-seventh (2014) session, a panel discussion on history teaching and memorialization processes to contribute to the sharing of good practices; requested the High Commissioner to submit a summary report on the discussion to the Council's twenty-eighth (2015) session; and requested the Special Rapporteur to report to that session.

Panel discussion. Pursuant to Human Rights Council resolution 25/19 (see above), the High Commissioner submitted a summary report [A/HRC/28/36] on the panel discussion on history teaching and memorialization processes (Geneva, 9 September). Panelists reaffirmed that a lack of attention to past wrongs and historical events inevitably resulted in a recurrence of violations and stressed that more attention had to be paid to victims of violations. They welcomed the fact that so many delegations had expressed support for the Special Rapporteur's recommendations relating to the multi-perspective approach in teaching history and memorialization processes, and encouraged States to implement such an approach.

Right to education

Reports of Special Rapporteur. In response to a Human Rights Council request [YUN 2011, p. 734], the Special Rapporteur on the right to education, Kishore Singh (India), in May submitted a report [A/HRC/26/27] focusing on the assessment of the educational attainments of students and the implementation of the right to education. He underlined the importance of applying national assessment systems which were in compliance with international human right norms, thus fostering the humanistic mission of education rather than its instrumental role, assessing students on more than just mathematical literacy and language skills. He placed emphasis on skills development as an integral part of basic education, and on the need for innovative assessment modalities of technical and vocational education and training. The Rapporteur recommended strengthening human rights-based, holistic approaches to national assessments of the educational attainments of students.

In response to a Human Rights Council request [YUN 2011, p. 734], the Secretary-General in September transmitted to the General Assembly the report [A/69/402] of the Special Rapporteur, which examined State responsibility in the face of the explosive growth of private education providers from a right to education perspective. The Rapporteur emphasized the need to preserve education as a public good, which must not be reduced to a profit-making business. Privatization often excluded marginalized groups, who were unable to pay, undermining the right of universal access to education. The Rapporteur stressed that States must develop a regulatory framework for private education providers, including sanctions for abusive practices.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission report. Following his mission to Bhutan (26 May–3 June) [A/HRC/29/30/Add.1], the Special Rapporteur welcomed the progress achieved, including the increasing access of boys and girls to primary and secondary education, and measures taken to improve the quality of education. Basic education

was free and compulsory, 40 per cent of meritorious students were offered government scholarships for two additional years of secondary schooling and university-level education was available for graduates of grade 12; however, some areas of concern remained. An education act had not been developed, children without residency rights might not always be enrolled in schools, and technical and vocational education and training was not adequate for the needs of the nation. The Rapporteur concluded the report with recommendations, including on reinforcing education for “gross national happiness”.

Human Rights Council action. On 26 June [A/69/53 (res. 26/17)], the Council urged States to apply assessment systems that were in compliance with international human rights law; called on stakeholders to increase efforts towards attaining the 2015 education goals; and extended the Special Rapporteur’s mandate for three years.

On 25 September [A/69/53/Add.1 (res. 27/6)], the Council expressed concern that despite progress in recent years, many girls continued to suffer severe disadvantage and exclusion in education systems throughout their lives; decided to convene at its twenty-ninth (2015) session a panel discussion on realizing the equal enjoyment of the right to education by every girl to share lessons learned and best practices; and requested the High Commissioner to organize the discussion and present a summary report to the Council’s thirtieth (2015) session.

Environmental and scientific concerns

Human rights and the environment

Report of Independent Expert. In accordance with a Human Rights Council request [YUN 2012, p. 713], the first Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, John H. Knox (United States), submitted his second report [A/HRC/25/53], which mapped human rights obligations relating to the environment. The Expert described procedural obligations of States to assess environmental impacts on human rights, make environmental information public, facilitate participation in environmental decision-making and provide access to remedies for environmental harm. He described States’ obligations to adopt legal and institutional frameworks that protected against environmental harm interfering with the enjoyment of human rights, including harm caused by private actors, and outlined obligations relating to the protection of members of vulnerable groups, including women, children and indigenous peoples.

Mission report. Following his visit to France (20–24 October) [A/HRC/28/61/Add.1], the Independent Expert noted that the country provided many good

examples of the application of human rights to environmental protection, including: the adoption of the Charter for the Environment at the constitutional level; innovative steps to provide environmental information to the public through online platforms; national consultations on environmental issues of sweeping importance; and the emphasis on sustainable development in the French Development Agency. The Expert also noted challenges, such as projects with public inquiry opportunities very late in the process and decision-making processes that were lengthy, complicated or unpredictable. He encouraged innovative thinking about ways to strengthen public participation in environmental decision-making.

Human Rights Council action. On 28 March [A/69/53 (res. 25/21)], the Council recognized that human rights law set out obligations on States regarding the enjoyment of a safe, clean, healthy and sustainable environment and reaffirmed the duty of States to protect against human rights abuse as well as the importance of non-discrimination in the application of environmental laws. The Council urged States to comply with their human rights obligations when developing and implementing their environmental policies.

Climate change

Human Rights Council action. On 27 June [A/69/53 (res. 26/27)], the Council noted the 23 September convening by the Secretary-General of the climate summit (see p. 1198); reiterated its concern that the adverse effects of climate change had direct and indirect implications for the enjoyment of human rights; and decided to hold a full-day discussion on themes relating to human rights and climate change at its twenty-eighth (2015) session, which would include two panel discussions: one on identifying challenges and ways forward towards the realization of human rights for all, and another on the adverse impact of climate change on States’ efforts to realize the right to food, as well as policies, lessons learned and good practices. OHCHR was requested to submit a summary report to the Council.

Toxic waste

Report of Special Rapporteur. In accordance with a Human Rights Council request [YUN 2012, p. 715], the new Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and waste, Baskut Tuncak (Turkey), appointed by the Council in June, submitted a report in August [A/HRC/27/54] reviewing the background, history, scope and context of the mandate, and presenting his preliminary strategy for the mandate. He assumed office on 1 August following the tragic loss of the previous mandate holder Marc Pallemmaerts [YUN 2012, p. 715] in

May after months of ill health. In order to fulfil his mandate, which included an analysis of gaps and ambiguities in international laws, as well as the development of a best practices guide, the Rapporteur would hold consultations and undertake country missions.

Human Rights Council action. On 26 September [A/69/53/Add.1 (res. 27/23)], the Council extended the Special Rapporteur's mandate for three years, and requested that he report annually to the Council; develop a guide to good practices and submit it to the Council's thirty-sixth (2017) session; and hold two international meetings of experts to draw up the guide.

Slavery and related issues

Report of Special Rapporteur. As requested by the Human Rights Council [YUN 2013, p. 712], the new Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola (South Africa), who was appointed by the Council on 8 May, submitted her first annual report [A/HRC/27/53] to the Council in July. The report summarized the activities undertaken by the previous mandate holder since her 2013 report [YUN 2013, p. 712], including country visits to Mauritania and Kazakhstan (see below), and outlined the priorities on which the new Rapporteur intended to focus.

Mission reports. Following her visit to Mauritania (24–27 February) [A/HRC/27/53/Add.1] to assess developments since her 2009 mission [YUN 2009, p. 731], the former Special Rapporteur, Gulnara Shahinian (Armenia), found that the Government had made progress in taking legislative and institutional measures to fight forms of slavery. It had adopted the road map for implementing the Rapporteur's recommendations, marking a new stage in the fight against all forms of slavery and slavery-like practices. The Rapporteur stressed the need to implement laws and policies fully and expressed concern at the lack of reliable information, which was a prerequisite for the efficiency of Government programmes. She stressed the need for the Government to publish in the official gazette the anti-slavery conventions it had ratified in order to raise awareness that all work should be entered into freely and fundamental human rights should be respected.

Following her mission to Kazakhstan (25–27 March) [A/HRC/27/53/Add.2] to assess developments since her 2012 visit [YUN 2012, p. 716], the Special Rapporteur, while welcoming the action taken in response to her recommendations, found that some challenges remained. The country was experiencing a growing demand for workers in a variety of sectors in which contemporary forms of slavery and forced and bonded labour persisted, in particular in the tobacco, cotton and construction industries. She recommended that the Government adopt a comprehensive legal and policy approach to the eradication of slavery, which involved a review of laws, policies, programmes and practices to

ensure subsequent streamlining. She stressed the need for a substantive survey and for the collection of disaggregated data and statistics. The Rapporteur made recommendations to the Government, the business community and the international community.

Following her mission to the Niger (11–21 November) [A/HRC/30/35/Add.1], the new Special Rapporteur highlighted issues of concern, including descent-based slavery, the practice known as *wahaya* (the purchase of one or more girls, usually of slave descent, under the guise of a fifth wife), child marriage, domestic servitude and child labour. While commending the criminalization of slavery in 2003 and acknowledging the Government's commitment to eradicating slavery, she noted challenges the Government faced to address the root causes of slavery, including poverty, inequality and customary norms that caused widespread discrimination against former slaves and their descendants. She made recommendations to assist the Government in improving the coordination and streamlining of anti-slavery efforts, ensure effective law enforcement, increase access to justice and enhance victim protection.

Trust fund on slavery

Report of Secretary-General. The Secretary-General reported [A/70/299] on the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery. The Fund's Board of Trustees, at its nineteenth session (Geneva, 24–28 November), recommended 44 project grants amounting to \$588,900 to assist NGO projects in 35 countries in 2015. The High Commissioner approved those recommendations on behalf of the Secretary-General on 10 December. During 2014, the Fund received contributions and pledges amounting to \$683,005 from 11 States. The Board reiterated that the Fund would need a minimum of \$2 million in annual contributions to fulfil its mandate.

Slavery and transatlantic slave trade

Commemorative meeting. On 25 March (decision 68/553), the General Assembly decided that its commemorative meeting on the occasion of the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, held on that day, would include a statement by Michaëlle Jean, Special Envoy for Haiti of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and member of the International Scientific Committee of the UNESCO Slave Route Project. The meeting was also addressed by the General Assembly President, the Chef de Cabinet on behalf of the Secretary-General, Member States on behalf of the regional groups and the representative of the host country [A/68/PV.77].

Report of Secretary-General. In accordance with Assembly resolution 68/7 [YUN 2013, p. 713], the Secretary-General in August reported [A/69/281] on the programme of educational outreach on the transatlantic slave trade and slavery. The theme of the 2014 commemoration, “Victory over slavery: Haiti and beyond”, paid tribute to the fight against slavery in nations around the world. Haiti was the first nation to become independent on 1 January 1804 as a result of the struggle of enslaved men and women, led by Toussaint Louverture. Working with States members of the Caribbean Community and the African Union, the UN Department of Public Information organized a series of activities throughout 2014, including observance of the International Day, a film festival on slavery and an exhibition. To increase awareness of the observance, the Department mobilized its network of UN information centres, used social media platforms and engaged in partnerships with Member States and civil society.

On 29 December, the Assembly decided that the agenda item on the follow-up to the commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade would remain for consideration during its resumed sixty-ninth (2015) session (**decision 69/554**).

Permanent memorial

Report of Secretary-General. As requested by Assembly resolution 68/7 [YUN 2013, p. 713], the Secretary-General in June reported [A/69/93] on the status of the United Nations Trust Fund for Partnerships—Permanent Memorial, established to erect a permanent memorial in honour of the victims of slavery and the transatlantic slave trade. In August 2013, following the conduct of an international competition to select a design for the memorial, the receipt of 310 entries worldwide and the shortlisting of 16 entries by UNESCO, a panel of five judges met in New York to evaluate the proposals. The winning design, *Ark of Return* by Rodney Leon, was unveiled by the Secretary-General at a 23 September 2013 ceremony at UN Headquarters. In February 2014, the Permanent Memorial Committee [YUN 2008, p. 846] entered into an agreement with the winning architect to provide design services for the construction of the memorial, which was expected to be completed in 2015.

As at 31 May 2014, \$1,448,065 had been recorded as income under the Fund, including \$1,288,519 in voluntary contributions from Member States, \$108,612 in public and private donations and \$50,934 in interest income. The Fund had an unspent balance of \$1,074,085.

GENERAL ASSEMBLY ACTION

On 21 November [meeting 58], the General Assembly adopted **resolution 69/19** [draft: A/69/L.19 & Add.1] without vote [agenda item 116].

Permanent memorial to and remembrance of the victims of slavery and the transatlantic slave trade

The General Assembly,

Recalling its resolution 61/19 of 28 November 2006, entitled “Commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade”, and subsequent resolutions entitled “Permanent memorial to and remembrance of the victims of slavery and the transatlantic slave trade”,

Recalling also the designation of 25 March as the annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade,

Recognizing how little is known about the transatlantic slave trade and its lasting consequences, felt throughout the world, and welcoming the increased attention that the annual commemoration by the General Assembly has brought to the issue, including raising awareness in many States,

Noting the initiatives undertaken by States in reaffirming their commitment to implement paragraphs 101 and 102 of the Durban Declaration of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, aimed at countering the legacy of slavery and contributing to the restoration of the dignity of the victims of slavery and the slave trade,

Recalling, in particular, paragraph 101 of the Durban Declaration, which, inter alia, invited the international community and its members to honour the memory of the victims,

Recalling also its resolution 68/237 of 23 December 2013, by which it proclaimed the International Decade for People of African Descent, from 1 January 2015 to 31 December 2024, and its resolution 69/16 of 18 November 2014, in which it adopted the programme of activities for the Decade,

Stressing the importance of educating and informing current and future generations about the causes, consequences and lessons of slavery and the transatlantic slave trade,

Recalling that the permanent memorial initiative complements the work being done at the United Nations Educational, Scientific and Cultural Organization on the Slave Route Project, the twentieth anniversary of which is commemorated in 2014,

1. *Endorses* the initiative of Member States to erect, at a place of prominence at United Nations Headquarters that is easily accessible to delegates, United Nations staff and visitors, a permanent memorial in acknowledgement of the tragedy and in consideration of the legacy of slavery and the transatlantic slave trade;

2. *Recalls* the establishment of a committee of interested States to oversee the permanent memorial project, drawn from all geographical regions of the world, with Member States from the Caribbean Community and the African Union playing a primary role, in collaboration with the United Nations Educational, Scientific and Cultural Organization, representatives of the Secretariat and civil society;

3. *Also recalls* the establishment of a trust fund account for the permanent memorial, referred to as the United Nations Trust Fund for Partnerships—Permanent Memorial, administered by the United Nations Office for Partnerships, and notes the current status of contributions to the Trust Fund;

4. *Expresses sincere appreciation* to those Member States, organizations and individuals that have made contributions to the Trust Fund;

5. *Recognizes* the necessity of sustained voluntary contributions in order to achieve in a timely manner the goal of erecting a permanent memorial in honour of the victims of slavery and the transatlantic slave trade, and in this regard, encourages Member States and other interested parties to make further voluntary contributions to the Trust Fund;

6. *Decides* that the United Nations will incorporate the memorial within the existing United Nations Headquarters campus, on an exceptional basis and without setting a precedent, also decides that any funds remaining in the Trust Fund will be retained to support the maintenance of the memorial, and welcomes efforts to continue to solicit voluntary contributions in this regard;

7. *Requests* the Secretary-General to organize a series of activities annually to commemorate the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, including a commemorative meeting of the General Assembly at United Nations Headquarters and, as appropriate, activities through the network of United Nations information centres;

8. *Requests* the Department of Public Information of the Secretariat, in cooperation with the countries concerned and with relevant organizations and bodies of the United Nations system, to continue to take appropriate steps to enhance world public awareness of the commemorative activities and the permanent memorial at United Nations Headquarters;

9. *Reiterates its request*, in resolution 64/15 of 16 November 2009, for Member States to develop, in accordance with their national legislation, educational programmes, including through school curricula, designed to educate and inculcate in future generations an understanding of the lessons, history and consequences of slavery and the slave trade, and to provide such information to the Secretary-General for inclusion in his report;

10. *Notes with satisfaction* the selection of the design “Ark of Return” as the model for the permanent memorial and the ongoing construction of the memorial, scheduled for completion during the sixty-ninth session of the General Assembly;

11. *Takes note* of the report of the Secretary-General on the programme of educational outreach on the transatlantic slave trade and slavery relating to the diverse educational outreach strategy to increase awareness of and to educate future generations about the causes, consequences, lessons and legacy of the transatlantic slave trade and to communicate the dangers of racism and prejudice, and encourages continued action in this regard;

12. *Requests* the Secretary-General to report to the General Assembly at its seventieth session on continued action to implement the programme of educational outreach, including actions taken by Member States in implementing the present resolution, as well as steps to enhance world public awareness of the commemorative activities and the permanent memorial;

13. *Requests* the United Nations Office for Partnerships, through the Secretary-General, to submit a comprehensive report to the General Assembly at its seventieth session on the status of the Trust Fund and, in particular, on contributions received and their utilization;

14. *Decides* to include in the provisional agenda of its seventieth session the item entitled “Follow-up to the

commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade”.

Women

Violence against women

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2013, p. 715], the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo (South Africa), in May submitted a report [A/HRC/26/38] that covered her activities since her previous report [YUN 2013, p. 714] and focused on developments in the United Nations over 20 years, including the expanding conceptualization of the theme. The Rapporteur concluded that despite the existence of guidelines and monitoring by human rights treaty bodies and the universal periodic review, the limitations of large and varied monitoring mandates, coupled with time constraints when examining State party reports, had resulted in insufficient interrogation concerning the information relating to the issue and insufficient assessment of responses. The lack of specific, legally enforceable standards further affected efforts to ensure appropriate responses and accountability. She recommended that the Council undertake an inquiry into the normative gap to strengthen efforts to eliminate violence against women and that the Secretary-General initiate a study on the impact of other challenges raised in the report.

In accordance with General Assembly resolution 67/144 [YUN 2012, p. 1095], the Secretary-General in September transmitted the Special Rapporteur’s report [A/69/368], which focused on violence against women as a barrier to the realization of women’s civil, political, economic, social, cultural and developmental rights and the effective exercise of citizenship rights. The Rapporteur concluded that many States had acknowledged violence against women as a widespread and systematic human rights violation and were working on eradicating it.

Mission reports. Following her visit to Honduras (1–8 July) [A/HRC/29/27/Add.1], the Special Rapporteur noted that while the Government had undertaken legislative and institutional initiatives to address the situation of women and girls, those initiatives had not been translated into practical improvements. The absence of a data collection system to guide policy development and monitor progress, as well as the failure of the State to fulfil its obligation to investigate, prosecute and punish perpetrators of gender-based violence presented further challenges. The Rapporteur made recommendations on law and policy reforms, accountability, societal transformation, and statistics and data collection. She also recommended a review of the presence, programmes and resources of UN agencies in the country in the quest to respond to the problem.

Following her mission to the United Kingdom (31 March–15 April) [A/HRC/29/27/Add.2], the Special Rapporteur noted that while the Government had developed national strategies and action plans, those initiatives had resulted in isolated pockets of good practice, largely due to the lack of a consistent human rights-based approach to address violence against women and girls. She expressed concern about regressive measures that had been adopted, including the shift from gender specificity to gender neutrality; austerity measures that affected the provision of services; as well as cross-cutting issues, such as poverty and unemployment. Women from black and minority ethnic communities, as well as migrant, refugee and asylum-seeking women, women belonging to the lesbian, gay, bisexual, transgender and intersex community and women with disabilities had been affected by those cutbacks. The Rapporteur made a series of recommendations to the Government.

Following her mission to Afghanistan (4–12 November) [A/HRC/29/27/Add.3], the Special Rapporteur said that the Government had undertaken legal and institutional initiatives to meet its human rights obligations and address the situation of women and girls. Despite continued challenges, political commitments to protect and promote human rights continued to be highlighted through the Bonn process, the Kabul Conference, the Tokyo Conference and the 2014 London Conference. Those commitments, however, had not translated into concrete improvements in the lives of the majority of women. The Rapporteur reiterated and expanded on key recommendations made by her predecessors in 1999 [YUN 1999, p. 668] and 2005 [YUN 2005, p. 852], many of which remained relevant.

In June [A/HRC/26/38/Add.4] and October [A/HRC/26/38/Add.6], respectively, India and Azerbaijan submitted their comments on the Special Rapporteur's report on her visit to those countries in 2013 [YUN 2013, pp. 714 & 715].

Human Rights Council action. On 26 June [A/69/53 (res. 26/15)], the Council urged States and all segments of society to address the harmful attitudes, customs, practices, stereotypes and unequal power relations that underlay and perpetuated violence against women and girls; welcomed the panel discussions on gender stereotyping and on women's human rights in the context of the sustainable development agenda held at the Council's twenty-sixth (2014) session (see p. 749); and requested OHCHR to submit a summary report on the panel recommendations to the Council's twenty-seventh (2014) session and the Assembly's sixty-ninth (2014) session.

Female genital mutilation

Panel discussion. Pursuant to a Human Rights Council request [YUN 2013, p. 715], OHCHR submitted a summary report [A/HRC/27/36] on the panel discussion

on the identification of good practices in combating female genital mutilation (FGM), held during the Council's twenty-sixth (2014) session (Geneva, 16 June). There was a consensus among States on the need to eliminate FGM and on the action required to address it. Panellists recommended a greater focus on education for young people on FGM; broader dissemination of international human rights instruments; the development of national action plans; support from communities and local role models in advocacy campaigns; and the involvement of men and boys. The role played by civil society and NGOs was deemed to be critical.

Human Rights Council action. On 26 September [A/69/53/Add.1 (res. 27/22)], the Council urged States to condemn all harmful practices that affected women and girls, in particular FGM, whether committed within or outside a medical institution; called on States, the international community and UN system entities to end the medicalization of FGM; and requested the High Commissioner to submit a compilation of good practices and challenges in preventing and eliminating FGM to the Council's twenty-ninth (2015) session.

Trafficking in women and girls

Reports of Special Rapporteur. In response to a Human Rights Council request [YUN 2011, p. 740], the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo (Nigeria), in April submitted a report [A/HRC/26/37] reviewing her activities from 1 March 2013 to 1 March 2014 and providing a thematic analysis of the first decade of the mandate. She summarized the achievements of the anti-trafficking movement and identified challenges in developing rights-based responses to trafficking, drawing on the responses of States and partners to a questionnaire she had sent. The Rapporteur made recommendations on how the mandate could contribute to the global movement against human trafficking.

In a March addendum [A/HRC/26/37/Add.2], the Rapporteur provided an in-depth analysis of the first decade of the mandate, 2004–2014.

In response to a Human Rights Council request [YUN 2011, p. 740], the Secretary-General in August transmitted the Special Rapporteur's report [A/69/269] covering her activities from 1 March to 31 July 2014 and assessing the first decade of the mandate. The basic principles on the right to an effective remedy for victims of trafficking in persons [YUN 2011, p. 739], which were finalized through consultations with States and other stakeholders and written submissions (see below), were annexed to the report.

The General Assembly took note of that report on 18 December (**decision 69/536**).

Mission report. Following her mission to Seychelles (27–31 January) [A/HRC/26/37/Add.7], the Special Rapporteur expressed concern about the absence of legal and policy frameworks, as well as of targeted policies and institutions to prevent and combat trafficking in persons; the lack of comprehensive support for victims of trafficking; the lack of capacity, including front-line officials, law enforcement agents and civil society organizations; and the lack of awareness on the part of the general population with regard to the issue. As a result, the scale of the problem, its trends and scope appeared to be underestimated in the absence of statistical information. The Rapporteur made recommendations to the Government, including on addressing gaps in the anti-trafficking legislative, policy and institutional frameworks; improving the justice system; establishing a comprehensive data collection system on trafficked persons; increasing capacity-building activities for those involved in addressing trafficking issues; and addressing the root causes of trafficking.

Seychelles in June submitted its comments [A/HRC/26/37/Add.8] on that report.

On 28 May [A/HRC/26/37/Add.9] and 11 June [A/HRC/26/37/Add.10 & 11], respectively, Italy, the Bahamas and Belize submitted their comments on the Special Rapporteur's report on her 2013 mission to those countries [YUN 2013, p. 716].

Report of High Commissioner. Pursuant to a Human Rights Council request [YUN 2012, p. 721], the High Commissioner in May submitted a summary report [A/HRC/26/18] on the regional and global consultations convened by OHCHR to discuss and collect inputs on the draft basic principles on the right to an effective remedy for victims of trafficking in persons. The draft basic principles were revised on the basis of international human rights law and standards, as well as oral inputs and some 30 written submissions received during the consultative process from several stakeholders, including States, experts, participants, intergovernmental bodies and civil society. OHCHR welcomed the basic principles and encouraged the Council to endorse them with a view to States incorporating the principles into their legal framework so that they could become a living tool for practitioners in their daily anti-trafficking work.

Human Rights Council action. On 26 June [A/69/53 (res. 26/8)], the Council took note of the General Assembly decision to declare 30 July World Day against Trafficking in Persons [YUN 2013, p. 1249]; acknowledged the work of the Special Rapporteur in drafting the basic principles; extended the Rapporteur's mandate for three years; requested the Rapporteur to report annually to the Council and the Assembly; and urged States and subregional, regional and multilateral organizations to develop strategies and action plans to combat trafficking in persons in accordance with a victim-centred approach.

In June, the Human Rights Council appointed Maria Grazia Giammarinaro (Italy) as Special Rapporteur.

Discrimination against women in law and in practice

Working group activities. In accordance with a Human Rights Council request [YUN 2010, p. 751], the Working Group on the issue of discrimination against women in law and in practice in April submitted a report [A/HRC/26/39], which summarized its activities since its last report [YUN 2013, p. 716] and addressed the topic of eliminating discrimination against women in economic and social life, with a focus on economic crisis, the priority theme for 2013–2014. The report noted that discriminatory legislation in a number of States continued to obstruct women's enjoyment of equal rights and access to economic opportunity and resources. While a significant number of countries had adopted anti-discrimination measures, those had not resulted in equality of opportunity in women's economic and social lives. Women were disproportionately concentrated in informal and precarious employment and were exposed to multiple forms of discrimination; the wage gap persisted; maternity protections had not been fully implemented; and in many countries women did not have equal rights and access to resources. Austerity measures taken by some States in response to economic crisis had had a disparate impact on women, increasing the precarity of their employment and their burden of unpaid care work. The Working Group called for the establishment of gender-responsive and effective accountability systems at the international, regional and national levels; and called on States to ratify the Convention on the Elimination of All Forms of Discrimination against Women and international human rights treaties and conventions that guaranteed women's economic and social rights.

Mission reports. Following its visit to Chile (1–9 September) [A/HRC/29/40/Add.1], the Working Group noted that although Chile had made significant progress towards gender equality, there was still a large gap between the principles of equality and the actual rights of women. There were hard cores of resistance to change in relations between the sexes in the country. A cultural shift needed to take place through the adoption and implementation of legislation on equality in order to empower women and eliminate discrimination. The Working Group made recommendations to bolster initiatives aimed at ensuring gender equality and the promotion women's human rights.

Following its mission to Peru (11–19 September) [A/HRC/29/40/Add.2], the Working Group noted that while progress had been made in areas such as the strengthening of the legal and institutional framework, a gap remained between the rhetoric and

the reality. Although in law women had the right to equal treatment in public, political and economic life, there were no effective mechanisms to enable them to file complaints of discrimination. Women had been oppressed and silenced by the prevailing culture of religious conservatism and machismo, which undermined their well-being and especially the full realization of their sexual and reproductive rights. The Working Group made recommendations to strengthen measures designed to guarantee gender equality and the protection of women's rights.

Following its visit to Spain (9–19 December) [A/HRC/29/40/Add.3], the Working Group examined the incidence of gender-based violence and the effectiveness of Government measures adopted to combat it. It reviewed issues regarding women's sexual and reproductive health and rights, highlighted the role of education and media in combating discriminatory stereotypes, identified good practices and noted the achievements made. It concluded with recommendations regarding remaining challenges.

Human Rights Council action. On 26 June [A/69/53 (res. 26/5)], the Council requested States to take measures to overcome the barriers to women's economic opportunities resulting from maternity and the disproportionate burden of unpaid care work, and called on States and encouraged institutions of global economic governance and business to promote women's equal access to decision-making positions.

Mainstreaming women's human rights

Panel discussion. Pursuant to Human Rights Council resolutions 6/30 [YUN 2007, p. 787] and 26/15 (see above), OHCHR submitted a summary report [A/HRC/27/73] on the annual full-day discussion on women's human rights held during the Council's twenty-sixth (2014) session (Geneva, 17 June). The meeting comprised two panel discussions: one on the impact of gender stereotypes and gender stereotyping on the recognition, exercise and enjoyment of women's human rights, and another on the intersections between realizing women's rights and achieving sustainable development. Panellists recommended that States take into consideration the diverse needs of all women, and for an approach to address gender stereotyping in all sectors of society, including in education, employment, marriage and family life. The discussion on sustainable development affirmed the importance of ensuring a strong focus on gender equality in the post-2015 universal framework. Many speakers called for a stand-alone goal covering women's human rights. The need to mainstream gender concerns across the entire framework, ensure adequate financing and accountability mechanisms to achieve its goals, and ensure the availability of disaggregated data were emphasized.

By a 3 September note [A/69/369], the Secretary-General informed the General Assembly of the

OHCHR summary report. The Assembly took note of the Secretary-General's note on 18 December (**decision 69/531**).

Children

Violence against children

Reports of Special Representative. Pursuant to General Assembly resolution 67/152 [YUN 2012, p. 609], the Special Representative of the Secretary-General on violence against children, Marta Santos Pais (Portugal), in January submitted her annual report [A/HRC/25/47] which highlighted initiatives aimed at consolidating the human rights foundation of children's freedom from violence through the ratification and implementation of international standards; accelerating progress towards a world free from violence; placing children's protection from violence at the centre of the UN development agenda beyond 2015; and enhancing awareness to strengthen children's protection from violence, with a special focus on promoting restorative justice for children. The Representative concluded that restorative justice represented a paradigm shift in how justice for children and young people was perceived in many countries. It promoted the accountability and reintegration of children who had committed an offence through a non-adversarial and voluntary process based on dialogue and problem solving.

In response to Assembly resolution 68/147 [YUN 2013, p. 603], the Special Representative in August submitted to the Assembly a report [A/69/264] that reviewed the strategic initiatives that she had developed to advance the implementation of the recommendations of the UN study on violence against children [YUN 2006, p. 916]. Those initiatives had helped to consolidate cross-regional commitments to children's protection from violence and strengthen national advocacy, legal and policy action aimed at preventing and eliminating violence.

The General Assembly took note of that report on 18 December (**decision 69/532**).

Human Rights Council action. On 27 March [A/69/53 (res. 25/10)], the Council urged States to protect children from all forms of violence or abuse; decided to convene a panel discussion at its twenty-seventh (2014) session on accelerating global efforts to end violence against children, with a particular focus on how to better prevent violence and protect children as a global priority and cross-cutting concern; and requested the High Commissioner to organize the panel discussion and submit a summary report to the Council's twenty-eighth (2015) session.

Panel discussion. Pursuant to Human Rights Council resolution 25/10 (see above), the High Commissioner submitted a summary report [A/HRC/28/34] of the panel discussion on accelerating global efforts to end violence against children (Geneva, 23 September) con-

vened at the Council's twenty-seventh (2014) session. Panellists focused on the need to assess the underlying causes of violence against children; address the impact of traditional practices and culture on the realization of children's rights; tailor solutions to individual situations rather than apply a "one-size-fits-all" approach; address birth registration in order to make children visible; and ensure that violence against children was central to the post-2015 development agenda.

Sale of children, child prostitution and child pornography

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2012, p. 723], the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid (Morocco), submitted a report [A/HRC/25/48] covering the activities since her previous report [YUN 2013, p. 717] and reviewing the main issues relating to the mandate and lessons learned during her six-year tenure. She noted that even though the issue had gained visibility over the past years, millions of children worldwide were still victims of sexual exploitation. The phenomenon had become increasingly complex, with risk factors growing and multiplying. Impunity, social tolerance for such crimes, corruption and precarious socioeconomic situations remained among the most challenging obstacles. Strategies aimed at preventing and combating the phenomenon needed to be constantly reviewed and laws, action plans and strategies needed to be translated into concrete actions, with adequate funding and capacities to be fully operational. The Rapporteur recommended the inclusion of child-sensitive social protection in the post-2015 development agenda; underlined the need to strengthen child-rights strategies; and invited States to put in place child rights-centred protection systems.

In accordance with Assembly resolution 68/147, the Secretary-General in August transmitted the first report [A/69/262] of the new Special Rapporteur, Maud de Boer-Buquicchio (The Netherlands), appointed by the Council on 8 May. The report provided information on activities undertaken by her predecessor from August 2013 to May 2014 and her own activities from June to August 2014. The Rapporteur outlined her approach to the mandate and the methods of work. She would closely follow negotiations on sustainable development goals and the post-2015 development agenda to ensure that child protection issues were included in the outcome document.

The General Assembly took note of that report on 18 December (**decision 69/532**).

Mission report. Following her mission to Honduras (21–25 April) [A/HRC/28/56/Add.1] to assess progress since 2012 [YUN 2012, p. 723], the Special Rapporteur noted that although most of her recommendations remained valid, she urged the State to

prioritize three sets of recommendations: establish an integrated child protection system by means of a comprehensive framework and strategic plan; provide the Directorate for Children, Adolescents and the Family with the budget it needed to perform its coordinating and supervisory functions; and create a framework for cooperation in implementing the child protection policy, with the support of international cooperation agencies and the UN system.

Human Rights Council action. On 27 March [A/69/53 (res. 25/6)], the Council extended the mandate of the Special Rapporteur for a three-year period.

Child, early and forced marriage

OHCHR report. Pursuant to a Human Rights Council request [YUN 2013, p. 718], OHCHR in April submitted a report [A/HRC/26/22 & Corr.1] on preventing and eliminating child, early and forced marriage, which took into consideration 110 replies received as at 17 March from UN agencies, civil society groups, other stakeholders and 31 States. According to UNICEF estimates, in 2012, approximately 400 million women aged 20–49 worldwide (41 per cent of the total population of women in that age group) had been married or entered into a union before they reached 18 years of age. The United Nations Population Fund reported that the rate of marriage for girls before the age of 18 in developing countries (not including China) was one in three. The report concluded that despite progress made, challenges remained in the adoption and implementation of laws, policies and strategies to address the factors which allowed child marriage to persist and prevented women from marrying a spouse of their choice, including cultural attitudes supporting the practice. It was recommended that national policies and strategies be developed and implemented with the involvement of national and local government departments, civil society organizations and other stakeholders. Policy and protection measures should be part of broader efforts to promote equality and eliminate discrimination against women and girls.

By a 22 July note [A/69/166], the Secretary-General informed the General Assembly of the OHCHR report. The Assembly took note of the Secretary-General's note on 18 December (**decision 69/532**).

Panel discussion. Pursuant to a Human Rights Council request [YUN 2013, p. 718], OHCHR submitted a summary report [A/HRC/27/34] on the panel discussion on preventing and eliminating child, early and forced marriage, with a particular focus on challenges, achievements, best practices and implementation gaps (Geneva, 23 June), held at the Council's twenty-sixth (2014) session. The panellists concluded that further action was necessary to tackle the problem from a human rights perspective; approaches should address the root causes of child, early and forced marriage, including poverty and gender inequality; girls should

have access to education and services, including on sexual and reproductive health, and child, early and forced marriage should be featured in the post-2015 development agenda.

By a 22 July note [A/69/165], the Secretary-General informed the General Assembly of the summary report. The Assembly took note of the Secretary-General's note on 18 December (**decision 69/532**).

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/484], adopted **resolution 69/156** without vote [agenda item 64 (a)].

Child, early and forced marriage

The General Assembly,

Reaffirming its resolution 68/148 of 18 December 2013 on child, early and forced marriage,

Recalling its resolutions 66/140 of 19 December 2011 and 68/146 of 18 December 2013 on the girl child and 67/144 of 20 December 2012 on the intensification of efforts to eliminate all forms of violence against women, as well as Human Rights Council resolution 24/23 of 27 September 2013, entitled "Strengthening efforts to prevent and eliminate child, early and forced marriage: challenges, achievements, best practices and implementation gaps", and all other previous resolutions relating to child, early and forced marriage,

Guided by the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as other relevant human rights instruments, including the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, together with the relevant Optional Protocols thereto,

Reaffirming the Vienna Declaration and Programme of Action, as well as the Programme of Action of the International Conference on Population and Development, the Beijing Declaration and Platform for Action and the outcome documents of their review conferences,

Recalling the agreed conclusions adopted by the Commission on the Status of Women at its fifty-seventh and fifty-eighth sessions,

Taking note with appreciation of the report of the Office of the United Nations High Commissioner for Human Rights of 2 April 2014 on preventing and eliminating child, early and forced marriage and its summary report of 18 July 2014 on the panel discussion on preventing and eliminating child, early and forced marriage, and noting the summary report on the panel discussion held by the General Assembly on 5 September 2014,

Recognizing that child, early and forced marriage is a harmful practice that violates, abuses and impairs human rights and is linked to and perpetuates other harmful practices and human rights violations and that such violations have a disproportionately negative impact on women and girls, and underscoring the human rights obligations and commitments of States to promote and protect the human rights and fundamental freedoms of women and girls and

to prevent and eliminate the practice of child, early and forced marriage,

Deeply concerned about the continued prevalence of child, early and forced marriage worldwide, including the fact that approximately 15 million girls are married every year before they reach 18 years of age and that more than 700 million women and girls alive today were married before their eighteenth birthday,

Noting with concern that the continued prevalence of child, early and forced marriage has had a negative impact on the achievement and the overarching aims of Millennium Development Goals 1 to 6, including in the areas of gender equality and the empowerment of women and girls, poverty reduction, education, maternal and child mortality and health, including sexual and reproductive health, and recognizing that child, early and forced marriage continues to impair sustainable development, inclusive economic growth and social cohesion,

Noting with concern also that poverty and insecurity are among the root causes of child, early and forced marriage and that child, early and forced marriage remains common in rural areas and among the poorest communities, and recognizing that the immediate alleviation and eventual eradication of extreme poverty must remain a high priority for the international community,

Recognizing that child, early and forced marriage is itself a barrier to development and helps to perpetuate the cycle of poverty and that the risk of child, early and forced marriage is also exacerbated in conflict and humanitarian crisis situations,

Recognizing also that child, early and forced marriage is inherently linked to deep-rooted gender inequalities, norms and stereotypes and to harmful practices, perceptions and customs that are obstacles to the full enjoyment of human rights and that the persistence of child, early and forced marriage places children, in particular the girl child, at risk of being exposed to and encountering various forms of discrimination and violence throughout their lives,

Recognizing further that child, early and forced marriage undermines women's and girls' autonomy and decision-making in all aspects of their lives and continues to be an impediment to improvements in the education and the economic and social status of women and girls in all parts of the world and that the empowerment of and investment in women and girls is critical for economic growth, including the eradication of poverty, as well as the meaningful participation of girls in all decisions that affect them,

Noting with concern that child, early and forced marriage disproportionately affects girls who have received little or no formal education and is itself a significant obstacle to educational opportunities for girls and young women, in particular girls who are forced to drop out of school owing to marriage and/or childbirth, and recognizing that educational opportunities are directly related to women's and girls' empowerment, employment and economic opportunities and to their active participation in economic, social and cultural development, governance and decision-making,

Recognizing that child, early and forced marriage constitutes a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended

pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV/AIDS, as well as increasing vulnerability to all forms of violence, and that every girl and woman at risk of or affected by these practices must have equal access to quality services such as education, counselling, shelter and other social services, psychological, sexual and reproductive health-care services and medical care,

1. *Urges* all States to enact, enforce and uphold laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk and to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses;

2. *Calls upon* States, with the participation of relevant stakeholders, including girls, religious and community leaders, civil society, women's and human rights groups, men and boys and youth organizations, to develop and implement holistic, comprehensive and coordinated responses and strategies to eliminate child, early and forced marriage and to support already married girls, adolescents and women, including through the strengthening of child protection systems, protection mechanisms such as safe shelters, access to justice and the sharing of best practices across borders;

3. *Calls upon* States and the international community to create an environment in which the well-being of women and girls is ensured by, inter alia, cooperating, supporting and participating in efforts for the eradication of extreme poverty, and reaffirms that investment in women and girls and the protection of their rights are among the most effective ways to end the practice of child, early and forced marriage;

4. *Calls upon* States to promote and protect the right of women and girls to education through enhanced emphasis on quality education, including catch-up and literacy education for those who have not received formal education, while recognizing that education is one of the most effective ways to prevent and end child, early and forced marriage and to help married women and girls to make more informed choices about their lives;

5. *Urges* Governments to promote and protect the human rights of all women, including their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes that protect and enable the enjoyment of all human rights and fundamental freedoms, including reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences;

6. *Encourages* relevant United Nations entities and agencies to continue to collaborate with and support Member States in developing and implementing strategies and policies at the national, regional and international levels to prevent and eliminate child, early and forced marriage, as well as to support already married girls, adolescents and women;

7. *Recalls* the inclusion of a target on eliminating all harmful practices, such as child, early and forced marriage, in the outcome document of the Open Working Group on Sustainable Development Goals, recognizes child, early

and forced marriage as a barrier to development and the full realization of women's and girls' human rights, and recognizes the need to give due consideration to the inclusion of the target in the post-2015 development agenda in order to help to ensure progress towards the elimination of child, early and forced marriage;

8. *Requests* the Secretary-General to submit a comprehensive report to the General Assembly, before the end of its seventieth session, on progress towards ending child, early and forced marriage worldwide since the issuance of the report of the Office of the United Nations High Commissioner for Human Rights of 2 April 2014, with particular emphasis on high-prevalence countries, best practices for programmes aimed at ending the practice and supporting already married women and girls, gaps in research and implementation and legal reforms and policies related to this matter, using information provided by Member States, United Nations bodies, agencies, funds and programmes, civil society and other relevant stakeholders;

9. *Decides* to consider the issue of child, early and forced marriage at its seventy-first session under the item entitled "Promotion and protection of the rights of children", taking into account the multifaceted and worldwide nature of the issue of child, early and forced marriage.

Child mortality

OHCHR report. In response to a Human Rights Council request [YUN 2013, p. 719], OHCHR in June presented a report [A/HRC/27/31] containing technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age. The technical guidance was prepared by OHCHR in collaboration with WHO and with an external advisory group of human rights and child health experts, and was informed by input from States, national human rights institutions and civil society. OHCHR encouraged the implementation of the technical guidance at the national and subnational levels. States were encouraged to consider the technical guidance in their deliberations on the post-2015 development agenda, and in the implementation and monitoring of the new development goals.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/14)], the Council, concerned that more than 6.3 million children under 5 years of age died each year, mostly from preventable and treatable causes, urged States to disseminate and apply the technical guidance (see above); called on States to strengthen their international commitment, cooperation and mutual assistance to reduce and eliminate preventable child mortality and morbidity; and requested the High Commissioner to submit to the Council's thirty-third (2016) session a report on the application of the technical guidance and its impact on the development and implementation of policies and programmes in States.

Birth registration and right to recognition

OHCHR report. In response to a Human Rights Council request [YUN 2013, p. 719], OHCHR in June presented a report [A/HRC/27/22] which reviewed the global rates of birth registration, a universal human right recognized in international instruments; considered the consequences and impact of non-registration on human rights, particularly since the right to be registered at birth was closely linked to the realization of many other rights; analysed the barriers to access to birth registration; and provided examples of good practices. OHCHR noted that the universal implementation of the right to birth registration for all was fundamental to the protection of children and the implementation of their rights. One of the most basic institutional responsibilities of a Government was to provide a person with a legal identity, which was central to good governance. The report concluded with recommendations to ensure the universal implementation of that right.

Right of child to engage in play

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/15)], the Council acknowledged the fundamental importance of the right of children to engage in play and recreational activities for their well-being, health and development; encouraged States to respect, protect, promote and fulfil that right; and recommended that the celebration of the International Day of Sport for Development and Peace (6 April) emphasize, through specific events, the right of the child to engage in play and recreational activities.

Investment in child rights

Human Rights Council action. On 27 March [A/69/53 (res. 25/6)], the Council decided to focus its next (2015) full-day meeting on the rights of the child on the theme, “Towards better investment in the rights of the child”, and invited the High Commissioner to present a report on that issue to the Council’s twenty-eighth (2015) session.

Children and armed conflict

Report of Secretary-General. Pursuant to Security Council resolution 2068(2012) [YUN 2012, p. 724], the Secretary-General in May submitted a report [A/68/878-S/2014/339] on children and armed conflict, covering developments in 2013. Two annexes listed those parties that recruited or used children, killed or maimed children, committed rape and other forms of sexual violence against children, or engaged in attacks on schools and/or hospitals in situations of armed conflict. The report provided information on grave violations committed against children dur-

ing armed conflict and progress made by parties on dialogue, action plans and other measures to halt and prevent violations. It concluded with recommendations to States, parties listed in the annexes, the Security Council and regional and subregional organizations.

Security Council consideration. On 7 March [S/PV.7129], the Council held an open debate on children and armed conflict. It had before it a 1 March concept note [S/2014/144] on the topic submitted by Luxembourg. Addressing the meeting, the Secretary-General observed that, given a chance, former child soldiers could rebuild their lives and help to build peace in their countries. He welcomed the launch on 7 March of the “Children, not soldiers” campaign, which was supported by the Special Representative of the Secretary-General for Children and Armed Conflict (see below), UNICEF and other partners, and noted that the States concerned had renewed their commitment to the action plans.

SECURITY COUNCIL ACTION

On 7 March [meeting 7129], the Security Council unanimously adopted **resolution 2143(2014)**. The draft [S/2014/149] was submitted by 47 Member States.

The Security Council,

Reaffirming its resolutions 1261(1999) of 25 August 1999, 1314(2000) of 11 August 2000, 1379(2001) of 20 November 2001, 1460(2003) of 30 January 2003, 1539(2004) of 22 April 2004, 1612(2005) of 26 July 2005, 1882(2009) of 4 August 2009, 1998(2011) of 12 July 2011 and 2068(2012) of 19 September 2012, and the statements by its President of 24 July 2006, 28 November 2006, 12 February 2008, 17 July 2008, 29 April 2009, 16 June 2010 and 17 June 2013, which contribute to a comprehensive framework for addressing the protection of children affected by armed conflict,

Acknowledging that its resolutions 1612(2005), 1882(2009), 1998(2011) and 2068(2012) and the statements by its President on children and armed conflict have generated progress in preventing and responding to violations and abuses committed against children, in particular in the demobilization, rehabilitation and reintegration of thousands of children, the signing of action plans between parties to armed conflict and the United Nations and the delisting of parties to conflict from the annexes to the annual report of the Secretary-General,

Remaining deeply concerned, however, over the lack of progress on the ground in some situations of concern, where parties to conflict continue to violate with impunity the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict,

Recalling that all parties to armed conflict must comply strictly with the obligations applicable to them under international law for the protection of children in armed conflict, including those contained in the Convention on the Rights of the Child and the Optional Protocol thereto on the involvement of children in armed conflict, as well as the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977,

Noting that article 28 of the Convention on the Rights of the Child recognizes the right of the child to education and sets forth obligations for States parties to the Convention, with a view to progressively achieving this right on the basis of equal opportunity,

Expressing deep concern about the military use of schools by armed forces and non-State armed groups in contravention of applicable international law, including their use as military barracks, weapons storage facilities, command centres, detention and interrogation sites and firing and observation positions,

Expressing further concern regarding the high number of children that are being killed and maimed in conflict and post-conflict situations by landmines, explosive remnants of war, improvised explosive devices and other unexploded ordnance,

Convinced that the protection of children in armed conflict should be an important aspect of any comprehensive strategy to resolve conflict and build peace,

Recalling the responsibility of all Member States to comply with their respective obligations to end impunity and to investigate and prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children, and noting that the fight against impunity for the most serious crimes of international concern committed against children has been strengthened through the work on and prosecution of these crimes by the International Criminal Court, ad hoc and mixed tribunals and specialized chambers in national tribunals,

Acknowledging the adoption of the Arms Trade Treaty, and noting that, in line with the provisions in article 7, paragraph 4, of the Treaty, exporting States parties shall take into account the risk of covered conventional arms or items being used to commit or facilitate serious acts of violence against children,

Reiterating its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to address the widespread impact of armed conflict on children,

Stressing the primary role of Governments in providing protection and relief to all children affected by armed conflict, recognizing the importance of strengthening national capacities in this regard, and reiterating that all action undertaken by United Nations entities within the framework of the monitoring and reporting mechanism must be designed to support and supplement, as appropriate, the protection and rehabilitation roles of national Governments,

Recognizing further that capacity-building for the protection of children affected by armed conflict is a process that must begin from the earliest days of international engagement,

Emphasizing the vital role of the United Nations, in consultation with international partners, to support national authorities in consolidating peace and in developing strategies for peacebuilding priorities as well as to ensure that these strategies strengthen coherence between political, security, human rights, development and rule of law activities,

Recognizing the crucial role of child protection advisers in mainstreaming child protection and leading monitoring, prevention and reporting efforts in relevant United

Nations peacekeeping missions, political missions and peacebuilding offices in accordance with their mandate, including advice for and close cooperation and coordination between the missions, the United Nations Children's Fund and specialized non-governmental organizations for child demobilization and integration and prevention of recruitment,

Underlining the importance of providing military, police and civilian peacekeepers with adequate predeployment and in-mission training on mission-specific child protection issues and on appropriate comprehensive prevention and protection responses,

Recognizing the valuable contribution of relevant regional and subregional organizations and arrangements for the protection of children affected by armed conflict, and commending in this regard the declaration signed on 17 September 2013 by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and the Peace and Security Department of the African Union Commission, in order to mainstream protection mechanisms in all peace and security activities of the African Union, in close partnership with the United Nations Children's Fund, as well as the European Union Guidelines on Children and Armed Conflict, including its Checklist for the Integration of the Protection of Children affected by Armed Conflict into European Union Common Security and Defence Policy Operations, and the development by the North Atlantic Treaty Organization, in close collaboration with the Department of Peacekeeping Operations of the United Nations Secretariat and the Office of the Special Representative of the Secretary-General, of training courses and military guidelines on children and armed conflict,

1. *Strongly condemns* all violations of applicable international law involving the recruitment and use of children by parties to armed conflict, as well as their re-recruitment, killing and maiming, rape and other sexual violence, abductions, attacks against schools or hospitals and denial of humanitarian access by parties to armed conflict and all other violations of international law, including international humanitarian law, human rights law and refugee law, committed against children in situations of armed conflict, and demands that all relevant parties immediately put an end to such practices and take special measures to protect children;

2. *Calls upon* Member States to devise ways, in close consultation with the United Nations country-level task force on monitoring and reporting and United Nations country teams, to facilitate the development and implementation of time-bound action plans and the review and monitoring by the United Nations country-level task force of obligations and commitments relating to the protection of children affected by armed conflict;

3. *Reiterates* the value of interministerial committees as a successful framework for partnership with concerned Governments to discuss and follow up on child protection commitments, and encourages those Governments, with the support of the United Nations, to utilize those committees to foster action plan implementation;

4. *Stresses* the importance of regular and timely consideration of violations and abuses committed against children in armed conflict, including through incorporating, where appropriate, a children and armed conflict dimension in the terms of reference of Security Council field visits, and invites its Working Group on Children and

Armed Conflict to make full use of its toolkit in the light of ongoing discussions on enhancing compliance, and in this regard to continue to consider the issue of persistent perpetrators and action plan implementation;

5. *Recalls* the fact that the conscription or enlistment of children under the age of 15 or using them to participate actively in hostilities in both international and non-international armed conflict constitutes a war crime under the Rome Statute of the International Criminal Court, and notes that the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict requires States parties to set a minimum age of 18 for compulsory recruitment and participation in hostilities and to raise the minimum age for voluntary recruitment from that set out in article 38, paragraph 3, of the Convention on the Rights of the Child and to take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities;

6. *Welcomes*, in this context, the campaign “Children, Not Soldiers” initiated by the Special Representative of the Secretary-General for Children and Armed Conflict and the United Nations Children’s Fund, in collaboration with other United Nations partners, with a view to ending and preventing the recruitment and use of children by government armed forces in conflict by 2016;

7. *Urges*, in this regard, concerned Governments to undertake all efforts in order to ensure that no children are in their ranks in conflict, in particular through the development and implementation of time-bound action plans, and calls upon Member States, all relevant United Nations entities, non-governmental organizations and the donor community to support in their various capacities the campaign “Children, Not Soldiers”, recognizing that its goal can only be attained through partnership and active involvement of all;

8. *Invites* the Special Representative of the Secretary-General to inform the Council about the campaign “Children, Not Soldiers”, including about process and progress in delisting concerned parties;

9. *Further urges* Member States, United Nations entities and other parties concerned to ensure that child protection provisions, including those relating to the release and reintegration of children formerly associated with armed forces or armed groups, are integrated into all peace negotiations and peace agreements;

10. *Reiterates* its readiness to adopt targeted and graduated measures against persistent perpetrators of violations and abuses committed against children, taking into account the relevant provisions of resolutions 1539(2004), 1612(2005), 1882(2009), 1998(2011) and 2068(2012), and to consider including provisions pertaining to parties to armed conflict that engage in activities in violation of applicable international law relating to the rights and protection of children in armed conflicts, when establishing, modifying or renewing the mandate of relevant sanctions regimes;

11. *Stresses* the need to exclude genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children from amnesty laws and other similar provisions, and strongly encourages concerned States to establish a vetting mechanism to ensure that those responsible for such crimes are not included in the ranks of the army or other security forces;

12. *Emphasizes* the responsibility of all States to put an end to impunity and to investigate and prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children, and highlights in this regard the contribution of the International Criminal Court, in accordance with the principle of complementarity to national criminal jurisdictions as set out in the Rome Statute;

13. *Urges* concerned Member States, when undertaking security sector reforms, to mainstream child protection, such as the establishment of child protection units in national security forces and of effective age assessment mechanisms to prevent underage recruitment, while stressing in this regard the importance of ensuring universal birth registration, including late birth registration;

14. *Further urges* all parties concerned, including Member States and United Nations entities as well as financial institutions, to support, as appropriate, bearing in mind national ownership, the development and strengthening of the capacities of national institutions and local civil society networks for advocacy, protection and rehabilitation of children affected by armed conflict as well as national accountability mechanisms, including building investigative and prosecutorial capacities and the adoption of legislation criminalizing violations and abuses committed against children affected by armed conflict;

15. *Reiterates its request* to the Special Representative of the Secretary-General to pursue efforts to coalesce the donor community in order to address funding gaps, and encourages bilateral, regional and international partners to provide financial and capacity-building support in this regard, including for education during conflict and post-conflict periods;

16. *Recalls* the importance of ensuring that children continue to have access to basic services during conflict and post-conflict periods, including education and health care;

17. *Reiterates its deep concern* about attacks as well as threats of attacks in contravention of applicable international law against schools and/or hospitals and protected persons in relation to them, as well as the closure of schools and hospitals in situations of armed conflict as a result of attacks and threats of attacks, and urges all parties to armed conflict to refrain from actions that impede the access of children to education and health services;

18. *Expresses deep concern* at the military use of schools in contravention of applicable international law, recognizing that such use may render schools legitimate targets of attack, thus endangering the safety of children and teachers as well as the education of children, and in this regard:

(a) *Urges* all parties to armed conflict to respect the civilian character of schools in accordance with international humanitarian law;

(b) *Encourages* Member States to consider concrete measures to deter the use of schools by armed forces and armed non-State groups in contravention of applicable international law;

(c) *Urges* Member States to ensure that attacks on schools in contravention of international humanitarian law are investigated and those responsible duly prosecuted;

(d) *Calls upon* United Nations country-level task forces to enhance monitoring of and reporting on the military use of schools;

19. *Recalls* the obligations of all parties to an armed conflict, in accordance with international humanitarian law, to ensure that the wounded and sick, including children, receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition and to respect and protect medical and health personnel, facilities, transports and activities in accordance with international humanitarian law;

20. *Recommends* that Member States include child protection in military training and standard operating procedures, as well as in military guidance as appropriate, and recommends further that United Nations entities and United Nations peacekeeping troop- and police-contributing countries undertake targeted and operational trainings for the preparation of United Nations mission personnel, including troop and police contingents, on their contribution in preventing violations against children so as to give all mission personnel the ability to effectively recognize, report and respond to violations and abuses committed against children and to successfully support child protection activities for better implementation of their respective mandates;

21. *Urges* all United Nations entities, including peacekeeping missions, political missions, peacebuilding offices, United Nations offices, agencies, funds and programmes, to give full attention to violations against children in the application of the human rights due diligence policy on United Nations support to non-United Nations security forces;

22. *Urges* Member States, United Nations entities, including the Peacebuilding Commission, and other parties concerned to ensure that post-conflict recovery and reconstruction planning, programmes and strategies give due priority to issues concerning children affected by armed conflict;

23. *Urges* relevant United Nations entities to continue to take concrete steps to reduce the impact of mines, unexploded ordnance and cluster munitions and explosive remnants of war on children by prioritizing mine clearance, risk education and risk reduction activities;

24. *Decides* to continue the inclusion of specific provisions for the protection of children in the mandates of all relevant United Nations peacekeeping operations and political missions, encourages deployment of child protection advisers to such missions, and calls upon the Secretary-General to ensure that the need for and the number and roles of such advisers are systematically assessed during the preparation and renewal of each United Nations peacekeeping operation and political mission and encourages the Department of Peacekeeping Operations and the Department of Political Affairs of the Secretariat to take into account child protection when briefing the Council on country-specific situations;

25. *Encourages* pertinent regional and subregional organizations and arrangements to help to address the widespread impact of armed conflict on children, invites them to continue the mainstreaming of child protection into their advocacy, policies, programmes and mission planning and the development and expansion of guidelines to protect children affected by armed conflict, as well as the training of personnel and the inclusion of child protection staff in their peacekeeping and field operations, and reiterates its call for the establishment of child protection mechanisms within their secretariats, including through the appointment of child protection focal points;

26. *Reiterates its request* to the Secretary-General to continue to ensure that, in all his reports on country-specific situations, the matter of children and armed conflict is included as a specific aspect of the report;

27. *Decides* to remain actively seized of the matter.

Reports of Special Representative. Pursuant to General Assembly resolution 67/152 [YUN 2012, p. 609], the Special Representative of the Secretary-General for Children and Armed Conflict, Leila Zerrougui (Algeria), submitted an annual report [A/HRC/25/46], which covered the period from May 2012 to December 2013 and outlined the progress achieved in developing and implementing action plans, as well as the challenges of the children and armed conflict agenda. She acknowledged the progress made with regard to cooperation with regional organizations and in the development and implementation of international law to protect children's rights, yet also noted the ongoing impunity for grave violations against children. The Representative reiterated her call on States to sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; to enact legislation to prohibit and criminalize the recruitment of children into armed forces or groups; and to establish 18 years as the minimum age for voluntary recruitment.

Pursuant to Assembly resolution 68/147 [YUN 2013, p. 603], the Special Representative in July submitted a report [A/69/212] on activities undertaken and progress achieved from August 2013 to July 2014. It described trends, issues of concern and progress made at both the policy and operational levels, including the mainstreaming of child protection issues within the UN system. The Representative made recommendations for States to seek alternatives to the prosecution and detention of children for their alleged association with armed groups; for States that were the focus of the "Children, not soldiers" campaign to redouble their efforts towards compliance with their commitments; and for States, regional organizations and parties to conflict to protect schools and hospitals and to deter the military use of schools.

The General Assembly took note of that report on 18 December (**decision 69/532**).

Working Group activities. In December [S/2014/914], the Chair of the Security Council Working Group on Children and Armed Conflict reported on the Working Group's activities since its last report [YUN 2013, p. 722]. It held 10 meetings in 2014 (14 February, 1 May, 2, 6 and 20 June, 7 and 21 July, 19 September, 26 November and 8 December), during which it adopted conclusions on children and armed conflict in the Democratic Republic of the Congo [S/AC.51/2014/3], Mali [S/AC.51/2014/2], the Philippines [S/AC.51/2014/1] and the Syrian Arab Republic [S/AC.51/2014/4].

On the basis of the Working Group's conclusions, the Security Council President sent letters to the Secretary-General on the Democratic Republic of the Congo [S/2014/809], Mali [S/2014/588] and the Philippines [S/2014/150].

The family

Human Rights Council action. On 26 June [A/69/53 (res. 26/11)], by a recorded vote of 26 to 14, with 6 abstentions, the Council reaffirmed that the family was the natural and fundamental group unit of society and was entitled to protection by society and the State; decided to convene a panel discussion on the protection of the family and its members at its twenty-seventh (2014) session; and requested the High Commissioner to submit a summary report to the Council's twenty-eighth (2015) session.

Panel discussion. Pursuant to Human Rights Council resolution 26/11 (see above), OHCHR submitted a summary report [A/HRC/28/40 & Corr.1, 2] of the panel discussion on the protection of the family and its members (Geneva, 15 September) held at the Council's twenty-seventh (2014) session. Participants emphasized the importance of families as key means of ensuring welfare and stability, promoting traditional values and protecting human rights. They also recognized the need to focus on the protection of individuals' rights within the family, observing that human rights abuses might be experienced in the family by more vulnerable family members such as women, children and the elderly. The importance of recognizing the diversity of families, which could include same-sex unions, single parents and adoptive or foster parents, was also acknowledged.

Older persons

Report of Independent Expert. In accordance with a Human Rights Council request [YUN 2013, p. 722], the first Independent Expert on the enjoyment of all human rights by older persons, Rosa Kornfeld-Matte (Chile), appointed by the Council on 8 May, submitted her first annual report [A/HRC/27/46], which described the activities undertaken since she took office on 2 June, her views about the foundations and context of the mandate, as well as some preliminary considerations that would inform her work. Emphasizing her desire for constructive engagement with UN Member States, she reiterated the importance of an inclusive and all-encompassing approach in the discharge of her mandate, and noted the central role of NGOs, including in providing her with information and engaging with and assisting her.

Mission report. Following her visit to Slovenia (17–21 November) [A/HRC/30/43/Add.1], the Independent Expert identified both best practices and gaps in the implementation of existing laws; as-

sessed the implementation of international instruments, as well as law and policies; and analysed the challenges faced, paying particular attention to ostracized persons and groups. The Expert noted that the impressive number of normative actions, policy support and societal initiatives, as well as government measures, had contributed to the relatively high human rights standard enjoyed by the majority of older persons. Recognizing that Slovenia had a good normative framework, she noted that there was room for improvement in practice and that some of the relevant laws had not been fully implemented.

Internally displaced persons

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2013, p. 724], the Special Rapporteur on the human rights of internally displaced persons (IDPs), Chaloka Beyani (Zambia), in April submitted a report [A/HRC/26/33 & Corr.1] which reviewed his activities from January 2013 to March 2014, analysed the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) [YUN 2009, p. 1207], examined the progress made in its implementation and offered recommendations to maximize its potential. The Rapporteur recommended that States address internal displacement and ensure the implementation of the Kampala Convention.

In accordance with General Assembly resolution 68/180 [YUN 2013, p. 724], the Secretary-General in August transmitted the Special Rapporteur's report [A/69/295], which outlined his activities from August 2013 to July 2014 and addressed the challenge of finding durable solutions for IDPs in urban settings. He concluded that durable solutions remained available options for IDPs, including those in urban settings. The very nature of urban displacement, however, tended to lend weight to local integration as the viable choice preferred by IDPs in urban areas. The Rapporteur made recommendations addressed to States, national and municipal authorities, donor States and international organizations.

Mission reports. Following his follow-up mission to Azerbaijan (19–24 May) [A/HRC/29/34/Add.1] to assess progress since 2010 [YUN 2010, p. 758], the Special Rapporteur said that the Government had made commendable progress in providing durable housing for IDPs, especially with the construction of new settlements that were all equipped with modern facilities. One of the main obstacles to the search for durable solutions for IDPs, including return to their homes or places of origin, remained the absence of a political settlement to the unresolved armed conflict in and around the Nagorno-Karabakh region. In that connection, the Rapporteur called on all parties to step up efforts towards reaching a political settlement.

Following his visit to Haiti (29 June–5 July) [A/HRC/29/34/Add.2] to assess progress since the January 2010 earthquake [YUN 2010, p. 930], the Special Rapporteur called for a transition from a largely humanitarian approach to a development rights-based approach, and for solutions for IDPs along with the vulnerable segments of the population. He stressed that the closure of IDP camps, to which the Government had given priority, did not mean that durable solutions had been found. One of the main obstacles to finding solutions remained the extreme poverty from which a large portion of the population suffered, and which particularly affected those displaced by the earthquake. Other concerns included the absence of a protection-sensitive approach to the issue of displacement, the lack of coherent urban planning and of a cadastre, and the persistent instability, in part due to poor rule of law. The Rapporteur concluded the report with a number of recommendations.

Following his visit to Ukraine (16–25 September) [A/HRC/29/34/Add.3] to examine the situation of IDPs following the political upheavals and conflict that had affected, in particular, the Autonomous Republic of Crimea and the eastern regions of Luhansk and Donetsk, the Special Rapporteur stated that the Government must exercise primary responsibility, establish more effective systems and step up its efforts to meet the needs of IDPs. Ukraine was urged to learn from the experiences of similar IDP situations in other countries where internal displacement had become protracted. It should put in place policies, frameworks, support structures and programmes to move towards a situation in which protection and assistance were linked to durable solutions.

In April and June, respectively, South Sudan [A/HRC/26/33/Add.5] and Sri Lanka [A/HRC/26/33/Add.6] submitted their comments on the Special Rapporteur's reports on his visits to those countries [YUN 2013, p. 723].

Persons with disabilities

OHCHR report. Pursuant to a Human Rights Council request [YUN 2013, p. 618], OHCHR in April submitted a report [A/HRC/26/24] focusing on activities undertaken by the Office, the United Nations Partnership to Promote the Rights of Persons with Disabilities and other UN agencies and regional organizations to support States' efforts to promote and protect the rights of persons with disabilities in their national legislation, policies and programmes, including to mainstream disability in development efforts, and suggesting a way forward.

Human Rights Council action. On 28 March [A/69/53 (res. 25/20)], the Council welcomed the OHCHR study on the right of persons with disabilities to education [YUN 2013, p. 727], called on stakeholders to consider the study's recommendations and urged States to eliminate accessibility barriers to education.

It decided that its next annual interactive debate on the rights of persons with disabilities would be held at its twenty-eighth (2015) session and would focus on article 19 of the Convention on the Rights of Persons with Disabilities on living independently and being included in the community, and requested OHCHR to submit a study on the topic prior to that session. The Council noted expiry of the mandate of the Special Rapporteur on Disability of the Commission for Social Development on 31 December 2014 and the Commission's decision to consider the possibility, at its fifty-third (2015) session, of another monitoring mechanism.

On 27 June [res. 26/20], the Council reaffirmed the obligation of States to eliminate discrimination against persons with disabilities and to promote and protect their human rights. It also decided to appoint, for a three-year period, a Special Rapporteur on the rights of persons with disabilities with a mandate to consult with States and other stakeholders to identify, exchange and promote good practices relating to the realization of the rights of persons with disabilities; request, receive and exchange communications on violations of their rights; make recommendations on promoting and protecting their rights; and report annually to the Council starting from its twenty-eighth (2015) session, and to the General Assembly.

In November, the Council appointed Catalina Devandas Aguilar (Costa Rica) as the first Special Rapporteur.

Indigenous peoples

Reports of Special Rapporteur. In accordance with a Human Rights Council request [YUN 2010, p. 761], the new Special Rapporteur on the rights of indigenous peoples, Victoria Tauli Corpuz (Philippines), who was appointed by the Council on 8 May, submitted her first report [A/HRC/27/52] to the Council in August. The report presented some preliminary reflections on the status of operationalization of international standards in the field and her vision for her work. While there had been many advances, many challenges continued to confront indigenous peoples worldwide. Obstacles included the failure or reluctance of governments to recognize indigenous peoples; challenges in developing practical implementation measures; reconciliation and redress for historical wrongs yet to be completed; negative attitudes towards indigenous peoples on the part of broader societies in which they lived; and social and economic conditions preventing the full exercise of indigenous rights. The Rapporteur intended to focus on issues surrounding the economic, social, cultural and environmental rights of indigenous peoples.

In a 3 September report [A/HRC/27/52/Add.4], the former Special Rapporteur, James Anaya (United States), provided information on communications

sent as at 1 June 2013 and replies received as at 31 May 2014 concerning 22 countries.

In accordance with a Human Rights Council request [YUN 2013, p. 728.], the Secretary-General in August transmitted the new Special Rapporteur's first report [A/69/267] to the General Assembly. Given that the Assembly was reviewing and adopting the post-2015 development agenda, including global sustainable development goals, the Rapporteur provided some thoughts on that issue for indigenous peoples, in the hope that her comments might guide Member States and others as they reflected on development priorities.

Mission report. Following her visit to Paraguay (21–28 November) [A/HRC/30/41/Add.1], the Special Rapporteur noted that while it had a constitutional framework in which the rights of indigenous peoples were recognized, that framework had not been translated into the legislative, administrative and other measures needed to ensure the enjoyment of those rights. There was a widespread lack of legal protection for indigenous peoples' rights over their lands, territories and resources, which were vital to ensure their survival and uphold their dignity. That situation, she observed, gave rise to numerous conflicts and human rights violations, which the Government should regard as an emergency situation. The Rapporteur made a series of recommendations to the Government.

Report of High Commissioner. Pursuant to a Human Rights Council request [YUN 2013, p. 728], the High Commissioner in June reported [A/HRC/27/30] on the activities of OHCHR and human rights bodies and mechanisms between May 2013 and April 2014 for the promotion and application of the United Nations Declaration on the Rights of Indigenous Peoples [YUN 2007, p. 691].

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/13)], the Council requested the High Commissioner to report annually to the Council on the rights of indigenous peoples and requested the Special Rapporteur to report to the Assembly's seventieth (2015) session. It requested the Expert Mechanism (see below) to submit a study on the promotion and protection of the rights of indigenous peoples with respect to their cultural heritage to the Council's thirtieth (2015) session; continue the questionnaire survey on best practices and implementation strategies to attain the Declaration's goals; and present a final summary of responses to the Council's thirtieth (2015) session. The Council also decided to hold, at its thirtieth (2015) session, a half-day panel discussion on the follow-up to and implementation of the outcome of the World Conference on Indigenous Peoples (see p. 888).

Expert Mechanism

The five-member Expert Mechanism on the Rights of Indigenous Peoples, at its seventh session (Geneva, 7–11 July) [A/HRC/27/64], held a half-day session to

discuss the World Conference on Indigenous Peoples (2014), a panel discussion on post-2015 development agenda and a discussion on the follow-up to thematic studies and advice. It adopted the proposals to be submitted to the Human Rights Council at its twenty-seventh (2014) session; the Expert Mechanism's follow-up study and advice on access to justice in the promotion and protection of the rights of indigenous peoples [A/HRC/EMRIP/2014/3/Rev.1]; the study and advice on the promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives [A/HRC/EMRIP/2014/2]; and the final summary of responses to a questionnaire [A/HRC/EMRIP/2014/4] (see below). Discussions on the Declaration included a panel discussion on the role of parliaments in implementing the Declaration.

As requested by the Human Rights Council [YUN 2013, p. 728], the Expert Mechanism in July submitted a report [A/HRC/27/67], which contained the final summary of responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the Declaration. Responses to the questionnaire were received from 25 States and 18 indigenous peoples' organizations.

In August, the Expert Mechanism submitted the study [A/HRC/27/65] on access to justice in the promotion and protection of the rights of indigenous peoples, which examined barriers and remedies in access to justice for indigenous women, children and youth, and persons with disabilities; addressed restorative justice and its role in achieving peace and reconciliation; and concluded with Expert Mechanism Advice No. 6: Restorative justice, indigenous juridical systems and access to justice for indigenous women, children and youth, and persons with disabilities.

Also in August, the Expert Mechanism submitted the study [A/HRC/27/66] on promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives. The study explored the links between disaster risk reduction and human rights; analysed factors placing indigenous peoples at risk of being affected by disasters; proposed ways to increase indigenous peoples' participation in disaster risk reduction initiatives; and concluded with Expert Mechanism Advice No. 7: Promotion and protection of the rights of indigenous peoples in disaster risk reduction initiatives.

Voluntary Fund for Indigenous Peoples

The Board of Trustees of the United Nations Voluntary Fund for Indigenous Peoples, at its twenty-seventh session (Geneva, 17–21 February) [A/69/278], allocated 25 grants to support the participation of representatives of indigenous peoples' organizations and

communities in the thirteenth session of the Permanent Forum, 20 grants to attend the seventh session of the Expert Mechanism and three grants to attend sessions of other bodies. Between December 2013 and June 2014, nine States contributed \$471,321 to the Fund.

Second International Decade

Report of Secretary-General. Pursuant to General Assembly resolution 67/153 [YUN 2012, p. 732], the Secretary-General in August submitted the final report [A/69/271] on progress made in the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People (2005–2014) [YUN 2004, p. 799], which followed assessments in 2010 [YUN 2010, p. 762] and 2012 [YUN 2012, p. 732]. The final report provided examples of efforts to achieve the objectives of the Programme of Action for the Decade [YUN 2005, p. 879], and analysed the impact of the Second Decade on the achievement of the Millennium Development Goals. While there had been some progress in achieving the goals of the Decade, a substantial gap remained between the formal recognition of indigenous peoples and the implementation of policies on the ground. The Secretary-General concluded that the post-2015 development agenda provided an opportunity to develop indicators to measure the progress of development initiatives that addressed the needs of indigenous peoples. The report would also serve as input to the preparatory process for the World Conference on Indigenous Peoples (see p. 888).

Trust Fund for Second International Decade

On 8–9 May, the Bureau of the Permanent Forum on Indigenous Issues, acting as the Advisory Group for the projects for the Second International Decade of the World's Indigenous People, decided to fund projects in 15 countries in the 2014 round.

Permanent Forum on Indigenous Issues

The 16-member Permanent Forum on Indigenous Issues, at its thirteenth session (New York, 12–23 May) [E/2014/43 & Corr.1], considered as its special theme “Principles of good governance consistent with the United Nations Declaration on the Rights of Indigenous Peoples: articles 3 to 6 and 46”. It had before it reports [E/C.19/2014/1–10] submitted by its secretariat and subsidiary mechanisms, Governments, UN system bodies, intergovernmental organizations, regional organizations and NGOs. The Forum recommended five draft decisions for adoption by the Economic and Social Council on: an international expert group meeting on the theme “Dialogue on an optional protocol to the United Nations Declaration on the Rights of Indigenous Peoples”; report of the Forum on its thirteenth session and provisional agenda for its

fourteenth session; venue and dates of the fourteenth session; changing the name of the Permanent Forum on Indigenous Issues; and an additional one-day meeting. The Forum identified proposals, objectives, recommendations and areas of possible action and, through the Council, recommended that States, UN system entities, intergovernmental organizations, indigenous peoples, the private sector and NGOs assist in their realization. The Forum issued recommendations and held half-day discussions on the Asian Region and on the World Conference on Indigenous Peoples.

Economic and Social Council action. On 16 July, the Economic and Social Council authorized an international expert group meeting on the theme “Dialogue on an optional protocol to the United Nations Declaration on the Rights of Indigenous Peoples” (**decision 2014/243**); decided that further discussion was needed on the change of name of the Permanent Forum on Indigenous Issues to the “Permanent Forum on the Rights of Indigenous Peoples” (**decision 2014/246**); decided that an additional one-day meeting would be organized for members of the Permanent Forum to discuss methods of work (**decision 2014/247**); took note of the report of the Permanent Forum on its thirteenth session and approved the provisional agenda for its fourteenth session (**decision 2014/245**); and decided that the fourteenth session of the Permanent Forum would be held in New York from 20 April to 1 May 2015 (**decision 2014/244**).

Expert meetings and conferences

An international expert group meeting on the theme “Sexual health and reproductive rights: articles 21, 22 (1), 23 and 24 of the United Nations Declaration on the Rights of Indigenous Peoples” (New York, 15–17 January) [E/C.19/2014/8] called for increased emphasis on the provision of intercultural health care that responded to and engaged with indigenous peoples’ notions of health and illness, traditional medicinal knowledge and practices.

The annual meeting of the Inter-Agency Support Group on Indigenous Peoples’ Issues (Geneva, 1–2 December) [E/C.19/2015/7] discussed, among other matters, issues related to the outcome document of the World Conference on Indigenous Peoples (see below).

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/485], adopted **resolution 69/159** without vote [agenda item 65 (a)].

Rights of indigenous peoples

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic

and Social Council relating to the rights of indigenous peoples, reaffirming its resolutions 65/198 of 21 December 2010, 66/142 of 19 December 2011, 67/153 of 20 December 2012, 68/149 of 18 December 2013 and 69/2 of 22 September 2014, and recalling also Human Rights Council resolution 27/13 of 25 September 2014,

Welcoming the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in New York on 22 and 23 September 2014, in which Heads of State and Government, ministers and representatives of Member States reiterated the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples and welcomed the inclusive preparatory process for the high-level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples,

Reaffirming the United Nations Declaration on the Rights of Indigenous Peoples, which addresses their individual and collective rights,

Stressing the importance of promoting and pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples also through international cooperation to support national and regional efforts to achieve the ends of the Declaration, including the right to maintain and strengthen the distinct political, legal, economic, social and cultural institutions of indigenous peoples and the right to participate fully, if they so choose, in the political, economic, social and cultural life of the State,

Recalling the United Nations Millennium Declaration, the 2005 World Summit Outcome, the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals and the outcome document of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, entitled "The future we want",

Recognizing the twenty-fifth anniversary of the adoption of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization,

Taking note of the outcome documents of the recent regional review conferences on population and development, including the Regional Conference on Population and Development in Latin America and the Caribbean, which included "Indigenous peoples: interculturalism and rights",

Recognizing the value and the diversity of the cultures and the form of social organization of indigenous peoples and their holistic traditional scientific knowledge of their lands, natural resources and environment,

Recognizing also the importance of traditional sustainable agricultural practices, including traditional seed supply systems, as well as access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including efficient irrigation, the reuse of treated wastewater and water harvesting and storage for indigenous peoples and others living in rural areas,

Welcoming the achievements made during the Second International Decade of the World's Indigenous People, and recognizing that challenges remain in finding solutions to the problems faced by indigenous peoples in such areas as traditional knowledge, science, culture, education, health, human rights, the environment and social and economic development,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights,

Stressing the need to pay particular attention to the rights and special needs of indigenous women, children, youth, older persons and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples, including in the process of protecting and promoting their access to justice,

Recognizing the forthcoming thirtieth anniversary of the United Nations Voluntary Fund for Indigenous Peoples, in 2015,

1. *Notes* the work of the Expert Mechanism on the Rights of Indigenous Peoples, of the Permanent Forum on Indigenous Issues and of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, takes note of her report, and encourages all Governments to respond favourably to her requests for visits;

2. *Welcomes* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, and urges Governments and the United Nations system, in consultation and cooperation with indigenous peoples through their representatives and institutions, to implement, when necessary, appropriate measures, concrete policies, plans, programmes, projects and other measures to realize the commitments made in the outcome document, and invites international and regional organizations, within their respective mandates, national human rights institutions, where they exist, civil society, including non-governmental organizations, and other relevant actors to contribute to those efforts;

3. *Reiterates* the commitment of Member States to cooperate with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples;

4. *Takes note with appreciation* of the final report of the Secretary-General on the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People, one of the major highlights of which was the adoption, in 2007, of the United Nations Declaration on the Rights of Indigenous Peoples, but regrets that gaps remain between the formal recognition of indigenous peoples' rights and the implementation of policies on the ground;

5. *Decides* to convene a high-level event to mark the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, to be held during the seventy-first session of the General Assembly, in 2017, and that the event will take stock of the achievements of the preceding 10 years and assess the remaining challenges for the rights of indigenous peoples, and also consider the further follow-up to the Declaration, including the consideration of a third International Decade;

6. *Welcomes* the designation by the Secretary-General of the Under-Secretary-General for Economic and Social Affairs as the senior official of the United Nations system responsible for coordinating follow-up action to the World Conference on Indigenous Peoples, in order, in consultation and cooperation with indigenous peoples, the Inter-

Agency Support Group on Indigenous Peoples' Issues and Member States, to begin development, within existing resources, of a system-wide action plan to ensure a coherent approach to achieving the ends of the Declaration on the Rights of Indigenous Peoples, raising awareness of the rights of indigenous peoples and increasing the coherence of the activities of the system in this regard;

7. *Encourages* those States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support of States for the Declaration;

8. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Peoples, the Trust Fund on Indigenous Issues and the United Nations Indigenous Peoples' Partnership, and invites indigenous organizations and private institutions and individuals to do likewise;

9. *Decides* to continue observing in New York, Geneva and other United Nations offices every year on 9 August the International Day of Indigenous Peoples, to request the Secretary-General to support the observance of the day from within existing resources and to encourage Governments to observe the day at the national level;

10. *Encourages* States to consider including in their reports related to indigenous peoples and women information on the progress made and challenges in the implementation of Commission on the Status of Women resolutions 49/7 of 11 March 2005, entitled "Indigenous women: beyond the ten-year review of the Beijing Declaration and Platform for Action", and 56/4 of 9 March 2012, entitled "Indigenous women: key actors in poverty and hunger eradication";

11. *Also encourages* States, in consultation and cooperation with indigenous peoples, to take the appropriate measures at the national level, including legislative, policy and administrative measures, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples, and to promote awareness of it among all sectors of society, including members of legislative, judicial and civil service bodies;

12. *Underlines* the need to intensify efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous women, children, youth, older persons and persons with disabilities and to support measures that will ensure their empowerment and full and effective participation in decision-making processes at all levels and in all areas and eliminate barriers to their full, equal and effective participation in political, economic, social and cultural life;

13. *Stresses* the need to strengthen the commitment of States and the entities of the United Nations system to mainstream the promotion and protection of the rights of indigenous peoples into development agendas at the national, regional and international levels, and encourages giving due consideration to the rights of indigenous peoples in the ongoing discussion of the post-2015 development agenda;

14. *Encourages* States and entities of the United Nations system to strengthen international cooperation, including to address the disadvantages faced by indigenous peoples, and to increase technical cooperation and financial assistance in this regard;

15. *Reaffirms* its decision in the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples to continue at its seventieth session the consideration of ways to enable the participation of indigenous peoples' representatives and organizations in meetings of relevant United Nations bodies on issues affecting them, including any specific proposals made by the Secretary-General in this regard;

16. *Welcomes* the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Peoples and requests the High Commissioner to submit a report to the General Assembly at its seventy-first session;

17. *Decides* to include in the provisional agenda of its seventieth session, under the item entitled "Rights of indigenous peoples", a sub-item entitled "Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples".

World Conference

The General Assembly held a high-level plenary meeting (New York, 22 September) [A/69/PV.4] known as the World Conference on Indigenous Peoples to share perspectives and best practices on the realization of the rights of indigenous peoples, including pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples [YUN 2007, p. 690]. The World Conference resulted in a concise, action-oriented outcome document prepared on the basis of inclusive and open informal consultations with Member States and indigenous peoples. Addressing the meeting, the Secretary-General stated that he was encouraged that the draft conference outcome document [A/69/L.1] contained action-oriented commitments; welcomed the document's requests to him; and said that he would consult with UN system entities on the way forward, and that the Organization would work closely with all indigenous peoples and Member States.

GENERAL ASSEMBLY ACTION

On 22 September [meeting 4], the General Assembly adopted **resolution 69/2** [draft: A/69/L.1] without vote [agenda item 65].

Outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples

The General Assembly

Adopts the following outcome document:

Outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples

1. We, the Heads of State and Government, ministers and representatives of Member States, reaffirming our solemn commitment to the purposes and principles of the Charter of the United Nations, in a spirit of cooperation with the indigenous peoples of the world, are assembled

at United Nations Headquarters in New York on 22 and 23 September 2014, on the occasion of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, to reiterate the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples.

2. We welcome the indigenous peoples' preparatory processes for the World Conference, including the Global Indigenous Preparatory Conference held in Alta, Norway, in June 2013. We take note of the outcome document of the Alta Conference and other contributions made by indigenous peoples. We also welcome the inclusive preparatory process for the high-level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples.

3. We reaffirm our support for the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly on 13 September 2007, and our commitments made in this respect to consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them, in accordance with the applicable principles of the Declaration.

4. We reaffirm our solemn commitment to respect, promote and advance and in no way diminish the rights of indigenous peoples and to uphold the principles of the Declaration.

5. In addition to the Declaration, we recall the other major achievements of the past two decades in building an international framework for the advancement of the rights and aspirations of the world's indigenous peoples, including the establishment of the Permanent Forum on Indigenous Issues, the creation of the Expert Mechanism on the Rights of Indigenous Peoples and the establishment of the mandate of the Special Rapporteur on the rights of indigenous peoples. We commit ourselves to giving due consideration to recommendations and advice issued by those bodies in cooperation with indigenous peoples.

6. We encourage those States that have not yet ratified or acceded to the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169), to consider doing so. We recall the obligation of ratifying States under the Convention to develop coordinated and systematic action to protect the rights of indigenous peoples.

7. We commit ourselves to taking, in consultation and cooperation with indigenous peoples, appropriate measures at the national level, including legislative, policy and administrative measures, to achieve the ends of the Declaration and to promote awareness of it among all sectors of society, including members of legislatures, the judiciary and the civil service.

8. We commit ourselves to cooperating with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the Declaration.

9. We commit ourselves to promoting and protecting the rights of indigenous persons with disabilities and to continuing to improve their social and economic conditions, including by developing targeted measures for the

aforementioned action plans, strategies or measures, in collaboration with indigenous persons with disabilities. We also commit ourselves to ensuring that national legislative, policy and institutional structures relating to indigenous peoples are inclusive of indigenous persons with disabilities and contribute to the advancement of their rights.

10. We commit ourselves to working with indigenous peoples to disaggregate data, as appropriate, or conduct surveys and to utilizing holistic indicators of indigenous peoples' well-being to address the situation and needs of indigenous peoples and individuals, in particular older persons, women, youth, children and persons with disabilities.

11. We commit ourselves to ensuring equal access to high-quality education that recognizes the diversity of the cultures of indigenous peoples and to health, housing, water, sanitation and other economic and social programmes to improve well-being, including through initiatives, policies and the provision of resources. We intend to empower indigenous peoples to deliver such programmes as far as possible.

12. We recognize the importance of indigenous peoples' health practices and their traditional medicine and knowledge.

13. We commit ourselves to ensuring that indigenous individuals have equal access to the highest attainable standard of physical and mental health. We also commit ourselves to intensifying efforts to reduce rates of HIV and AIDS, malaria, tuberculosis and non-communicable diseases by focusing on prevention, including through appropriate programmes, policies and resources for indigenous individuals, and to ensure their access to sexual and reproductive health and reproductive rights in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences.

14. We commit ourselves to promoting the right of every indigenous child, in community with members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion or to use his or her own language.

15. We support the empowerment and capacity-building of indigenous youth, including their full and effective participation in decision-making processes in matters that affect them. We commit ourselves to developing, in consultation with indigenous peoples, policies, programmes and resources, where relevant, that target the well-being of indigenous youth, in particular in the areas of health, education, employment and the transmission of traditional knowledge, languages and practices, and to taking measures to promote awareness and understanding of their rights.

16. We acknowledge that indigenous peoples' justice institutions can play a positive role in providing access to justice and dispute resolution and contribute to harmonious relationships within indigenous peoples' communities and within society. We commit ourselves to coordinating and conducting dialogue with those institutions, where they exist.

17. We commit ourselves to supporting the empowerment of indigenous women and to formulating and implementing, in collaboration with indige-

nous peoples, in particular indigenous women and their organizations, policies and programmes designed to promote capacity-building and strengthen their leadership. We support measures that will ensure the full and effective participation of indigenous women in decision-making processes at all levels and in all areas and eliminate barriers to their participation in political, economic, social and cultural life.

18. We commit ourselves to intensifying our efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous peoples and individuals, in particular women, children, youth, older persons and persons with disabilities, by strengthening legal, policy and institutional frameworks.

19. We invite the Human Rights Council to consider examining the causes and consequences of violence against indigenous women and girls, in consultation with the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on the rights of indigenous peoples and other special procedures mandate holders within their respective mandates. We also invite the Commission on the Status of Women to consider the issue of the empowerment of indigenous women at a future session.

20. We recognize commitments made by States, with regard to the United Nations Declaration on the Rights of Indigenous Peoples, to consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources.

21. We also recognize commitments made by States, with regard to the Declaration, to establish at the national level, in conjunction with the indigenous peoples concerned, fair, independent, impartial, open and transparent processes to acknowledge, advance and adjudicate the rights of indigenous peoples pertaining to lands, territories and resources.

22. We recognize that the traditional knowledge, innovations and practices of indigenous peoples and local communities make an important contribution to the conservation and sustainable use of biodiversity. We acknowledge the importance of the participation of indigenous peoples, wherever possible, in the benefits of their knowledge, innovations and practices.

23. We intend to work with indigenous peoples to address the impact or potential impact on them of major development projects, including those involving the activities of extractive industries, including with the aim of managing risks appropriately.

24. We recall the responsibility of transnational corporations and other business enterprises to respect all applicable laws and international principles, including the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework and to operate transparently and in a socially and environmentally responsible manner. In this regard, we commit ourselves to taking further steps, as appropriate, to prevent abuses of the rights of indigenous peoples.

25. We commit ourselves to developing, in conjunction with the indigenous peoples concerned, and where appropriate, policies, programmes and resources to support indige-

nous peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition.

26. We recognize the importance of the role that indigenous peoples can play in economic, social and environmental development through traditional sustainable agricultural practices, including traditional seed supply systems, and access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including for irrigation and water harvesting and storage.

27. We affirm and recognize the importance of indigenous peoples' religious and cultural sites and of providing access to and repatriation of their ceremonial objects and human remains in accordance with the ends of the Declaration. We commit ourselves to developing, in conjunction with the indigenous peoples concerned, fair, transparent and effective mechanisms for access to and repatriation of ceremonial objects and human remains at the national and international levels.

28. We invite the Human Rights Council, taking into account the views of indigenous peoples, to review the mandates of its existing mechanisms, in particular the Expert Mechanism on the Rights of Indigenous Peoples, during the sixty-ninth session of the General Assembly, with a view to modifying and improving the Expert Mechanism so that it can more effectively promote respect for the Declaration, including by better assisting Member States to monitor, evaluate and improve the achievement of the ends of the Declaration.

29. We invite the human rights treaty bodies to consider the Declaration in accordance with their respective mandates. We encourage Member States to include, as appropriate, information on the situation of the rights of indigenous peoples, including measures taken to pursue the objectives of the Declaration, in reports to those bodies and during the universal periodic review process.

30. We welcome the increasingly important role of national and regional human rights institutions in contributing to the achievement of the ends of the Declaration. We encourage the private sector, civil society and academic institutions to take an active role in promoting and protecting the rights of indigenous peoples.

31. We request the Secretary-General, in consultation and cooperation with indigenous peoples, the Inter-Agency Support Group on Indigenous Peoples' Issues and Member States, to begin the development, within existing resources, of a system-wide action plan to ensure a coherent approach to achieving the ends of the Declaration and to report to the General Assembly at its seventieth session, through the Economic and Social Council, on progress made. We invite the Secretary-General to accord, by the end of the seventieth session of the Assembly, an existing senior official of the United Nations system, with access to the highest levels of decision-making within the system, responsibility for coordinating the action plan, raising awareness of the rights of indigenous peoples at the highest possible level and increasing the coherence of the activities of the system in this regard.

32. We invite United Nations agencies, funds and programmes, in addition to resident coordinators, where appropriate, to support the implementation, upon request, of national action plans, strategies or other measures to achieve the ends of the Declaration, in accordance with

national priorities and United Nations Development Assistance Frameworks, where they exist, through better coordination and cooperation.

33. We commit ourselves to considering, at the seventieth session of the General Assembly, ways to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, including any specific proposals made by the Secretary-General in response to the request made in paragraph 40 below.

34. We encourage Governments to recognize the significant contribution of indigenous peoples to the promotion of sustainable development, in order to achieve a just balance among the economic, social and environmental needs of present and future generations, and the need to promote harmony with nature to protect our planet and its ecosystems, known as Mother Earth in a number of countries and regions.

35. We commit ourselves to respecting the contributions of indigenous peoples to ecosystem management and sustainable development, including knowledge acquired through experience in hunting, gathering, fishing, pastoralism and agriculture, as well as their sciences, technologies and cultures.

36. We confirm that indigenous peoples' knowledge and strategies to sustain their environment should be respected and taken into account when we develop national and international approaches to climate change mitigation and adaptation.

37. We note that indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In this regard, we commit ourselves to giving due consideration to all the rights of indigenous peoples in the elaboration of the post-2015 development agenda.

38. We invite Member States and actively encourage the private sector and other institutions to contribute to the United Nations Voluntary Fund for Indigenous Peoples, the Trust Fund on Indigenous Issues, the Indigenous Peoples Assistance Facility and the United Nations Indigenous Peoples' Partnership as a means of respecting and promoting the rights of indigenous peoples worldwide.

39. We request the Secretary-General to include relevant information on indigenous peoples in his final report on the achievement of the Millennium Development Goals.

40. We request the Secretary-General, in consultation with the Inter-Agency Support Group on Indigenous Peoples' Issues and Member States, taking into account the views expressed by indigenous peoples, to report to the General Assembly at its seventieth session on the implementation of the present outcome document, and to submit at the same session, through the Economic and Social Council, recommendations regarding how to use, modify and improve existing United Nations mechanisms to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples, ways to enhance a coherent, system-wide approach to achieving the ends of the Declaration and specific proposals to enable the participation of indigenous peoples' representatives and institutions, building on the report of the Secretary-General on ways and means of promoting participation at the United Nations of indigenous peoples' representatives on the issues affecting them.

In October [A/69/521], the Secretary-General submitted proposed additional requirements for the 2014–2015 programme budget of \$101,800 resulting from requests in the outcome document, to which the Advisory Committee on Administrative and Budgetary Questions had no objection [A/69/657].