

## **Overall REPORT of the 16<sup>th</sup> Session of the Human Rights Council ( 28 Feb-25.March)**

The Human Rights Council, at its 16<sup>th</sup> Session, adopted 40 Resolutions, created a mandate on Iran, decided to dispatch the commission to Cote d' Ivoire, and extended mandates of Special Procedures on Human Rights defenders, violence against women, the Democratic People's Republic of Korea, Myanmar and others.

The Human Rights Council closed its sixteenth regular session on 25<sup>th</sup> March afternoon, adopting forty texts on a wide range of issues, including on the promotion of Human Rights and fundamental freedom through a better understanding of traditional values of humankind, on the composition of the staff of the Office of the High Commissioner for Human Rights, on Human Rights and the environment, on freedom of religion or belief, on the rights of the child, on the right to food, on protection of Human Rights in the context of HIV/AIDS, on the role of international cooperation in the realization of the rights of persons with disabilities, on human rights in the occupied Syrian Golan, on combating intolerance and discrimination based on religion or belief, and on cooperation between Tunisia and the Office of the United Nations High Commissioner for Human Rights. The Council also adopted texts on follow-up to the report on the incident of the humanitarian flotilla, the review process of the Council, the enhancement of international cooperation in the field of human rights, the right to development, and the Social Forum.

The Council extended the mandates of the Special Rapporteur on the situation of Human Rights in the Democratic People's Republic of Korea, the Special Rapporteur on the right to safe drinking water and sanitation, the Special Rapporteur on the right to freedom of opinion and expression, the Special Rapporteur on Human Rights defenders, the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on the Human Rights situation in Myanmar, the Special Rapporteur on torture, and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

The Council also extended the mandates of two Independent Experts, on the effects of foreign debt and on minority issues, and of the Working Group on enforced or involuntary disappearances. The Council decided to postpone the renewal of the mandate of the Independent Expert on Human Rights and international solidarity until its seventeenth session, and for that reason it extended the mandate of the Independent Expert until June 2011. The Council also decided to extend the mandate of the current Independent Expert on the issue of Human Rights obligations related to access to safe drinking water and sanitation as a Special Rapporteur on the Human Right to safe drinking water and sanitation.

The Council elected six new members of the Human Rights Council Advisory Committee, and appointed Mania Kiai as the Special Rapporteur on the rights to freedom of peaceful assembly and of association. It also approved candidates for the Working Group on the issue of discrimination against women in law and practice, the Working Group of Experts on People of African Descent and the Expert Mechanism on the Rights of Indigenous People.

The Council decided to dispatch an independent international commission of inquiry to Côte d'Ivoire to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of Human Rights committed in Côte d'Ivoire following the presidential elections. Also, the Council decided that the Independent Expert on the situation of human rights in Burundi will report to the Council at its seventeenth session, to be followed with an interactive dialogue, in view of the major changes in the Government of Burundi following the 2010 elections.

By virtue of the adopted texts, the Council decided to hold a panel discussion on the Human Rights of victims of terrorism; to give a voice to people living with or affected by HIV/AIDS, in particular young people, women and orphaned children; and a panel on the right to development entitled “The way forward in the realization of the right to development: between policy and practice”, and a panel discussion on international efforts to foster a global dialogue for the promotion of a culture of tolerance and peace at all levels.

The Council elected six new members of the Human Rights Council Advisory Committee, appointing Dheerujall Baramlall Seetulsingh, Obiora Chinedu Okafor, Ahmer Bilal Soofi, Purufucacion Quisumbing, Latif Huseynov and Anantonia Reyes Prado. Further, it approved candidates for special procedures mandate holders, including Maina Kiai for the Special Rapporteur on the rights to freedom of peaceful assembly and of association; Emma Aouij, Mercedes Barquet, Kamala Chandrakirana, Frances Raday and Eleonora Zielinska for the Working Group on the issue of discrimination against women in law and practice; and Mireille Fanon-Mendes for the working group of Experts on People of African descent. The Council also appointed Vital Bambanze, Jannie Lasimbang, Anastasia Chukhman, Jose Carlos Morales Morales and Wilton Littlechild for the expert mechanism on the rights of indigenous peoples.

Over the course of its session, the Council heard a number of high-profile reports and held interactive dialogues with the Special Procedures presenting them, including the Special Rapporteur on the promotion and protection of Human Rights while countering terrorism; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on the Human Rights of internally displaced persons; the Special Rapporteur on the right to food; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the sale of children, child prostitution and child pornography; the Special Rapporteur on human rights defenders; the Special Rapporteur on freedom of religion or belief; and Independent Expert on minority issues.

The Council also heard presentations from the Chairperson-Rapporteur of the working group on enforced or involuntary disappearances, the Chairperson-Rapporteur of the working group on arbitrary detention and the Special Representative of the Secretary-General on violence against children, which were followed by interactive debates. In addition, the Chairperson of the working group on Human Rights education and training presented a report to the Council. The Council also heard presentations of the reports of its subsidiary bodies: the Forum on minority issues and the social forum, and the intergovernmental working group on the effective implementation of the Durban declaration and programme of action.

The Council also undertook a review of Human Rights situations that required its attention, hearing presentations of reports by Special Rapporteurs on the situation of Human Rights in the Democratic People's Republic of Korea, Myanmar and the occupied Palestinian territories, which were debated by the Council.

On Thursday, 3 March, the High Commissioner for Human Rights, Navi Pillay, addressed the Council to present her annual report of the work of her Office, which covered the activities undertaken last year in the framework of the thematic priorities. Discrimination remained an obstinate obstacle to the realisation of Human Rights and the empowerment of the vulnerable, while migrants, especially those in irregular situations, were particularly vulnerable to discrimination and were often denied access to essential public services. Concerning violence and abuse against women and girls, the office had convened a high-level panel to go to the Democratic Republic of the Congo to hear directly from and engage in a dialogue with victims of sexual violence regarding their needs and their perceptions of remedies and reparations available to them. Following the

presentation there was an interactive debate with the High Commissioner, during which speakers raised a range of issues, including the rapid response demonstrated during the recent violence and human rights violations in North Africa and the Middle East; commemoration of the twenty-fifth anniversary of the Declaration on the Right to Development and the tenth anniversary of the Durban Declaration and Program of Action; the functioning of the Universal Periodic Review; and the need for a greater regard concerning the issues of discrimination and violence against women.

The Council also considered and debated the High Commissioner's report on the protection of Human Rights and fundamental freedoms while countering terrorism; the report of the Secretary-General on the protection of Human Rights in the context of HIV/AIDS; the High Commissioner's report on the composition of the Office of the High Commissioner for Human Rights; the report of the Secretary-General on national institutions for the promotion and protection of Human Rights; the report of the Office of the United Nations High Commissioner for Human Rights on rights of persons belonging to national or ethnic, religious and linguistic minorities; and a thematic study by the Office of the High Commissioner for Human Rights on the role of international cooperation in support of national efforts for the realization of the Convention on the Rights of Persons with Disabilities. The Council also reviewed two compilations, one of the United Nations manuals, guidelines, training materials and other tools on minority issues and another of references to paragraphs containing conclusions and recommendations in reports of Special Procedures.

On Monday, 21 March, the High Commissioner gave a presentation of reports concerning the Human Rights situation in Palestine and other occupied Arab territories, followed by a general debate on the same topic, in which speakers noted that the Middle East and the world were witnessing an important transformation with potentially historic consequences and wondered whether the winds of change would also blow in Israel and the occupied Palestinian territories, injecting the much needed oxygen and energy to the efforts to achieve, at long last, a just and comprehensive peace, or would this conflict continue to defy the lessons of history, humanity and international law. The Council also held an interactive dialogue with the Committee of Independent Experts on follow-up to recommendations in the Goldstone Report. The Committee was mandated to monitor and assess any domestic, legal or other proceedings undertaken by both the government of Israel and the Palestinian side in the context of follow-up to the report of the international fact-finding Mission on the Gaza Conflict, known as the Goldstone Report.

In the second week of its session, the Council held its annual full-day meeting on the rights of the child, focusing on the theme of the children living and or working on the street, holding a panel discussion focusing on root causes and factors leading children to this situation, and another panel discussion on prevention strategies and responses to the conditions of children living and or working in the street.

The Council further held a number of general debates, including on the promotion and protection of all Human Rights, civil, political, economic, social and cultural rights, including the right to development; Human Rights situations that required the Council's attention; Human Rights bodies and mechanisms; the Universal Periodic Review mechanism; the Human Rights situation in Palestine and other Occupied Arab Territories; follow-up and implementation of the Vienna Declaration and Program of Action; and on racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Program of Action. The Council also held its annual debate on the Human Rights of persons with disabilities. The Council also held panel discussions on the enjoyment of Human Rights of people of African descent, and on Human Rights and issues related to terrorist hostage taking.

As this was the Council's first regular session of the year, at the beginning of its sixteenth session, the Council held its annual High-Level Segment during which it was addressed by a range of foreign dignitaries from all areas of the world on a range of subjects.

In the context of its Universal Periodic Review procedure, the Council adopted the outcomes of the reports of its working group on the Universal Periodic Review on Liberia, Malawi, Mongolia, Panama, Maldives, Andorra, Bulgaria, Honduras, Lebanon, Marshall Islands, Croatia, Jamaica, Micronesia, Mauritania and United States of America. The Universal Periodic Review of Libya, scheduled for the current session of the Human Rights Council was postponed to its seventeenth session that will take place from 30 May to 17 June 2011.

In the context of technical assistance and capacity building, the Council heard the third joint report of seven United Nations experts on the situation of Human Rights in the Democratic Republic of the Congo and considered the High Commissioner's reports on Guatemala, Bolivia, Afghanistan, Nepal, Iran, the Democratic Republic of the Congo, Colombia, Sierra Leone, Cyprus and Kyrgyzstan.

The sixteenth session, which was presided over by Ambassador Sihasak Phuanketkeow of Thailand, was held from 28 February to 25 March 2011. The seventeenth regular session of the Council will be held from 30 May to 17 June 2011.