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ORGANIZATIONAL AND PROCEDURAL MATTERS

Vice-President and Rapporteur: Mr. Alejandro Artucio (Uruguay)

Draft report of the Council*

[Note: The present document contains the resolutions, decisions and President's statements adopted during the first part of the sixth session. The Council is scheduled to resume its sixth session from 10-14 December 2007.]

The present draft report, together with the draft report on the second part of the sixth session, will be submitted to the Council for adoption at the closure of the sixth session.]

* Document A/HRC/6/L.10 contains the chapters of the report relating to the organization of the session and the items on the agenda up to the conclusion of the first part of the sixth session on 28 September 2007.

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I. Resolutions and decisions adopted by the Council at its sixth session

A. Resolutions

6/1. Protection of cultural rights and property in situations of armed conflict

The Human Rights Council,

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

Guided also by the principles relating to economic, social and cultural rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the Vienna Declaration and Programme of Action (A/CONF.157/23), the 2005 World Summit Outcome (General Assembly resolution 60/1 of 16 September 2005) and Assembly resolution 60/251 of 15 March 2006 that established the Human Rights Council all affirm that all human rights are universal, indivisible, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Recalling also that the General Assembly acknowledged in its resolution 60/251 that peace and security, development and human rights are the pillars of the United Nations system and the foundations for the collective security and well-being, and recognized that development, peace and security and human rights are interlinked and mutually reinforcing,

Acknowledging that human rights law and international humanitarian law are complementary and mutually reinforcing,

Gravely concerned about serious violations of international humanitarian law and human rights law during armed conflicts, in all parts of the world, and their detrimental impact on cultural rights and property,

Recalling the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocols, and stressing the importance of their implementation to protect cultural property,

Reaffirming that the destruction of or any other form of damage to cultural property may impair the enjoyment of cultural rights, in particular of article 15 of the International Covenant on Economic, Social and Cultural Rights,

1. *Calls upon* all States to respect human rights law and strongly urges all parties to an armed conflict to strictly observe and respect, as applicable, the rules of international humanitarian law during armed conflicts, and to respect the rules on the protection of cultural property;

2. *Emphasizes* that each party to an armed conflict is committed under international law to take all necessary steps to protect cultural property through safeguarding of and respect for such property, including cultural property situated in occupied territories;

3. *Strongly condemns* any destruction of cultural property in violation of international humanitarian law, as applicable, during armed conflicts;

4. *Emphasizes* that protection of cultural property during armed conflicts can contribute to the full enjoyment of the right of everyone to take part in cultural life;

5. *Urges* States and encourages intergovernmental and non-governmental organizations to take all necessary measures at the national, regional and international levels to address the issue of protection of cultural rights and property during armed conflicts, paying particular attention to the situation in occupied territories, and to provide appropriate assistance as requested by the concerned States;

6. *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;

7. *Decides* to remain seized of this issue and to consider further actions to implement the present resolution.

*20th meeting
27 September 2007*

[Adopted without a vote. See chap. III.]

6/2. Mandate of the Special Rapporteur on the right to food

The Human Rights Council,

Reaffirming all previous resolutions adopted by the General Assembly and the Commission on Human Rights on the issue of the right to food, including General Assembly resolution 61/163 of 19 December 2006 and Commission on Human Rights resolution 2005/18 of 14 April 2005,

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

Recalling the resolutions 5/1 “Institution-building of the United Nations Human Rights Council” and 5/2 “Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council” of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Recalling also commitments taken by the international community to fully implement the Millennium Development Goals,

Recognizing that the problems of hunger and food insecurity have global dimensions and that they are likely to persist and even increase dramatically in some regions of the world unless urgent, determined and concerted action is taken,

1. *Welcomes* the valuable work and commitment of Mr. Jean Ziegler during his tenure as the first mandate-holder to achieving the realization of the right to food;

2. *Decides* to extend the mandate of the Special Rapporteur on the right to food for a period of three years:

(a) To promote the full realization of the right to food and the adoption of measures at the national, regional and international levels for the realization of the right of everyone to adequate food and the fundamental right of everyone to be free from hunger so as to be able fully to develop and maintain their physical and mental capacities;

(b) To examine ways and means of overcoming existing and emerging obstacles to the realization of the right to food;

(c) To continue mainstreaming a gender perspective and taking into account an age dimension in the fulfilment of the mandate, considering that women and children are disproportionately affected by hunger, food insecurity and poverty;

(d) To submit proposals that could help the realization of Millennium Development Goal No. 1 to halve by the year 2015 the proportion of people who suffer from hunger, as well as to realize the right to food, in particular, taking into account the role of international assistance and cooperation in reinforcing national actions to implement sustainable food security policies;

(e) To present recommendations on possible steps with a view to achieving progressively 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 enjoy fully the right to food, taking into account lessons learnt in the implementation of national plans to combat hunger;

(f) To work in close cooperation with all States, intergovernmental and non-governmental organizations, the Committee on Economic, Social and Cultural Rights, as well as with other relevant actors representing the broadest possible range of interests and experiences, 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;

(g) To continue participating in and contributing to relevant international conferences and events with the aim of promoting the realization of the right to food;

3. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his/her task, to supply all necessary information requested by him/her and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries, to enable him/her to fulfil his/her mandate effectively;

4. *Requests* the United Nations High Commissioner for Human Rights to provide all necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;
5. *Invites* the Special Rapporteur ending the fulfilment of his mandate to submit to the Council in 2008 a comprehensive final report on his findings, conclusions and recommendations, after more than six years as mandate-holder on the right to food;
6. *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 General 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;
7. *Requests* the Special Rapporteur to submit a report on the implementation of the present resolution to the General Assembly at its sixty-third session and to the Council in 2008, in accordance with its annual programme of work;
8. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his/her mandate, inter alia through the submission of comments and suggestions on ways and means of realizing the right to food;
9. *Decides* to continue its consideration of this matter under the same agenda item.

20th meeting

27 September 2007

[Adopted without a vote. See chap. I.]

6/3. Human rights and international solidarity

The Human Rights Council,

Recalling Commission on Human Rights resolution 2005/55 of 20 April 2005, and taking note of the report presented to the Council by the independent expert on human rights and international solidarity (A/HRC/4/8),

Recalling also the resolutions 5/1 “Institution-building of the United Nations Human Rights Council” and 5/2 “Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council” of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Underlining that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations and international law,

Recalling the importance, in the view to the promotion and protection of international solidarity, of the declarations and programmes of action of international conferences such as the World Conference on Human Rights held in Vienna in 1993, the International Conference on Financing for Development held in Monterrey in 2002, the United Nations Conference on Environment and Development held in Rio in 1992, the World Summit on Sustainable Development held in Johannesburg in 2002, and the World Conference on Disaster Reduction held in Kobe in 2005,

Taking note with appreciation of the initiatives of the International Action against Hunger and Poverty, particularly in the field of innovative financial mechanisms,

Recalling that at the World Conference on Human Rights States pledged to cooperate with each other in ensuring development and eliminating obstacles to development, and stressed that the international community should promote effective international cooperation for the realization of the right to development and the elimination of obstacles to development,

Reaffirming that article 4 of the Declaration on the Right to Development states that sustained action is required to promote more rapid development of developing countries and, as a

complement to the efforts of developing countries, effective international cooperation is essential in providing these countries with appropriate means and facilities to foster their comprehensive development,

Taking into account that article 2 of the International Covenant on Economic, Social and Cultural Rights states that each State party to the Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the Covenant by all appropriate means, including particularly the adoption of legislative measures,

Persuaded that sustainable development can be promoted by peaceful coexistence, friendly relations and cooperation among States with different social, economic or political systems,

Reaffirming that the widening gap between the economically developed and developing countries is unsustainable and that it impedes the realization of human rights in the international community, and makes it all the more imperative for every nation, according to its capacities, to make the maximum possible effort to close this gap,

Expressing concern at the fact that the immense benefits resulting from the process of globalization and economic interdependence have not reached all countries, communities and individuals, and at the increasing marginalization from their benefits of several countries, particularly the least developed and the African countries,

Expressing its deep concern at the number and scale of natural disasters, diseases and agricultural pests and their increasing impact in recent years, which have resulted in a massive loss of life and long-term negative social, economic and environmental consequences for vulnerable societies throughout the world, in particular in developing countries,

Reaffirming the crucial importance of increasing the resources allocated for official development assistance, and recalling the pledge of the industrialized countries to allocate 0.7 per cent of their gross national product for official development assistance, and recognizing the need for new and additional resources to finance the development programmes of developing countries,

Determined to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours by an increased and sustained effort of international cooperation and solidarity,

Asserting the necessity for establishing new, equitable and global links of partnership and intra-generational solidarity, and for promoting intergenerational solidarity for the perpetuation of humankind,

Recognizing that the attention paid to the importance of international solidarity as a vital component of the efforts of developing countries towards the realization of the right to development of their peoples and the promotion of the full enjoyment of economic, social and cultural rights by everyone has been insufficient,

Resolved to strive to ensure that the present generations are fully aware of their responsibilities towards future generations, and that a better world is possible for the present and future generations,

1. *Reaffirms* the recognition set forth in the declaration adopted by the Heads of State and Government at the Millennium Summit of the United Nations of the fundamental value of solidarity to international relations in the twenty-first century, in stating that global challenges must be managed in a way that distributes costs and burdens fairly, in accordance with basic principles of equity and social justice, and that those who suffer, or who benefit least, deserve help from those who benefit most;

2. *Expresses its determination* to contribute towards the solution of current world problems through increased international cooperation, to create such conditions as will ensure that the needs and interests of future generations are not jeopardized by the burden of the past, and to hand on a better world to future generations;

3. *Urges* the international community to consider urgently concrete measures to promote and consolidate international assistance to developing countries in their endeavours for development and for the promotion of conditions that make possible the full realization of all human rights;

4. *Recognizes* that the so-called “third-generation rights” closely interrelated to the fundamental value of solidarity need further progressive development within the United Nations human rights machinery in order to be able to respond to the increasing challenges of international cooperation in this field;

5. *Requests* all States, United Nations agencies, other relevant international organizations and non-governmental organizations to mainstream the right of peoples and individuals to international solidarity in their activities;

6. *Decides*, taking into account the urgent need to further develop guidelines, standards, norms and principles with a view to promoting and protecting the right of peoples and individuals to international solidarity, to request the independent expert on human rights and international solidarity to continue discharging his mandate, subject to the review of this mandate that will be accomplished by the Council in the near future;

7. *Requests* the independent expert to continue his work in the preparation of a draft declaration on the right of peoples and individuals to international solidarity and to submit a report on the implementation of the present resolution at its ninth session (to be held in September 2008), unless otherwise decided by the Council;

8. *Also requests* the independent expert to take into account the outcomes of all major United Nations and other global summits and ministerial meetings in the economic and social fields and to seek views and contributions from Governments, United Nations agencies, other relevant international organizations and non-governmental organizations in the discharge of his/her mandate;

9. *Decides* to continue its examination of this issue at its ninth session under the same agenda item.

20th meeting
27 September 2007
[Adopted by a recorded vote of 34 to 12,
with 1 abstention. See chap. I.]

6/4. Arbitrary detention

The Human Rights Council,

Reaffirming articles 3, 9, 10 and 29, as well as other relevant provisions of the Universal Declaration of Human Rights,

Recalling articles 9, 10, 11, and 14 to 22 of the International Covenant on Civil and Political Rights,

Recalling also Commission on Human Rights resolutions 1991/42 of 5 March 1991 and 1997/50 of 15 April 1997, as well as resolution 2005/28 of 19 April 2005,

Recalling further General Assembly resolution 60/251 of 15 March 2006 entitled “Human Rights Council”,

Recalling the resolutions 5/1 “Institution-building of the United Nations Human Rights Council” and 5/2 “Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council” of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

1. *Decides* to extend the mandate of the Working Group on Arbitrary Detention for a further period of three years, in accordance with resolutions 1991/42 and 1997/50 of the Commission on Human Rights:

(a) To investigate cases of deprivation of liberty imposed arbitrarily or otherwise inconsistently with the relevant international standards set forth in the Universal Declaration of Human Rights or in the relevant international legal instruments accepted by the States concerned;

(b) To seek and receive information from Governments and intergovernmental and non-governmental organizations, and receive information from the individuals concerned, their families or their representatives;

(c) To act on information submitted to its attention regarding alleged cases of arbitrary detention by sending urgent appeals and communications to concerned Governments to clarify and to bring to their attention these cases;

(d) To conduct field missions upon the invitation of Government, in order to understand better the situations prevailing in countries, as well as the underlying reasons for instances of arbitrary deprivation of liberty;

(e) To formulate deliberations on issues of a general nature in order to assist States to prevent and guard against the practice of arbitrary deprivation of liberty and to facilitate consideration of future cases;

(f) To present an annual report to the Human Rights Council presenting its activities, findings, conclusions and recommendations;

2. *Encourages* the Working Group, in fulfilling its mandate:

(a) To work in cooperation and dialogue with all those concerned by the cases submitted to it, and in particular with States that provide information which should be given due consideration;

(b) To work in coordination with other mechanisms of the Human Rights Council, with other competent United Nations bodies and with treaty bodies, bearing in mind the role of the Office of the United Nations High Commissioner for Human Rights in such coordination, and to take all necessary measures to avoid duplication with those mechanisms, in particular regarding the treatment of the communications it receives and field missions;

(c) To carry out its task with discretion, objectivity and independence;

3. *Takes note* of the latest reports of the Working Group (E/CN.4/2006/7 and A/HRC/4/40), including the recommendations contained therein;

4. *Requests* the States concerned to take account of the Working Group's views and, where necessary, to take appropriate steps to remedy the situation of persons arbitrarily deprived of their liberty and to inform the Working Group of the steps they have taken;

5. *Encourages* all States:

(a) To give due consideration of the recommendations of the Working Group;

(b) To take appropriate measures in order to ensure that their legislation, regulations and practices remain in conformity with the relevant international standards and the applicable international legal instruments;

(c) To respect and promote the right of anyone who is arrested or detained on a criminal charge to be brought promptly before a judge or other officer authorized by law to exercise judicial power and to be entitled to trial within a reasonable time or to release;

(d) To respect and promote the right of anyone who is deprived of his/her liberty by arrest or detention to be entitled to bring proceedings before a court, in order that the court may decide without delay on the lawfulness of his/her detention and order his/her release if the detention is not lawful, in accordance with their international obligations;

(e) To ensure that the right deferred to in subparagraph (d) above is equally respected in cases of administrative detention, including administrative detentions in relation to public security legislation;

(f) To ensure that the conditions of pretrial detention do not undermine the fairness of the trial;

6. *Also encourages* all States concerned to ensure that any measures taken to combat terrorism comply with their obligations that ensure protection against arbitrary detention, bearing in mind relevant recommendations of the Working Group;

7. *Further encourages* all States to cooperate with the Working Group, and to give serious consideration to its requests for visits, so that it may carry out its mandate even more effectively;

8. *Notes with concern* that a persistent proportion of urgent appeals of the Working Group has been left unanswered and urges the States concerned to give the necessary attention to the urgent appeals addressed to them by the Working Group on a strictly humanitarian basis and without prejudging its possible final conclusions;

9. *Expresses its profound thanks* to the States that have extended their cooperation to the Working Group and responded to its requests for information, and invites all States concerned to demonstrate the same spirit of cooperation;

10. *Takes note with satisfaction* of the fact that the Working Group has been informed of the release of some of the individuals whose situation has been brought to its attention, while deploring the many cases that have not yet been resolved;

11. *Requests* the Secretary-General to provide all necessary assistance to the Working Group, particularly with regard to the staffing and resources needed for the effective fulfilment of its mandate, especially in respect of field missions;

12. *Decides* to continue consideration of the question in conformity with its programme of work.

21st meeting
28 September 2007
[Adopted without a vote. See chap. I.]

6/5. Advisory services and technical assistance for Burundi

The Human Rights Council,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also the resolutions 5/1 “Institution-building of the United Nations Human Rights Council” and 5/2 “Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council” of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Bearing in mind Commission on Human Rights resolution 2004/82 of 21 April 2004,

Recognizing the efforts by the United Nations, the African Union, the European Union and the countries of the Regional Peace Initiative to help provide Burundi with backing to fully re-establish peace and security in its national territory,

Welcoming the efforts of the Burundi Government and the international community to encourage the *Parti pour la libération du peuple hutu-Forces nationales de libération* (Palipehutu-FNL) and its leader Agathon Rwasa to accede to the Joint Verification and Monitoring Mechanism envisaged in article 3.1 of the Global Ceasefire Agreement of 7 September 2006 and to resume negotiations,

Considering the expectations of the Burundi population following the elections of 2005 that led to the establishment of democratic institutions in Burundi,

Conscious of the commitment of the Government of Burundi to dialogue with its political partners,

1. *Requests* the United Nations High Commissioner for Human Rights to increase the allocation for technical assistance for Burundi through her office in Bujumbura;

2. *Exhorts* the international community to provide the Burundi Government with appropriate funding to enable it better to consolidate human rights, peace and security in its national territory;

3. *Encourages* the Burundi Government to continue to give priority to dialogue, wherever necessary;

4. *Also encourages* the Burundi Government to pursue its efforts to engage in dialogue with Palipehutu-FNL and its leader Agathon Rwasa;

5. *Decides* to extend by one year the mandate of the independent expert on the situation of human rights in Burundi;

6. *Asks* the independent expert to submit a final report to the Council at its ninth session on the effectiveness and efficiency of the measures applied in practice.

21st meeting

28 September 2007

[Adopted without a vote. See chap. I.]

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

The Human Rights Council,

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

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

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

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

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

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

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

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

1. *Reaffirms* that cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent;
2. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the promotion of the enjoyment of the cultural rights of everyone and respect for different cultural identities (E/CN.4/2006/40);
3. *Expresses its appreciation* to States and intergovernmental and non-governmental organizations that responded to or participated in the consultations held pursuant to Commission on Human Rights resolutions 2002/26 of 22 April 2002, 2003/26 of 22 April 2003, 2004/20 of 16 April 2004 and 2005/20 of 14 April 2005;
4. *Reaffirms* that the establishment of a thematic procedure in the field of cultural rights should not develop a new monitoring mechanism, and that the appointment of an independent expert in the field of cultural rights could assist the implementation of the present resolution, taking into account the work already done in this field by other bodies, organs and organizations of the United Nations system;
5. *Acknowledges* that the process of review, rationalization and improvement of mandates represents momentum towards the establishment of an independent expert in the field of cultural rights, and to this end requests the United Nations High Commissioner for Human Rights to consult States, intergovernmental and non-governmental organizations on the content

and scope of the mandate of the independent expert in the field of cultural rights, the basis of which would be the comprehensive implementation of the present resolution, and to report on the results of those consultations to the Council in accordance with its annual programme of work;

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

7. *Decides* to continue its consideration of this matter in accordance with the annual programme of work under the same agenda item.

21st meeting
28 September 2007
[Adopted without a vote. See chap. III.]

6/7. Human rights and unilateral coercive measures

The Human Rights Council,

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

Recalling also its decision 4/103 of 30 March 2007 and taking note of General Assembly resolution 61/170 of 19 December 2006, as well as of the report of the Secretary-General on this issue (A/HRC/6/2),

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 a universal and inalienable right and an integral part of all human rights,

Expressing its concern about the negative impact of unilateral coercive measures in the field of human rights, development, international relations, trade, investment and cooperation,

Recalling the Final Document of the Fourteenth Conference of Heads of State or Government of the Non-Aligned Movement, held in September 2006 in Havana, in which they agreed to oppose and condemn these measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise as called for by the General Assembly and other United Nations organs, and to request States applying these measures or laws to revoke them fully and immediately,

Recalling also that the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations 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,

Deeply concerned that, despite the resolutions adopted on this issue by the General Assembly, the former Commission on Human Rights and United Nations conferences held in the 1990s and their five-year reviews, and contrary to norms of international law and the Charter of the United Nations, unilateral coercive measures continue to be promulgated, implemented and enforced, inter alia through resorting to war and militarism, 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,

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,

1. *Urges* all States to stop adopting or implementing unilateral coercive 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 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 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 these measures nor apply them, as well as to take effective administrative or legislative measures, as appropriate, to counteract the extraterritorial application or effects of unilateral coercive measures;

3. *Condemns* the continued unilateral application and enforcement by certain Powers of such measures as tools of political or economic pressure against any country, particularly against developing countries, with a view to preventing these countries from exercising their right to decide, of their own free will, their own political, economic and social systems;

4. *Reiterates its call* upon Member States that have initiated such measures to abide by the principles of international law, the Charter of the United Nations, 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 putting an immediate end to such measures;

5. *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;

6. *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 according to 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) of 12 December 1974, in particular article 32, 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;

7. *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;

8. *Underlines* 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 domestic laws which run counter to the principles of free trade and hamper the development of developing countries, as recognized by the Intergovernmental Group of Experts on the Right to Development in its report on its second session (E/CN.4/1998/29);

9. *Rejects* all attempts to introduce unilateral coercive measures, as well as the increasing trend in this direction, including through the enactment of laws with extraterritorial application which are not in conformity with international law;

10. *Recognizes* that the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva in December 2003, strongly urged States to avoid and refrain from any unilateral measure in building the Information Society;

11. *Invites* 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;

12. *Decides* to give due consideration to the negative impact of unilateral coercive measures in its task concerning the implementation of the right to development;

13. *Requests*:

(a) The United Nations High Commissioner for Human Rights, in discharging her functions in relation to the promotion and protection of human rights, to pay due attention and give urgent consideration to the present resolution;

(b) The Secretary-General to bring the present resolution to the attention of all Member States and to seek their views and information on the implications and negative effects of unilateral coercive measures on their populations, and to submit a report thereon to the Council as appropriate, in accordance with its annual programme of work;

14. *Decides* to examine this question, on a priority basis, as appropriate, in accordance with its annual programme of work under the same agenda item.

21st meeting
28 September 2007
[Adopted by a recorded vote of 34 to 11,
with 2 abstentions. See chap. III.]

6/8. Human rights and equitable access to safe drinking water and sanitation

The Human Rights Council,

Recalling its decision 2/104 of 27 November 2006,

Taking note of the report of the United Nations High Commissioner for Human Rights on the scope and content of relevant human rights obligations related to equitable access to safe drinking water and sanitation under international human rights instruments (A/HRC/6/3),

Mindful that the report requires thorough consideration by States and other relevant stakeholders,

1. *Calls upon* all States to give due attention to the report of the High Commissioner;
2. *Decides* to consider the issue at its seventh session.

21st meeting
28 September 2007
[Adopted without a vote. See chap. III.]

**6/9. Development of public information activities in the field of
human rights, including the World Public Information
Campaign on Human Rights**

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, and that activities to improve public information and awareness in the field of human rights are essential to the fulfilment of the purposes and principles of the United Nations as set out in Article 1, paragraph 3, of the Charter of the United Nations,

Taking note of the report of the Secretary-General on the development of public information activities in the field of human rights, including the World Public Information Campaign on Human Rights (A/HRC/4/106),

Recalling relevant General Assembly resolutions, including resolution 43/128 of 8 December 1988, by which the Assembly launched the World Public Information Campaign on Human Rights, resolution 59/113 of 10 December 2004, by which the Assembly proclaimed the World Programme for Human Rights Education, and resolution 60/251 of 15 March 2006, by which the Assembly decided that the Council should promote human rights education and learning as well as advisory services, technical assistance and capacity-building,

Recalling also the relevant Commission on Human Rights resolutions, particularly its last resolution on this subject, resolution 2005/58 of 20 April 2005,

1. *Encourages* the Department of Public Information of the Secretariat and the Office of the United Nations High Commissioner for Human Rights to continue to support, within their respective responsibilities and in consultation with States, the development of national capacities

for human rights education and public information, inter alia by involving national human rights institutions and non-governmental organizations, and to launch, within the framework of the Universal Declaration of Human Rights sixtieth anniversary activities, specific initiatives for widening public information in the field of human rights;

2. *Encourages* all States to develop specific public information activities within the framework of the Universal Declaration of Human Rights sixtieth anniversary activities, and to enhance their education and training efforts, also in the context of the World Programme for Human Rights Education, including targeted training programmes for professional audiences in the field of human rights in close contact with the Office of the United Nations High Commissioner for Human Rights;

3. *Calls on* the High Commissioner for Human Rights to mainstream human rights education and public information activities, within the framework of the Universal Declaration of Human Rights sixtieth anniversary activities, in the existing initiatives and in those to be undertaken to this end, at the international, regional, and national levels;

4. *Requests* the Secretary-General, within the regular budget of the United Nations, to mobilize, as appropriate, the United Nations Country Teams in order to promote, within the framework of the Universal Declaration of Human Rights sixtieth anniversary activities, education, training and public information activities in the field of human rights;

5. *Also requests* the Secretary-General and the Office of the United Nations High Commissioner for Human Rights to submit to the Council, prior to its seventh session, a joint progress report, from within the regular budget of the United Nations, on public information activities in the field of human rights, including activities being undertaken throughout the sixtieth anniversary of the Universal Declaration of Human Rights, by the United Nations system, internationally and at the national level, and, particularly, by the field presences of the Office of the High Commissioner for Human Rights.

**6/10. United Nations declaration on human rights
education and training**

The Human Rights Council,

Recalling that the Universal Declaration of Human Rights proclaims that every individual and every organ of society, keeping the Declaration constantly in mind, shall strive by teaching and education to promote respect for the rights and freedoms contained in it,

Recalling the high importance attached to human rights education by the Vienna Declaration and Programme of Action, adopted in June 1993 by the World Conference on Human Rights, and the great value of the World Programme for Human Rights Education,

Reaffirming that the Human Rights Council shall, inter alia, promote human rights education and learning,

Believing that enhanced efforts to promote human rights education would represent a major contribution of the Human Rights Council,

Reaffirming the importance of the World Programme for Human Rights Education,

Mindful and appreciative of the efforts made in this regard by the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund, the United Nations Development Programme and the Office of the United Nations High Commissioner for Human Rights as well as by other relevant stakeholders, including educators and non-governmental organizations,

1. *Requests* the "Human Rights Council Advisory Committee" to prepare a draft declaration on human rights education and training, to be presented to the Human Rights Council for consideration; to this end:

(a) *Requests* the "Human Rights Council Advisory Committee" to seek the views and inputs of Member States, relevant international and regional organizations, the Office of the United Nations High Commissioner for Human Rights, national human rights institutions as well as civil society organizations, including non-governmental organizations, on the possible elements of the content of the declaration and to take into account existing relevant instruments;

(b) *Requests also* the “Human Rights Council Advisory Committee” to present a progress report to the Human Rights Council, at its 2009 main session, containing the elements of the draft declaration on human rights education and training;

2. *Decides* to consider the progress report at its 2009 main session.

21st meeting
28 September 2007
[Adopted without a vote. See chap. III.]

**6/11. Protection of cultural heritage as an important component
of the promotion and protection of cultural rights**

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights,

Bearing in mind pertinent universal and regional legal instruments for the promotion and protection of cultural rights and for the protection of cultural heritage, including the principles enshrined in conventions, recommendations, declarations and charters for the protection of cultural heritage adopted by the United Nations Educational, Scientific and Cultural Organization,

Reaffirming that all human rights are universal, indivisible, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Recalling that States parties to the International Covenant on Economic, Social and Cultural Rights undertake to take steps, including those necessary for the conservation, development and diffusion of science and culture, in order to achieve full realization of the rights, as stipulated in article 15 of the Covenant,

Reaffirming the importance of cultural diversity for the full realization of human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and other universally recognized instruments,

Recalling that cultural diversity, flourishing within a framework of democracy, tolerance, social justice and mutual respect between peoples and cultures, is indispensable for peace and security at the local, national and international levels,

Mindful that cultural heritage is an important component of the cultural identity of communities, groups and individuals, and of social cohesion, so that its intentional destruction may have adverse consequences on human dignity and human rights,

Affirming that intentional destruction of cultural heritage may violate the principles of international law,

Reaffirming the importance of the protection of cultural heritage and the commitment to fight against its intentional destruction in any form so that such cultural heritage may be transmitted to the succeeding generations,

Recognizing the valuable contributions of all religions to modern civilization and the contribution that dialogue among civilizations can make to an improved awareness and understanding of the common values shared by all humankind,

1. *Recognizes* that the promotion and protection of cultural rights and the respect for different cultural identities are vital elements to advance freedom and progress everywhere, as well as to encourage tolerance, respect, dialogue and cooperation among different cultures, civilizations and peoples;
2. *Reiterates* that each culture has a dignity and value which must be respected and preserved, and that respect for the diversity of belief, culture and language promotes a culture of peace and dialogue among all civilizations;
3. *Recognizes* that intentional destruction of cultural heritage may constitute advocacy and incitement to national, racial or religious hatred and thereby violates fundamental principles of international human rights law, inter alia, the provisions as stipulated in article 20 of the International Covenant on Civil and Political Rights;
4. *Expresses grave concern* about continuing acts of intentional destruction of cultural heritage that take place in various parts of the world;

5. *Underlines* that States bear responsibility for intentional destruction or failure to take appropriate measures to prohibit, prevent, stop and punish any such destruction of cultural heritage of great importance for humanity, to the extent provided for by international law;

6. *Encourages* all States, relevant intergovernmental and non-governmental organizations and the media to promote a culture of tolerance and respect for the diversity of cultures, civilizations and religions and for cultural and religious sites, which represent an important aspect of the collective heritage of humankind;

7. *Emphasizes* the importance of continued cooperation at international and regional levels in order to encourage dialogue among cultures with a view to ensuring wider and balanced cultural exchanges in the world in favour of intercultural respect and culture of peace;

8. *Requests* the United Nations High Commissioner for Human Rights to encourage all relevant human rights bodies and mechanisms to pay due attention to the issue of promotion of cultural diversity and protection of cultural heritage as an important component of the promotion and protection of all human rights, including the full realization of cultural rights;

9. *Encourages* the High Commissioner for Human Rights to enhance consultations with the Council and cooperation with relevant international and regional organizations and bodies concerned with the issue of protection of cultural heritage in order to address human rights-related aspects of this issue;

10. *Requests* the High Commissioner for Human Rights to bring the present resolution to the attention of all Governments, the competent United Nations organs, programmes and specialized agencies, as well as regional intergovernmental organizations;

11. *Decides* to remain seized of this issue and to consider further actions in order to implement the present resolution.

**6/12. Human rights and indigenous peoples: mandate of the
Special Rapporteur on the situation of human rights
and fundamental freedoms of indigenous people**

The Human Rights Council,

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

Recalling the resolutions 5/1 “Institution-building of the United Nations Human Rights Council” and 5/2 “Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council” of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Recalling also resolutions 2001/57 of 24 April 2001, 2002/65 of 25 April 2002, 2003/56 of 24 April 2003, 2004/62 of 21 April 2004 and 2005/51 of 20 April 2005 of the Commission on Human Rights entitled “Human rights and indigenous issues”,

1. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people for a period of three years:

(a) To examine ways and means of overcoming existing obstacles to the full and effective protection of the human rights and fundamental freedoms of indigenous people, in conformity with his/her mandate, and to identify, exchange and promote best practices;

(b) To gather, request, receive and exchange information and communications from all relevant sources, including Governments, indigenous people and their communities and organizations, on alleged violations of their human rights and fundamental freedoms;

(c) To formulate recommendations and proposals on appropriate measures and activities to prevent and remedy violations of the human rights and fundamental freedoms of indigenous people;

(d) To work in close cooperation, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Human Rights Council, relevant United Nations bodies, the treaty bodies, and human rights regional organizations;

(e) To work in close cooperation with the Permanent Forum on Indigenous Issues and to participate in its annual session;

(f) To develop a regular cooperative dialogue with all relevant actors, including Governments, relevant United Nations bodies, specialized agencies and programmes, as well as indigenous peoples, non-governmental organizations and other regional or subregional international institutions, including on possibilities for technical cooperation at the request of Governments;

(g) To promote the United Nations Declaration on the Rights of Indigenous Peoples and international instruments relevant to the advancement of the rights of indigenous peoples, where appropriate;

(h) To pay special attention to the human rights and fundamental freedoms of indigenous children and women, and to take into account a gender perspective in the performance of his/her mandate;

(i) To consider relevant recommendations of the world conferences, summits and other United Nations meetings, as well as the recommendations, observations and conclusions of the treaty bodies on matters regarding his/her mandate;

(j) To submit a report on the implementation of his/her mandate to the Council in accordance with its annual programme of work;

2. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all information requested in his/her communications and to react promptly to his/her urgent appeals;

3. *Encourages* all Governments to give serious consideration to the possibility of inviting the Special Rapporteur to visit their countries so as to enable him/her to fulfil the mandate effectively;

4. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the Special Rapporteur for the effective fulfilment of his/her mandate;

5. *Decides* to continue consideration of this question in conformity with the Human Rights Council's programme of work.

21st meeting
28 September 2007
[Adopted without a vote. See chap. I.]

6/13. The Social Forum

The Human Rights Council,

Recalling all previous resolutions and decisions adopted on this issue by the former Commission on Human Rights and its Sub-Commission on the Promotion and Protection of Human Rights, as well as by the Economic and Social Council,

Recalling also its resolution 5/1 of 18 June 2007,

Bearing in mind that the reduction of poverty and the elimination of extreme poverty remain an ethical and moral imperative of humankind, based on respect for human dignity, and noting the report of the Chairperson-Rapporteur of the fourth Social Forum, held on 3 and 4 August 2006, which focused on "The fight against poverty and the rights to participation: the role of women",

Reaffirming the unique nature within the United Nations of the Social Forum, which makes possible a dialogue and an exchange between the representatives of Member States, civil society, including grass-roots organizations, and intergovernmental organizations, and stressing that the current reform of the United Nations should take into account the contribution of the Social Forum as a vital space for open and fruitful dialogue on issues linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all,

1. *Welcomes* the report of the fourth Social Forum held in Geneva on 3 and 4 August 2006 submitted by the Chairman-Rapporteur (A/HRC/Sub.1/58/15);

2. *Takes note with satisfaction* of the conclusions and recommendations of the 2006 Social Forum and of the innovative nature of many of them, and calls upon States, international organizations - in particular those with a mandate for poverty eradication - non-governmental organizations, civil society organizations, trade unions and other relevant actors to take them into account when designing and implementing poverty-eradication programmes and strategies;

3. *Decides* to preserve the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including grass-roots organizations, and underlines the importance of coordinated efforts at national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity as well as to address the social dimension and challenges of the ongoing globalization process;

4. *Decides also* that the Social Forum shall continue meeting every year, requests that the next meeting of the Social Forum be held during 2008, in Geneva, on dates suitable for the participation of representatives of United Nations Member States and of the broadest possible range of other stakeholders, especially from developing countries, and decides that at its next meeting the Social Forum should focus on:

(a) Questions relating to the eradication of poverty in the context of human rights;

(b) Capturing best practices in the fight against poverty in the light of grass-roots presentations to the Social Forum;

(c) Social dimension of the globalization process;

5. *Decides further* that the Social Forum will meet for three working days, in order that it may devote:

(a) One day to thematic discussions on poverty and human rights and the work of the international human rights mechanisms in the field of economic, social and cultural rights and the right to development in relation to poverty, in order to receive feedback from civil society to provide to different mechanisms;

(b) One day to discussion on the social dimension of the globalization process;

(c) One day to an interactive debate with relevant thematic procedures mandate-holders of the Human Rights Council on issues related to the topics of the Social Forum, and to formulating conclusions and recommendations to be presented to relevant bodies through the Human Rights Council;

6. *Requests* the President of the Human Rights Council to appoint, before the end of 2007, from candidates nominated by regional groups, the Chairperson-Rapporteur for the 2008 Social Forum and decides to respect the principle of regional rotation while appointing the chairpersons-rapporteurs of the Social Forum in the future;

7. *Invites* the appointed Chairperson-Rapporteur to announce, in a timely manner, the most appropriate dates for convening the 2008 Social Forum, after holding consultations with United Nations Member States and other stakeholders;

8. *Requests* the United Nations High Commissioner for Human Rights to consult all actors identified in the present resolution on the issues referred to in paragraph 4 above and to present a report as a background contribution for the dialogues and debates that will be held at the 2008 Social Forum;

9. *Requests also* the High Commissioner for Human Rights to facilitate the participation in the 2008 Social Forum, to assist the Chairperson-Rapporteur as resource persons, of up to four relevant Human Rights Council thematic procedures mandate-holders, in particular the independent expert on the question of human rights and extreme poverty and the independent expert on human rights and international solidarity;

10. *Decides* that the Social Forum will remain open for participation of representatives of United Nations Member States and all other interested stakeholders such as intergovernmental organizations, different components of the United Nations system, especially mandate-holders of thematic procedures and mechanisms of the human rights machinery, regional economic commissions, specialized agencies and organizations - in particular the United Nations Development Programme, the World Bank, the International Monetary Fund and the World Trade Organization, as well as representatives designated by human rights national institutions and non-governmental organizations in consultative status with the Economic and Social Council

and other non-governmental organizations, in particular newly emerging actors such as small groups and rural and urban associations from the North and the South, anti-poverty groups, peasants' and farmers' organizations and their national and international associations, voluntary organizations, youth associations, community organizations, trade unions and associations of workers, as well as representatives of the private sector, regional banks, and other financial institutions and international development agencies, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, while ensuring the most effective contribution of these entities;

11. *Requests* the Office of the United Nations High Commissioner for Human Rights to seek effective means of ensuring consultation and the broadest possible participation of representatives from every region, especially those from developing countries, in the Social Forum, including by establishing partnerships with non-governmental organizations, the private sector and international organizations;

12. *Requests* the Secretary-General to adopt the appropriate measures to disseminate information about the Social Forum, invite the relevant individuals and organizations to the Social Forum and take all practical measures required for the success of this initiative;

13. *Invites* the 2008 Social Forum to submit to the Human Rights Council a report including a proposal of possible themes for the 2009 Social Forum;

14. *Requests* the Secretary-General to provide the Social Forum with all the services and facilities necessary to fulfil its activities, and also requests the United Nations High Commissioner for Human Rights to provide all the necessary support to facilitate the convening and proceedings of the Social Forum;

15. *Decides* to continue consideration of this issue under the relevant agenda item when the report of the 2008 Social Forum is submitted to the Human Rights Council.

21st meeting
28 September 2007
[Adopted without a vote. See chap. V.]

6/14. Special Rapporteur on contemporary forms of slavery

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, which states that no one shall be held in slavery or servitude and that slavery and the slave trade shall be prohibited in all their forms,

Recognizing the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956 and International Labour Organization Convention No. 29 on Forced Labour of 1930, as well as other relevant international instruments which prohibit all forms of slavery and call on Governments to eradicate such practices,

Recalling that the Durban Declaration and Programme of Action strongly condemned the fact that slavery and slavery-like practices still exist today in parts of the world and urged States to take immediate measures as a matter of priority to end such practices, which constitute flagrant violations of human rights,

Acknowledging that contemporary forms of slavery is a global issue which affects all continents and most countries of the world,

Deeply concerned that the minimum estimate of the number of people in slavery is over 12 million and that the problem appears to be increasing,

Recognizing that broad international cooperation among States, as well as between States and relevant intergovernmental and non-governmental organizations is essential for effectively countering contemporary forms of slavery,

Taking note with great appreciation of the work, reports and recommendations of the Working Group on Contemporary Forms of Slavery of the former Sub-Commission on the Promotion and Protection of Human Rights, since its establishment in 1975,

Considering the proposals to replace the Working Group on Contemporary Forms of Slavery with a Special Rapporteur as a mechanism for better addressing the issue of contemporary forms of slavery within the United Nations system which were made in May 1998

in a review of the implementation of the conventions on slavery for the twenty-fourth session of the Working Group on Contemporary Forms of Slavery; in the Office of the United Nations High Commissioner for Human Rights' report "Abolishing slavery and its contemporary forms, 2002" (HR/PUB/02/4); and in the recommendations of the Working Group on Contemporary Forms of Slavery itself at its thirty-first session in 2006,

Recalling Human Rights Council decision 5/1 "Institution-building of the United Nations Human Rights Council" of 18 June 2007 and its annex, which stated that the Council would decide at its sixth session on the most appropriate mechanisms to continue the work of the Working Groups on Indigenous Populations, on Contemporary Forms of Slavery, Minorities, as well as Human Rights Council resolution 5/2 "Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council" of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Bearing in mind that 2007 marks the two hundredth anniversary of the beginning of the abolition of the transatlantic slave trade,

Convinced that the mandates of existing Special Rapporteurs do not adequately cover all slavery practices, and that the issue of contemporary forms of slavery needs to be given greater prominence and priority within the United Nations system if these practices are to be eradicated once and for all,

1. *Decides* to appoint, for a three-year period, a Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, to replace the Working Group on Contemporary Forms of Slavery;

2. *Decides* that the Special Rapporteur shall examine and report on all contemporary forms of slavery and slavery-like practices, but in particular those defined in the Slavery Convention of 1926, and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, as well as all other issues covered by the Working Group on Contemporary Forms of Slavery including forced prostitution and its human rights dimensions; in the discharge of his/her mandate, the Special Rapporteur will:

(a) Focus principally on aspects of contemporary forms of slavery which are not covered by existing mandates of the Human Rights Council;

(b) Promote the effective application of relevant international norms and standards on slavery;

(c) Request, receive and exchange information on contemporary forms of slavery from Governments, treaty bodies, special procedures, specialized agencies, intergovernmental organizations, and non-governmental organizations and other relevant sources, including on slavery practices and, as appropriate, and in line with the current practice, respond effectively to reliable information on alleged human rights violations with a view to protecting the human rights of victims of slavery and preventing violations;

(d) Recommend actions and measures applicable at the national, regional and international levels to eliminate slavery practices wherever they occur, including remedies which address the causes and consequences of contemporary forms of slavery, such as poverty, discrimination and conflict as well as the existence of demand factors and relevant measures to strengthen international cooperation;

3. *Requests* the Special Rapporteur, in carrying out his/her mandate:

(a) To give careful consideration to specific issues within the scope of the mandate and to include examples of effective practices as well as relevant recommendations;

(b) To take account of the gender and age dimensions of contemporary forms of slavery;

4. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in the performance of the tasks and duties mandated, to supply all necessary information requested by him/her and to give serious consideration to responding favourably to the Special Rapporteur's requests to visit their countries, so as to enable him/her to fulfil his/her mandate effectively;

5. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, Governments, independent experts, interested institutions, and non-governmental organizations to cooperate to the fullest extent possible with the Special Rapporteur in the fulfilment of his/her mandate;

6. *Requests* the Special Rapporteur to cooperate fully and effectively with other existing human rights mechanisms and treaty bodies, including, but not limited to, the Special Rapporteur on trafficking in persons, especially in women and children, the Special Rapporteur on the sale of children, child prostitution and child pornography, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on violence against women, its causes and consequences, the Special Representative of the Secretary-General on children in armed conflict, and the Special Rapporteur on the human rights of migrants as well as the Board of Trustees for the United Nations Voluntary Fund on Contemporary Forms of Slavery, taking full account of their contribution while avoiding duplication of their work;

7. *Also requests* the Special Rapporteur to submit annual reports on the activities of the mandate to the Human Rights Council together with recommendations on measures that should be taken to combat and eradicate contemporary forms of slavery and slavery-like practices and to protect the human rights of victims of such practices;

8. *Requests* the Secretary-General to give the Special Rapporteur all necessary human and financial assistance for the effective fulfilment of his/her mandate.

21st meeting
28 September 2007
[Adopted without a vote. See chap. V.]

6/15. Forum on Minority Issues

The Human Rights Council,

Recalling the International Covenant on Civil and Political Rights and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities adopted by consensus by the General Assembly by its resolution 47/135 of 18 December 1992,

Taking into consideration article 27 of the International Covenant on Civil and Political Rights as well as other relevant existing international standards and national legislation,

Recalling Commission on Human Rights resolution 1995/24 of 3 March 1995, Economic and Social Council resolution 1995/31 of 25 July 1995 and decision 1998/246 of 30 July 1998 on the mandate of the Working Group on Minorities of the Sub-Commission on the Promotion and Protection of Human Rights,

Recalling also Human Rights Council resolution 5/1 of 18 June 2007, which calls upon the Council to decide at its sixth session on the most appropriate mechanisms to continue the work of the former working groups of the Sub-Commission,

Taking note of the final report of the Working Group on Minorities (A/HRC/Sub.1/58/19), in particular the recommendations on the future of the Working Group, which emphasizes the need for a mechanism to serve as a forum for dialogue and mutual understanding on minority rights issues,

Taking note also of the report of the Secretary-General on the rights of persons belonging to national or ethnic, religious and linguistic minorities (A/HRC/4/109), in which he invites the Council to consider ways to maintain mechanisms offering opportunities for the meaningful participation of civil society,

Commending the important work undertaken by the independent expert on minority issues and recalling the complementarity of her mandate with that of the former Working Group on Minorities provided for in Commission on Human Rights resolution 2005/79 of 21 April 2005,

Emphasizing the need for reinforced efforts to meet the goal of the full realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, as well as full and effective participation in matters affecting them, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

Underlining the need to pay specific attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the situation of persons belonging to national or ethnic, religious and linguistic minorities, and drawing attention to the relevant provisions of the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, including the provisions on forms of multiple discrimination,

Emphasizing the importance of dialogue among all relevant stakeholders on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities as an integral part of the development of society as a whole, including the sharing of best practices such as for the promotion of mutual understanding of minority issues, managing diversity by recognizing plural identities, and promoting inclusive and stable societies as well as social cohesion therein,

Emphasizing also the importance of national processes aimed at promoting and strengthening dialogue between all relevant stakeholders on issues relating to the rights of persons belonging to national, or ethnic, religious and linguistic minorities with a view to ensuring the realization of their rights without discrimination and to help build stable societies,

1. *Decides* to establish a forum on minority issues to provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities, which shall provide thematic contributions and expertise to the work of the independent expert on minority issues.¹ The Forum shall identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

¹ Subject to review of the mandate of the independent expert, as foreseen in resolution 5/1 of 18 June 2007.

2. *Also decides* that the Forum shall be open to the participation of States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on minority issues and non-governmental organizations in consultative status with the Economic and Social Council; the Forum shall also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure in accordance with the Rules of Procedure of the Human Rights Council, which will provide for the timely information on participation and consultations with States concerned;

3. *Decides further* that the Forum shall meet annually for two working days allocated to thematic discussions;

4. *Requests* the President of the Human Rights Council to appoint for each session, on the basis of regional rotation, and in consultation with regional groups, a chairperson of the Forum among experts on minority issues, nominated by members and observers of the Council; the chairperson, serving in his/her personal capacity, shall be responsible for the preparation of a summary of the discussion of the Forum, to be made available to all participants of the Forum;

5. *Decides* that the independent expert on minority issues shall guide the work of the Forum and prepare its annual meetings, and invites him/her to include in his/her report thematic recommendations of the Forum and recommendations for future thematic subjects, for consideration by the Human Rights Council;

6. *Expresses its expectation* that the Forum will contribute to the efforts of the United Nations High Commissioner for Human Rights to improve the cooperation among United Nations mechanisms, bodies and specialized agencies, funds and programmes on activities related to the promotion and protection of the rights of persons belonging to minorities, including at regional level;

7. *Requests* the High Commissioner for Human Rights to provide all the necessary support to facilitate, in a transparent manner, the convening of the Forum and the participation of relevant stakeholders from every region in its meetings, giving particular attention to ensuring broadest possible and equitable participation, including, in particular, the representation of women;
8. *Requests* the Secretary-General to provide the Forum, within existing resources of the United Nations, with all the services and facilities necessary to fulfil its mandate;
9. *Decides* to review the work of the Forum after four years.

21st meeting
28 September 2007
[Adopted without a vote. See chap. V.]

6/16. Informal meeting to discuss the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations

The Human Rights Council,

Recalling that the Human Rights Council institution-building text, annexed to resolution 5/1 of 18 June 2007, stated that the “Council will decide at its sixth session (first session of its second cycle) on the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations ...”,

Decides to request the Office of the United Nations High Commissioner for Human Rights to convene an informal meeting in Geneva, for a day and a half, open to the participation of States, indigenous peoples and other stakeholders preceding the resumed sixth session in December of the Council to exchange views on the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations.

21st meeting
28 September 2007
[Adopted without a vote. See chap. V.]

6/17. Establishment of funds for the universal periodic review mechanism of the Human Rights Council

The Human Rights Council,

Bearing in mind that the universal periodic review is a cooperative mechanism with the full involvement of the country concerned and with consideration given to its capacity-building needs in accordance with General Assembly resolution 60/251 of 15 March 2006,

Underlining the fact that the institution-building text adopted on 18 June 2007 states that a universal periodic review Voluntary Trust Fund should be established to facilitate the participation of developing countries, particularly least developed countries, in the universal periodic review,

Recalling that the institution-building text also requests the Council to decide on the question whether to resort to existing financing mechanisms or to create a new mechanism,

1. *Requests* the Secretary-General to establish a universal periodic review Voluntary Trust Fund to facilitate the participation of developing countries, particularly least developing countries, in the universal periodic review mechanism;

2. *Also requests* the Secretary-General to establish a new financial mechanism called the Voluntary Fund for Financial and Technical Assistance to be administered jointly with the universal periodic review Voluntary Trust Fund mentioned in paragraph 1, in order to provide, in conjunction with multilateral funding mechanisms, a source of financial and technical assistance to help countries implement recommendations emanating from the universal periodic review in consultation with, and with the consent of, the country concerned;

3. *Urges* all member States, observers and other stakeholders of the Council to support the operationalization of the above funds;

4. *Requests* the Office of the High Commissioner for Human Rights to take the necessary measures with a view to expeditiously operationalizing the mechanisms;

5. *Decides* to follow up on the matter under the same agenda item at its seventh session.

21st meeting
28 September 2007
[Adopted without a vote. See chap. VI.]

**6/18. Human rights situation in the Occupied Palestinian Territory:
follow-up to Human Rights Council resolutions S-1/1 and S-3/1**

The Human Rights Council,

Recalling its resolutions S-1/1 of 6 July 2006 and S-3/1 of 15 November 2006,

Noting with regret that Israel, the occupying Power, has not implemented to date these two resolutions and hindered the dispatching of the urgent fact-finding missions specified therein,

1. *Calls* for the implementation of its resolutions S-1/1 and S-3/1, including the dispatching of the urgent fact-finding missions;

2. *Requests* the President of the Human Rights Council and the United Nations High Commissioner for Human Rights to report to the Council at its next session on their efforts for the implementation of Council resolutions S-1/1 and S-3/1 and on the compliance of Israel, the occupying Power, with these two resolutions.

21st meeting
28 September 2007
[Adopted without a vote. See chap. VII.]

**6/19. Religious and cultural rights in the Occupied Palestinian Territory,
including East Jerusalem**

The Human Rights Council,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights,

Recalling also article 2 of the Universal Declaration of Human Rights which stipulates that everyone is entitled to all the rights and freedoms set forth in that Declaration, 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, and that no distinction should be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Emphasizing the particularity of Occupied East Jerusalem in its rich religious and cultural heritage,

Recalling relevant Security Council resolutions on Occupied East Jerusalem,

Affirming the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem,

Deeply concerned at the Israeli actions undermining the sanctity and inviolability of religious sites in the Occupied Palestinian Territory, including East Jerusalem,

Deeply concerned also at the Israeli policy of closures and the severe restrictions, including curfews and the permit regime, that continue to be imposed on the movement of Palestinians and their free access to their holy sites, including Al Aqsa Mosque,

1. *Stresses* that all policies and measures taken by Israel, the occupying Power, to limit access of Palestinians to their holy sites, particularly in Occupied East Jerusalem, on the basis of national origin, religion, birth, sex or any other status are in violation of the provisions of the above-mentioned instruments and resolutions and therefore must cease immediately;

2. *Calls upon* Israel, the occupying Power, to respect the religious and cultural rights enumerated in the Universal Declaration of Human Rights in the Occupied Palestinian Territory, including East Jerusalem, and to allow Palestinian worshippers unfettered access to their religious sites;

3. *Requests* the High Commissioner for Human Rights to report to the Council at its next session on the implementation of the present resolution.

21st meeting
28 September 2007
[Adopted by a recorded vote of 31 to 1,
with 15 abstentions. See chap. VII.]

6/20. Regional arrangements for the promotion and protection of human rights

The Human Rights Council,

Recalling General Assembly resolution 32/127 of 16 December 1977 and the subsequent resolutions of the General Assembly concerning regional arrangements for the promotion and protection of human rights, the latest being 61/167 of 19 December 2006,

Recalling also Commission on Human Rights resolution 1993/51 of 9 March 1993 and its subsequent resolutions in this regard,

Bearing in mind paragraph 5 (*h*) of General Assembly resolution 60/251 in which it was decided that the Council shall work in close cooperation with regional organizations,

Bearing in mind also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, which reiterates, inter alia, the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

Reaffirming that regional arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments,

1. *Welcomes* progress made by Governments in the establishment of regional and subregional arrangements for the promotion and protection of human rights as well as their achievements in all regions of the world;

2. *Requests* the United Nations High Commissioner for Human Rights to convene in 2008 a workshop for an exchange of views on good practices, added value and challenges for such regional arrangements, with the participation of representatives of the relevant regional and subregional arrangements from different regions, experts as well as all interested United Nations Member States, observers, national human rights institutions and representatives of non-governmental organizations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights;

3. *Requests* the Office of the High Commissioner to present to the Council a summary of the discussions of the workshop, at a moment in conformity with the programme of work of the Council.

*22nd meeting
28 September 2007*

[Adopted without a vote. See chap. VIII.]

**6/21. Elaboration of international complementary standards
to the International Convention on the Elimination of
All Forms of Racial Discrimination**

The Human Rights Council,

Recalling the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/CONF.189/12 and Corr.1),

Recalling also the International Convention on the Elimination of All Forms of Racial Discrimination, proclaimed by the General Assembly in resolution 2106 A (XX) of 4 January 1969,

Recalling further the International Covenant on Civil and Political Rights, proclaimed by the General Assembly in its resolution 2200 A (XXI) of 16 December 1966, in particular article 20, paragraph 2, of the Covenant, which stipulates that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, shall be prohibited by law,

Underlining the importance of the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, proclaimed by the General Assembly in its resolution 36/55 of 25 November 1981,

Emphasizing that general recommendation No. 15 (1993) of the Committee on the Elimination of Racial Discrimination on article 4 of the International Convention stipulates that the prohibition of the dissemination of all ideas based upon racial superiority or hatred is compatible with the freedom of opinion and expression,

Underlining that the Durban Declaration and Programme of Action urged States that had not yet done so to accede to the International Convention on the Elimination of All Forms of Racial Discrimination, as a matter of urgency, with a view to achieving its universal ratification by 2005, to consider making the declaration envisaged under article 14 thereof, and to withdraw reservations contrary to the object and purpose of the Convention, all of which have regrettably not been accomplished to date,

Deeply alarmed at the sharp increase in xenophobic tendencies and intolerance towards various racial and religious groups and cultures, where people belonging to minorities, migrants, refugees, asylum-seekers and illegal migrants are the worst affected victims of such tendencies and acts,

Emphasizing the imperative need to find the necessary political will to address comprehensively, by all available measures, the various forms and manifestations of racism, racial discrimination, xenophobia and related intolerance, and to provide adequate remedies to the victims,

Recalling its decision 3/103 of 8 December 2006, by which, heeding the decision and instruction of the 2001 World Conference against Racism, Racial Discrimination, Xenophobia

and Related Intolerance, it decided to establish the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards, with the mandate to elaborate, as a matter of priority and necessity, complementary standards in the form of either a convention or additional protocol(s) to the International Convention on the Elimination of All Forms of Racial Discrimination, filling the existing gaps in the Convention, and also providing new normative standards aimed at combating all forms of contemporary racism, including incitement to racial and religious hatred,

Regretting that the mandate of the Five Experts on Complementary Standards was not accomplished in accordance with the requirements set out in its decision 3/103,

Decides:

(a) To convene the inaugural session of the Ad Hoc Committee in the first quarter of 2008 to commence its mandate;

(b) To allocate no more than two days at the beginning of the inaugural session of the Ad Hoc Committee, to reflect on all contributions and studies presented by various stakeholders and the relevant mechanisms which are necessary for the realization of its mandate.

*22nd meeting
28 September 2007*

[Adopted by a recorded vote of 32 to 10,
with 4 abstentions. See chap. IX.]

6/22. From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

The Human Rights Council,

Recalling its decision 3/103 of 8 December 2006,

Recalling also its resolution 3/2 of 8 December 2006,

Welcoming General Assembly resolution 61/149 of 19 December 2006 by which it decided to convene a review conference in 2009,

Deploring the surge and sharp increases in xenophobic and racial tendencies in certain regions of the world, particularly towards those categories of victims already identified in the Durban Declaration and Programme of Action such as migrants, refugees, asylum-seekers, people of African descent, people of Asian descent and national and ethnic minorities,

Regretting the lack of political will to take decisive steps to combat racism in all its forms and manifestations and to concretely move away from denials about the persistence of racism, racial discrimination, xenophobia and related intolerance,

Underlining, in the above context, the imperative need to end posturing about racism and calling on all States to resolutely end impunity for acts of racism, racial discrimination, xenophobia and related intolerance, and to face the everyday realities and challenges of these scourges,

Absolutely convinced that the lack of political will remains the core factor prompting the failure by States to translate the Durban commitments into concrete action and tangible results, in particular with respect to honouring the memory of the victims of historical injustices and past tragedies caused by slavery, the slave trade, the transatlantic slave trade, apartheid, colonialism and genocide, and also underlining that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples were victims of these injustices and tragedies and continue to be victims of their consequences,

Underlining in the above context, the importance of closing these dark chapters in history through reconciliation and healing, and calling on all concerned States to assume their moral obligation to halt and reverse the lasting and cascading consequences of these practices prior to the convening of the 2009 Durban Review Conference,

Noting the efforts of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action since its inception in 2002, by upholding and promoting the spirit of Durban, and registering some progress in spite of the obvious challenges,

1. *Decides* to realign the work and name of the Anti-Discrimination Unit in the Office of the United Nations High Commissioner for Human Rights consistent with its mandate and

that henceforth, this Unit shall be known as “The Anti-Racial Discrimination Unit”, and that its operational activities shall focus exclusively on racism, racial discrimination, xenophobia and related intolerance, as defined in paragraphs 1 and 2 of the Durban Declaration;

2. *Encourages* closer collaboration between the Intergovernmental Working Group and the Independent Eminent Experts on ways and means of achieving enhanced political will and commitment to combating all the contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance;

3. *Emphasizes* the importance of demonstrating goodwill to humanity and the primacy of reconciliation, by taking concrete steps towards the implementation of key issues of concern to the victims of racism, racial discrimination, xenophobia and related intolerance, which relate to the restoration of their dignity and equality as envisaged in paragraphs 98 to 106 of the Durban Declaration;

4. *Regrets* that the commitments made in paragraphs 157 and 158 of the Durban Programme of Action remain unfulfilled;

5. *Decides* to remain seized of this important issue.

*22nd meeting
28 September 2007*

[Adopted by a recorded vote of 28 to 13,
with 5 abstentions. See chap. IX.]

6/23. Preparations for the Durban Review Conference

The Human Rights Council,

Welcoming General Assembly resolution 61/149 of 19 December 2006, by which the Assembly convened the Durban Review Conference in 2009,

Recalling its resolution 3/2 of 8 December 2006 by which the Council contextualized, clarified and elaborated on several preparatory processes for the Durban Review Conference, in accordance with the established practice of the General Assembly,

Welcoming the convening of the first session (organizational session) of the Preparatory Committee for the Durban Review Conference held in Geneva from 27 to 31 August 2007 and, in this regard, looking forward to the two substantive sessions of the Preparatory Committee tentatively scheduled to be held in Geneva from 21 April to 2 May 2008 and 6 to 17 October 2008, respectively,

Noting with deep regret, in the above context, the non-participation of all relevant non-governmental organizations, including the victims of racism, racial discrimination, xenophobia and related intolerance, and also regretting the fact that not all these entities were able to contribute to the Preparatory Committee's dialogue on the "Objectives of the Review Conference",

Noting that an effective preparatory process for the Durban Review Conference requires the full participation of all relevant non-governmental organizations, including the victims of racism, racial discrimination, xenophobia and related intolerance, in order for these entities to contribute to the Preparatory Committee's dialogue on the objectives of the Conference,

Noting all the decisions taken by the Preparatory Committee with regard to the facilitation of all the preparatory processes to the 2009 Durban Review Conference,

1. *Requests* the Chairperson of the Preparatory Committee for the Durban Review Conference to present her report to the General Assembly during its sixty-second session, covering the activities of the Preparatory Committee and progress made in preparation for the 2009 Durban Review Conference;

2. *Looks forward* to the General Assembly, in its capacity as the highest political entity of the United Nations system, providing political guidance and taking further decisions, as and when necessary, to ensure a smooth and successful Conference with a relevant substantive outcome complementary to the Durban Declaration and Programme of Action;

3. *Decides* to remain seized of this important item on its agenda.

22nd meeting
28 September 2007
[Adopted by a recorded vote of 33 to 10,
with 3 abstentions. See chap. IX.]

6/24. World Programme for Human Rights Education

The Human Rights Council,

Recalling General Assembly resolutions 59/113 A of 10 December 2004, 59/113 B of 14 July 2005 and 60/251 of 15 March 2006, as well as Commission on Human Rights resolution 2005/61 of 20 April 2005 and Sub-Commission for the Promotion and Protection of Human Rights resolution 2006/19 of 24 August 2006, concerning the World Programme for Human Rights Education and the Plan of Action for its first phase (2005-2007);

Reaffirming the need for continued actions at the international level to support national efforts to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration, in particular universal access to basic education for all, by 2015;

1. *Takes note* of the progress report of the United Nations High Commissioner for Human Rights on the first phase (2005-2007) of the World Programme for Human Rights Education (A/HRC/4/85);
2. *Takes note also* of the work done so far by the United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System, and of the future activities, in particular in the areas of technical assistance and information-sharing, identified by the Committee as requiring support by the United Nations system in the implementation of the Plan of Action at the national level;
3. *Decides* to extend for two more years (2008-2009) the first phase of the World Programme for Human Rights Education in order to allow all relevant actors to accomplish the implementation of the Plan of Action, focusing on the primary and secondary school systems;
4. *Encourages* all States to develop initiatives within the World Programme for Human Rights Education and, in particular, to implement, within their capabilities, the Plan of Action for the first phase of the World Programme as adopted by the General Assembly;
5. *Requests* all the members of the United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System and, in particular, the

United Nations High Commissioner for Human Rights and United Nations Educational, Scientific and Cultural Organization, to promote the national implementation of the Plan of Action, provide technical assistance when requested and coordinate related international efforts;

6. *Calls* upon all existing national human rights institutions to assist in the implementation of human rights education programmes consistent with the Plan of Action;

7. *Appeals* to relevant organs, bodies or agencies of the United Nations system, as well as all other international and regional intergovernmental and non-governmental organizations, within their respective mandates, to promote and technically assist, when requested, the national implementation of the Plan of Action;

8. *Requests* the Office of the United Nations High Commissioner for Human Rights and United Nations Educational, Scientific and Cultural Organization to disseminate widely the Plan of Action among States and intergovernmental and non-governmental organizations by any means, including electronic means and formats of communication which are accessible to persons with disabilities;

9. *Also requests* the Office of the High Commissioner for Human Rights to report to the Council at its last 2008 session on progress made towards the implementation of the present resolution;

10. *Decides* to consider this issue at its last 2008 session under the same agenda item.

22nd meeting
28 September 2007
[Adopted without a vote. See chap. X.]

6/25. Regional cooperation for the promotion and protection of human rights in the Asia-Pacific Region

The Human Rights Council,

Recalling resolution 1993/51 of 9 March 1993 of the Commission on Human Rights and its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling also its decision 3/102 of 5 December 2006,

Reaffirming that regional arrangements can play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in the international human rights instruments,

Welcoming the efforts of the Office of the United Nations High Commissioner for Human Rights in developing partnerships for the implementation of its activities under the Framework for Regional Technical Cooperation Programme in Asia and the Pacific (E/CN.4/1998/50/annex II) to enhance national capacities for the promotion and protection of human rights,

Welcoming also the convening of the Fourteenth Annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, held in Bali from 10 to 12 July 2007 and the adoption of the Bali Action Points,

1. *Requests* the High Commissioner for Human Rights to submit for the Council's consideration at its seventh session a report containing the conclusion of the Fourteenth Annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region and information on the progress achieved in the implementation of the present resolution;

2. *Decides* to convene the next session of the Annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region in 2008.

22nd meeting
28 September 2007
[Adopted without a vote. See chap. X.]

B. Decisions

6/101. Working Group on Communications

At its 20th meeting, on 27 September 2007, the Human Rights Council decided, without a vote, as a transitional measure, to request the members of the former Working Group on Communications to act as members of the Working Group on Communications of the new Complaint Procedure operating within the parameters of the new procedure until such time as the new Working Group is established.

[See chap. I.]

6/102. Follow-up to Human Rights Council resolution 5/1

At its 20th meeting, on 27 September 2007, the Human Rights Council decided to adopt, without a vote:

“I. GENERAL GUIDELINES FOR THE PREPARATION OF INFORMATION UNDER THE UNIVERSAL PERIODIC REVIEW

“Reaffirming the relevant provisions, related to the universal periodic review, of General Assembly resolution 60/251 of 15 March 2006 and of Human Rights Council resolution 5/1 of 18 June 2007 containing the institution-building package, the Council adopts the following General Guidelines:

- A. Description of the methodology and the broad consultation process followed for the preparation of information provided under the universal periodic review;
- B. Background of the country under review and framework, particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights infrastructure including national human rights institutions and scope of international obligations identified in the ‘basis of review’ in resolution 5/1, annex, section IA;

- C. Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the 'basis of review' in resolution 5/1, annex, section IA, national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms ...;
- D. Identification of achievements, best practices, challenges and constraints;
- E. Key national priorities, initiatives and commitments that the State concerned intends to undertake to overcome those challenges and constraints and improve human rights situations on the ground;
- F. Expectations of the State concerned in terms of capacity-building and requests, if any, for technical assistance;
- G. Presentation by the State concerned of the follow-up to the previous review.

II. TECHNICAL AND OBJECTIVE REQUIREMENTS FOR ELIGIBLE CANDIDATES FOR MANDATE-HOLDERS

A. Background

According to resolution 5/1, 'the following general criteria will be of paramount importance while nominating, selecting and appointing mandate-holders: (a) expertise; (b) experience in the field of the mandate; (c) independency; (d) impartiality; (e) personal integrity; (f) objectivity'. Due consideration should be given to gender balance as well as to appropriate representation of different legal systems. 'Eligible candidates are highly qualified individuals who possess established competence, relevant expertise and extensive professional experience in the field of human rights' (paras. 39-41).

B. General aspects

1. The Office of the United Nations High Commissioner for Human Rights has the responsibility to 'immediately prepare, maintain and periodically update a public list of eligible candidates in a standardized format'. The list shall include 'personal data, areas of expertise and professional experience' (resolution 5/1, para. 43).

2. The Secretariat may provide a standardized form, on the basis of the technical and objective requirements stipulated below, for candidates to fill in, and shall allow for highlighting any expertise they possess in specific areas, so as to facilitate the selection of relevant candidacies from the roster as soon as appointments for particular mandates are necessary.
3. The data and information provided by the candidates shall be substantiated by appropriate written credentials to be annexed to the curricula vitae.
4. 'A consultative group would be established to propose to the President, at least one month before the beginning of the session in which the Council would consider the selection of mandate-holders, a list of candidates who possess the highest qualifications for the mandates in question and meet the general criteria and practical requirements' (resolution 5/1, para. 47).

C. Technical and objective requirements

The following should be considered:

1. Qualifications: relevant educational qualifications or equivalent professional experience in the field of human rights; good communication skills in one of the official languages of the United Nations.
2. Relevant expertise: knowledge of international human rights instruments, norms and principles; as well as knowledge of institutional mandates related to the United Nations or other international or regional organizations' work in the area of human rights; proven work experience in the field of human rights.
3. Established competence: nationally, regionally or internationally recognized competence related to human rights.
4. Flexibility/readiness and availability of time to perform effectively the functions of the mandate and to respond to its requirements, including attending Human Rights Council sessions.

III. ADVISORY COMMITTEE OF THE HUMAN RIGHTS COUNCIL

Technical and objective requirements for the submission of candidatures

Mandate: In conformity with resolution 5/1, the technical and objective requirements for the submission of candidatures will be established and approved by the Human Rights Council at its sixth session (first session of the second cycle). These should include:

- Recognized competence and experience in the field of human rights;
- High moral standing;
- Independence and impartiality.

When selecting their candidates, States should consult their national human rights institutions and civil society organizations and apply the following guidelines on technical and objective requirements for the submission of their candidates:

A. Competence and experience

- Academic studies in the field of human rights or related areas and/or experience and exposure to leadership roles in the human rights field at the national, regional, or international level;
- Substantial experience (at least five years) and personal contributions in the field of human rights;
- Knowledge of the United Nations system and of institutional mandates and policies related to the work in the area of human rights, as well as knowledge of international human rights instruments, norms, disciplines, and familiarity with different legal systems and civilizations will be preferable;
- Proficiency in at least one of the United Nations official languages;

- Availability of time to fulfil the work of the Advisory Committee in an effective manner, both to attend its sessions and to carry out mandated activities between sessions.

B. High moral standing

C. Independence and impartiality

Individuals holding decision-making positions in Government or any other organization or entity which might give rise to a conflict of interest with responsibilities inherent to the mandate shall be excluded. Elected members of the Advisory Committee will act in their personal capacity.

D. Other considerations

The principle of non-accumulation of human rights functions at the same time shall be respected.

In electing members of the Advisory Committee, the Council should give due consideration to gender balance and appropriate representation of different civilizations and legal systems.”

[See chap. I.]

6/103. Mandate of the Special Rapporteur on the situation of human rights in the Sudan

At its 21st meeting, on 28 September 2007, the Human Rights Council decided, without a vote, to defer the decision pertaining to the review of the mandate of the Special Rapporteur on the situation of human rights in the Sudan to the second part of its sixth session, to be held in December 2007.

[See chap. I.]

6/104. Prevention of genocide

At its 21st meeting, on 28 September 2007, the Human Rights Council decided, without a vote, to adopt the following:

“The Human Rights Council,

Recalling Commission on Human Rights resolution 2005/62 of 20 April 2005, as well as Council decision 2/102 of 6 October 2006,

Taking note of the report of the Secretary-General on the implementation of the Five-Point Action Plan and the activities of the Special Adviser on the Prevention of Genocide (E/CN.4/2006/84), as well of new developments since the submission of the report,

Requests the Secretary-General to make available to the Council at its seventh session an updated report, and invites the Special Adviser to address the Council at the same session on the progress made in discharging his duties.”

[See chap. III.]

6/105. Report of the Preparatory Committee on the Durban Review Conference

At its 22nd meeting, on 28 September 2007, the Human Rights Council decided, without a vote, to adopt the following:

“Recalling its resolution 3/2 of 8 December 2006, the Human Rights Council invites the Preparatory Committee on the Durban Review Conference to submit its reports to the General Assembly.”

[See chap. IX.]

C. President's statements agreed upon by the Council at its sixth session

6/PRST/1. Situation of human rights in Haiti

At the 21st meeting, on 28 September 2007, the President of the Council made a statement reading as follows:

1. The Human Rights Council welcomes the return to the rule of constitutional law in the Republic of Haiti, as evidenced by the election of the President of the Republic, the restoration of an elected Parliament, the appointment, endorsed by Parliament, of a Prime Minister, and the holding of municipal elections.
2. The Council commends the Haitian authorities on their commitment and efforts to improve living conditions for Haitians through measures such as greater regard for human rights and cooperation between the Haitian National Police and the United Nations Stabilization Mission in Haiti (MINUSTAH) in curbing violence.
3. The Council is nonetheless aware of the many challenges that Haiti is facing. It encourages the international community to continue supporting the efforts of the elected authorities, and encourages those authorities to make use of the resources and expertise placed at their disposal.
4. The Council takes note of the difficulties encountered and the efforts made by the Haitian authorities.
5. While still concerned at the persistent criminal activity in some parts of the country, the Council notes with satisfaction the steps taken to counter corruption and drug-trafficking. It welcomes current efforts to correct irregularities in the police and justice systems, and encourages the Haitian authorities to continue them, bringing to fruition their plans for stronger inspection units within the police and justice systems, regulations to govern the judiciary, the establishment of a High Council of the Judiciary and the reopening of the Judicial Training College, an end to prolonged detention and improved conditions in detention, the introduction of a legal aid scheme and better staffed

forensic science and forensic medical services. It notes with satisfaction the proposal for a steady improvement in relations between the Office of Citizen Protection and the MINUSTAH Human Rights Section.

6. The Council also welcomes the Haitian authorities' plans to pass a series of laws on the status of women and reforms of the civil registry and land registry systems.

7. The Council encourages the international community to step up its activities in all these areas and in human rights training and education for the security forces.

8. The Council thanks the independent expert appointed by the Secretary-General to consider the human rights situation in Haiti for his report (A/HRC/4/3). It encourages the expert to continue his mission and report thereon to the Council at its eighth session. It encourages the Haitian authorities to continue to cooperate with the independent expert and put his recommendations into effect.

[See chap. I.]

6/PRST/2. The twentieth anniversary of the entry into force of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

At the 21st meeting, on 28 September 2007, the President of the Council made a statement reading as follows:

1. The Human Rights Council notes with deep appreciation that the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has been in force since 26 June 1987 as a central instrument in global efforts to eradicate torture.

2. The Human Rights Council warmly welcomes the work of the Committee against Torture for its impressive contribution to combat torture worldwide.

3. The Human Rights Council urges all States parties to the Convention to comply strictly with their obligations under the Convention.

4. The Human Rights Council urges all States that have not yet done so to become parties to the Convention and to give early consideration to signing and ratifying its Optional Protocol.
5. The Human Rights Council invites all States parties to the Convention that have not yet done so to make the declarations provided for in articles 21 and 22 concerning inter-State and individual communications.
6. The Human Rights Council invites all States parties to the Convention that have not yet done so to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 as soon as possible in order to enhance the efficiency of the Committee against Torture.
7. The Human Rights Council requests the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in combating torture and other cruel, inhuman or degrading treatment or punishment, and assisting victims of torture, commensurate with the strong support expressed by Member States for combating torture and assisting victims of torture.

[See chap. III.]
