



ACTION *LNH*
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MEMORANDUM



A/TO: Mr. Vijay K. Nambiar
Chef de Cabinet

REF: GO

DE/FROM: Navi Pillay *[Signature]*
High Commissioner for Human Rights

DATE: 7 March 2012

OBJET:
SUBJECT: **Nineteenth session of the Human Rights Council (27 February – 23 March 2012)**

Please find attached the highlights of the first week of the nineteenth session of the Human Rights Council.

Thank you.



HR/103/001

Weekly Highlights (Monday, 27 February – Friday 2 March 2012)

I. High Level Segment (27 February – 1 March)

The High Level Segment was attended by 83 dignitaries, including one Vice-President (Colombia), two Prime Ministers (Slovakia; Libya), 5 Vice-Prime Ministers, 49 Ministers and 11 Vice-Ministers and 6 observer organizations who addressed the Human Rights Council (“HRC”). Opening statements were made by the President of the General Assembly (“PGA”), the High Commissioner (“HC”) and the Federal Councillor and Head of the Federal Department for Foreign Affairs of Switzerland as host country. This high number of dignitaries can be partly attributed to the deteriorating situation in Syria, but also signifies the growing importance given by UN Member States to the Council’s work. A number of dignitaries used the opportunity to highlight the vital role of the HC and importance of the independence of her Office in alerting and keeping the international community focused on emerging and urgent human rights violations.

Throughout the four-day segment, an overwhelming number of dignitaries commended the HRC for its ability to react to urgent human rights violations. In this regard, the situation in Syria came out as one of the dominant issues in the speeches delivered. When addressing the Syrian crisis, and more generally the “Arab Spring”, the HC urged the Council to stand up for the many people that are demanding for a common aspiration – to be able to shape and take control of their own lives, politically, socially and economically. Many dignitaries also emphasized the ethical duty as well as the responsibility of the Council to act and react whenever and wherever urgent and gross human rights violations are committed.

Many States commended the Council for being able to address both country situations and emerging thematic issues concurrently. Most States referred to the UPR as a positive move towards the universalization of human rights and de-politicization of the work of the Council. A number of countries, as noted by the PGA, the SG of the OIC and the SG of the OIF¹, underlined the need to empower people, respect diversity, non-discrimination, interfaith dialogue and dialogue among civilizations (African Group; Asian Group; Arab Group; OIC).

Apart from Syria, several dignitaries (mainly WEOG members) referred to the situations in Belarus, the DRC, Iran, Sri Lanka, DPRK, Sudan, South Sudan, and to some extent to Myanmar. Several dignitaries, including from the EU, called on Sri Lanka to implement the recommendations of the Lessons Learnt and Reconciliation Commission (LLRC) report. In response, Sri Lanka provided a lengthy statement on the LLRC report and other efforts of the Government as well as on the report of the SG’s panel of experts – the latter being described as biased and politically motivated.

One of the most recurring thematic issues addressed was freedom of expression, including on the Internet (*see “panel discussions” below*), mostly in connection with the “Arab Spring”. The role of women in peace processes was also highlighted as were the issues relating to terrorism, the campaign for abolition of death penalty worldwide, the issue of the rights to freedom of religion and belief, child labour, disabilities and minorities, among others. On LGBT, a number of dignitaries, most notably the OIC SG and the AU Commissioner, deplored the introduction of this “controversial” notion at the Council which, in their views, could lead to the misinterpretation of the Universal Declaration of Human Rights.

Among other issues raised, many dignitaries referred to the role of the Special Procedures with a number of dignitaries calling on all countries to strengthen cooperation with the mandate-holders, including through standing invitations. The OIC referred to the establishment of its independent Permanent Commission on Human Rights as a major step. The role of journalists and their particular

¹ / The SG of the OIF addressed for the first time the Council since its inception.

work in conflict situations was also stressed as a matter of concern to be addressed urgently by the HRC. A number of dignitaries also highlighted the vital and greater role of the HC in alerting and keeping the international community focused on emerging and urgent human rights violations. Several stressed the need to safeguard her autonomy and independence in the discharge of her duties (EU countries and Chile).

In parallel with the High-level Segment, the Optional Protocol to the Convention on the Rights of the Child was opened for signature and dignitaries from 20 States have signed the document in a ceremony first time to be held in Geneva.

II. Urgent debate on Syria (28 February and 1 March)

At the request of a group of States (primarily Arab States, EU members, Turkey and the USA but none from GRULAC) submitted on 23 February, the HRC decided to hold an urgent debate on the human rights and humanitarian situation in the Syrian Arab Republic on 28 February. The debate took place over the course of two days given the high number of speakers (approximately 70). The PGA made a statement appealing to the international community to find a peaceful solution to the on-going crisis in Syria by supporting the GA resolution and initiative of the LAS. The HC underlined the responsibility to protect the civilian population from further sufferings and emphasized the need for the international community to send a clear message to the Syrian authorities and the Security Council must assume its responsibility to protect.

Most of speakers condemned the on-going violence, reprisals and attacks against civilians (including media professionals), expressed deep concerns on the blockade and shelling on Homs and Hama and urged the Syrian Government to immediately end the grave human rights violations documented in the report of the Commission on Inquiry. Many speakers also urged the Government to implement GA resolution 66/253 and proposals made by the League of Arab States. Syria rejected the holding of the urgent debate. Before walking out of the room, the Syrian Ambassador stated that one of the reasons for the crisis in Syria was due to unilateral economic sanctions "which are the worst form of violation of human rights". The debate concluded with the adoption of a resolution strongly condemning the continued widespread and systematic violations of human rights and, inter alia, calling on the Syrian Government to immediately put an end to all human rights violations and attacks against civilians. The draft resolution, introduced by Turkey, enjoyed strong cross-regional support with 37 votes in favour, 3 abstention (Ecuador, India and Philippines) and 3 against (Cuba, China and Russian Federation). In the resolution, the Council decided to take further action on the situation in Syria, including after the interactive dialogue with the Commission of Inquiry on 12 March.

III. Panel discussions

Sport and the UDHR (27 February)

A high-level panel discussion moderated by Jeremy Browne (Minister of State, UK), highlighted and suggested ways in which sport and major sporting events, in particular the Olympic and Paralympic Games, can be used to promote awareness, understanding and the application of the UDHR. In addressing the first-ever discussion in the HRC on the relationship between human rights and sports, the High Commissioner recommended, inter alia, that in view of the impact of mega sporting events, the human rights implications be duly considered at all stages and by all actors involved, and called on the relevant special procedures and treaty bodies to consider human rights in the context of sports.

Human Rights Mainstreaming (28 February)

On 28 February, the Council held the first yearly panel discussion on human rights mainstreaming. After the video message by the Secretary-General which put human rights at the centre of the work of the UN system, the High Commissioner opened the discussion by outlining progress in integrating human rights in the work of the UN system, and called for greater support from Member States for the full integration of all human rights, including the right to development, in Rio+20, QCPR and post-2015 development agenda. The panellists from six agencies (UNDP, WHO, UNICEF, ILO, FAO and the World Bank) shared efforts undertaken and results achieved at country level, in mainstreaming human rights and contributing to their realization from their respective mandates. Delegations welcomed the panel discussion as a step forward in further institutionalizing the human rights mainstreaming efforts and strengthening policy coherence, and expressed appreciation to the work of UN development agencies in supporting the national implementation efforts. Many delegations, including several developing countries, supported the integration of all human rights, including the right to development, in upcoming global events of Rio+20 and post-2015 development agenda. Several delegations welcomed the work of the undg Human Rights Mainstreaming mechanism (established as follow up to the SG's Policy Committee decision on human rights and development) in this regard. Some delegations regretted the lack of Principal-level participation by UN agencies at the panel and urged to ensure representation at the highest level next year commensurate with the UN system's commitment to human rights.

Freedom of Expression on the Internet (29 February)

On 29 February, the HRC convened a panel on the promotion and protection of freedom of expression on the Internet. The panel, sponsored by Sweden, brought together high-level representatives of the political, academic, journalistic and private sectors as well as independent experts and discussed for the first time the continuing impact of new technologies on the exercise of human rights, in particular freedom of expression. Panellists and delegations indicated that with more people on-line, ensuring freedom of expression on the Internet and the free flow of ideas is key for the protection of human rights, for democracy, but also for the socio-economic development of all people. Certain States (mostly Western) highlighted that restrictions to freedom of expression on the Internet should be the exception and be strictly in line with international law, while others insisted on the fact that this freedom is not absolute and ways should be found to address issues such as child pornography or incitement to hatred, or the use of Internet to exacerbate tensions. In this context, several delegations expressed concerns at the increasing criminalisation of freedom of expression on the Internet.

Rights of Persons with Disabilities (1 March)

The annual interactive discussion focused on the participation of persons with disabilities in political and public life on the basis of OHCHR's study presented by the High Commissioner. The debate focused on good practices in the participation of persons with disabilities in elections and in the conduct of public affairs and ways to overcome the barriers that they continue to face. Panellists shared the view that exclusion or restriction in the enjoyment of political rights on the basis of disability may constitute "discrimination on the basis of disability" and was contrary to the Convention on the Rights of Persons with Disabilities. The debate was broadcast with real-time captioning and

conducted with sign language, while a deaf rap artist, Signmark conducted a brief performance. For the first time, an OHCHR thematic study has been made available in an [easy to read version](#) to make it accessible to persons with intellectual disabilities.

IV. High Commissioner Annual Report and Interactive Dialogue (2 March)

The interactive dialogue with the HC heard statements from 74 States and 15 NGOs and **NHRIs** who drew attention to all issues addressed in her annual report. The full-day discussion took place in a very constructive and positive manner without any aggressive comments made against OHCHR. The overwhelming majority of the delegations praised the HC and her staff for their hard work and dedication to human rights for all people everywhere. Several delegations supported OHCHR's work in the field including in supporting national efforts to uphold human rights and in monitoring human rights situations on the ground. In this regard, they welcomed the recent establishment of OHCHR country offices following the "Arab Spring".

All delegations expressed appreciation for the Office's work on the six thematic priorities. Delegations from the South, in particular, praised the increased engagement by the Office in the field of economic, social and **cultural** rights and encouraged the HC to continue to further the **Office's** work in this area, **including** on the right to development. On the latter, delegations welcomed the various activities undertaken to celebrate the 25th anniversary of the Declaration on the Right to Development and urged the Office to sustain its efforts in promoting its realization. Many other delegations from WEOG, GRULAC and some Asian delegations welcomed the Office's work in the area of LGBTs rights. The OIC, Arab Group and several African delegations, however, regretted such work and reminded the Office and the HC to bear in mind that moral consensus and values in a community, in particular on matters related to sexual orientation are rooted in cultural and **religious** beliefs. They also regretted that the HC did not comment on the recent burning of the Koran in Afghanistan or situation in oPt.

A number of delegations expressed appreciation for the process of reflection led by the HC towards strengthening treaty bodies. All recognized that the system has not functioned in a fully efficient and effective manner. Some donor countries also underlined the need to provide more information on the issue of resources as well as possible savings. With respect to the UPR, many commended OHCHR work in supporting the process as well as in convening workshops at the regional, interregional and sub-regional level to share information, experiences and good practices among all stakeholders. Many delegations also commended the work of the Office in supporting the work of commissions of inquiry and fact-finding missions. Several speakers also welcomed the Office's efforts to mainstream human rights across the UN system, including into sustainable development policies of States.

On the issue of resources, many delegations **concurred** with and supported the HC's assessment that it is increasingly difficult for her Office to give quality attention and focus on new mandates, reports, panels and other activities mandated by the Council and the GA. Many NGOs supported the HC's call for increased resources to assist the Office in fulfilling its responsibilities. NGOs also addressed the issue of reprisals against human rights defenders cooperating with the UN system.
