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S-13/... The support of the Human Rights Council to the Recovery Process in Haiti after the Earthquake of January 12, 2010: a Human Rights Approach

The Human Rights Council,

Expressing its sincere condolences and deepest sympathy and solidarity for all victims and their families, including all UN personnel, as well as for the government and the people of Haiti affected by the devastating earthquake of 12 January 2010,

Reaffirming its previous outcomes on the situation of Human Rights in Haiti, in particular Presidential Statements PRST/9/1 and PRST/6/1,

Concerned by the dire human and material losses and suffering sustained as a result of the earthquake, as well as of its impact on the full enjoyment of all human rights in the affected country,

Concerned also that the effects of the earthquake further exacerbated existing challenges to the full enjoyment of all human rights in Haiti and expressing concern over the medium and long-term consequences of the disaster, including its social, economic and development aspects,

^{*} Non-member State of the Human Rights Council.

Reiterating that the promotion and protection of all human rights – economic, civil, social, political and cultural rights, including the right to development – are indispensable elements for peace, stability and development,

Acknowledging the extraordinary situation in Haiti, particularly in Port au Prince, Léogane and Jacmel, which requires an equally extraordinary response led by the government of Haiti, in collaboration with the international community,

Expressing its appreciation for the prompt response, solidarity and assistance provided by the U.N. system, through U.N. agencies, programs and funds, and the United Nations Stabilization Mission in Haiti (MINUSTAH), as well as by the U.N. Member States, the international community, civil society, the private sector and individuals,

Reiterating the need for the United Nations system to respond swiftly to requests for assistance by the affected country and to ensure that the assistance provided is timely, adequate, effective and coherent and coordinated among all development actors, in particular the government of Haiti.

Underscoring the need for long-term and sustainable support of the international community for the government of Haiti to promote the respect for human rights, the rule of law and good governance,

Recalling the primary responsibility and competence of the Haitian government to promoting and protecting all human rights in the country,

Bearing in mind that the tragedy has obliterated the ongoing efforts of the Haitian government to prepare the national report to be presented in May, 2010, at the eighth session of the Working Group of the Universal Periodic Review (UPR),

Mindful of UN General Assembly Resolution A/64/250,

1. *Calls upon* the international community to continue to ensure adequate and coordinated support to the government and the people of Haiti in their efforts to overcome the challenges arising from the earthquake, keeping in mind the importance of integrating a human-rights approach;

2. *Reaffirms* the sovereignty of Haiti and its territorial integrity and stresses the central role of the Haitian government in establishing national priorities for the recovery process;

3. *Underscores* the importance of renewed and sustainable commitment to address the existing and the additional challenges to promote and protect all human rights in Haiti, and further encourages the government of Haiti to continue its efforts to promote and protect all human rights in the country;

4. *Expresses* its concern about the present human rights situation in Haiti, in particular the vulnerable situation of children, women, internally displaced persons, the elderly, persons with disabilities and wounded;

5. *Underlines* the need to address the additional obstacles arising from the devastation in such areas as access to food, adequate housing, health care, water and sanitation, education, work and the civil registry;

6. *Emphasizes*, in this context, the importance of reconstructing national institutions and of providing cooperation, capacity-building and technical assistance to the government and the people of Haiti, in accordance with the needs and the requests made by the concerned country;

7. *Welcomes and further encourages* the responses provided by the U.N. system and by the international community at large to assist the government of Haiti to promote and protect all human rights in Haiti in the aftermath of the earthquake, such as, inter alia, those resources aiming at providing cash and food for work, as well as those aiming at securing the full protection of the rights of all those in vulnerable situations, especially children and women;

8. *Underlines* the importance of protecting children from any violence, injury or abuse, mal-treatment or exploitation, and of ensuring that separated or unaccompanied children do re-unite with their families and those left orphaned receive immediate attention and necessary protection, and, in this context, underscores the need of cooperation and assistance to the government of Haiti from all U.N. members and relevant organs and bodies of the U.N. systems, in particular UNICEF;

9. *Emphasizes* the need to apply a gender based approach in the recovery process;

10. *Decides* to act favourably, in view of the exceptional circumstances that confront it, upon the request of Haiti, to postpone relevant deadlines related to its Universal Periodic Review within the Human Rights Council to a date no later than December 2011;

11. *Welcomes* the initiative to establish a joint protection team with the participation of the High Commissioner for Human Rights;

12. *Invites* the United Nations High Commissioner for Human Rights to identify, in collaboration with the Haitian government, areas for cooperation and technical assistance with Haiti, on the basis of the expertise and the presence of the U.N. system on the ground, in particular the Office of the High Commissioner for Human Rights, in collaboration with special procedures, a view to present suggestions in this regard to the Human Rights Council in its 14th Regular Session.
