



General Assembly

Distr.
GENERAL

A/HRC/S-10/2
30 March 2009

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Tenth special session
20 and 23 February 2009

**REPORT OF THE HUMAN RIGHTS COUNCIL ON ITS
TENTH SPECIAL SESSION**

Vice-President and Rapporteur: Mr. Elchin Amirbayov (Azerbaijan)

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I. Resolution adopted by the Council at its tenth special session

S-10/1 The impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights

The Human Rights Council,

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

Guided also by the Universal Declaration of Human Rights, and the Vienna Declaration and Programme of Action,

Reaffirming that peace and security, development and human rights are the interrelated pillars of the United Nations system,

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

Recalling General Assembly resolution 60/251, which affirms that the Human Rights Council shall be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all without distinction of any kind; should serve inter alia as a forum for dialogue on thematic issues on all human rights and that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of member States to comply with their human rights obligations for the benefit of all human beings,

Recalling further that General Assembly resolution 60/251 affirms that the work of the Council shall be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation with a view to enhancing the promotion of all human rights and fundamental freedoms, including the right to development,

Recalling that everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions, as reflected in article 11 of the International Covenant on Economic, Social and Cultural Rights,

Committed to achieving the internationally agreed development goals, including those contained in the United Nations Millennium Declaration and in the outcomes of the major United Nations conferences and summits, as they contribute to the universal realization and effective enjoyment of human rights and fundamental freedoms,

Reaffirming the Universal Declaration of Human Rights, including its provision that everyone has the right to a standard of living adequate for the health and well being of himself and his family, including food, and recalling the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration, in particular the first Millennium Development Goal of eradication of hunger and extreme poverty by 2015,

Recalling that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights by all, its immediate alleviation and eventual elimination must remain a high priority for the international community,

Cognizant that, as a result of globalization, domestic economies are now interwoven, and that good governance at the national and international levels, as well as fair, effective, transparent and accountable financial, monetary and trading systems, are essential prerequisites for attaining sustainable development and for the elimination of poverty,

Expressing serious concern at the negative impacts of the global economic and financial crises on economic and social development and on the full enjoyment of all human rights in all countries, and recognizing that developing countries, particularly least developed countries and small island developing States, are in a more vulnerable situation when facing these impacts,

Regretting that the global economic and financial crises have resulted in the decline of exports, foreign direct investment, and remittances which are essential factors contributing to the growth of economies of developing countries, and have led to difficulties in foreign indebtedness and in the realization of all human rights, including the right to development,

Reaffirming that the State has a responsibility to ensure that an increase in unemployment does not exacerbate the potential for discrimination, in particular against migrants and other vulnerable groups,

Recognizing that the economic and financial crises are global in scope and require global concerted solutions, developed in partnership by the international community with a view to preventing and alleviating any of their impacts on the universal realization and effective enjoyment of human rights and fundamental freedoms,

1. *Expresses* deep concern that the universal realization and effective enjoyment of human rights are challenged due to multiple and interrelated global economic and financial crises;

2. *Recognizes* the severe impacts that the global economic and financial crises are having on the ability of countries, particularly developing countries, to mobilize resources for development and to address the impact of these crises, and, in this context, calls upon all States and the international community to alleviate, in an inclusive and development oriented manner, any negative impacts of these crises on the realization and the effective enjoyment of all human rights;

3. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

4. *Expresses* grave concern that these crises threaten to further undermine the achievement of the internationally agreed development goals including the Millennium Development Goals and calls upon all States to refrain from reducing international financial

resources for development, including official development assistance and from imposing protectionist measures, and to maintain their commitments to mobilize and sustain financial resources for development, in accordance with the Monterrey Consensus on Financing for Development, and to make concerted and sustained efforts to contribute to an early recovery;

5. *Calls upon* States to note that the global economic and financial crises do not diminish the responsibility of national authorities and the international community in the realization of human rights and calls upon them to assist, in particular, the most vulnerable in this regard, and in this context urges the international community to support national efforts to, inter alia, establish and preserve social safety nets for the protection of the most vulnerable segments of their societies;

6. *Calls on* States to ensure that those at risk of being most affected by the global economic and financial crises are protected in a non-discriminatory way;

7. *Reaffirms* that an open, equitable, predictable and non-discriminatory multilateral trading system can substantially stimulate development worldwide, benefiting all countries, particularly developing countries, and thereby contributing to the universal realization and effective enjoyment of all human rights;

8. *Recognizes* the central role of the United Nations in the international system and *welcomes* the decision by the General Assembly to hold a high-level conference on the world economic and financial crises and its impacts on development due to take place from 1 to 4 June 2009; and in this context, recommends that an invitation be addressed by the General Assembly to the United Nations High Commissioner for Human Rights to participate in this high-level event and to present a report with suggested recommendations, building on the deliberations of this special session, so as to mainstream a human rights perspective in the analysis of the global economic and financial crises;

9. *Invites* relevant thematic Special Procedures, within their respective mandates, building on the deliberations of this special session, to consider any of the impacts of the global economic and financial crises on the realization and effective enjoyment of all human rights particularly economic, social and cultural rights, and to integrate their findings in this regard in their regular reports presented to the Human Rights Council, with special attention to non-discrimination and to ways and means to ensure respect for and protection of the human rights of vulnerable and marginalized groups, particularly women, children, migrants, migrant workers and their families, indigenous peoples, and people living in poverty, and on the elimination of acts of racism and xenophobia and promoting greater harmony and tolerance in all societies;

10. *Invites* the treaty bodies, within their respective mandates, to consider any of the impacts of the global economic and financial crises on the realization and effective enjoyment of all human rights, and to consider presenting recommendations thereon;

11. *Calls upon* all States to continue their financial contributions to international organizations, particularly to the Office of the United Nations High Commissioner for Human Rights;

12. *Decides* to remain seized of the implementation of the present resolution.

*3rd meeting
23 February 2009*

Resolution adopted by a recorded vote of 31 in favour, 0 against, with 14 abstentions; see chapter II. The voting was as follows:

In favour: Angola, Argentina, Azerbaijan, Bahrain, Bangladesh, Bolivia, Brazil, Burkina Faso, Cameroon, Chile, China, Cuba, Djibouti, Egypt, Ghana, India, Indonesia, Jordan, Madagascar, Malaysia, Mauritius, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Uruguay;

Abstaining: Bosnia and Herzegovina, Canada, France, Germany, Italy, Japan, Mexico, Netherlands, Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

II. Organization of work of the tenth special session

1. Pursuant to paragraph 10 of General Assembly resolution 60/251, and in accordance with rule 6 of the rules of procedure of the Human Rights Council as contained in the annex to Council resolution 5/1, the Council shall hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council.
2. In a letter dated 16 February 2009, addressed to the President of the Council (A/HRC/S-10/1), the Permanent Representative of Egypt to the United Nations Office at Geneva, as coordinator of the Group of African States, and the Permanent Representative of Brazil to the United Nations Office at Geneva requested the convening of a special session of the Council on 20 February 2009 to address the impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights.
3. The request was supported by the following 27 States Members of the Council: Angola, Bahrain, Bangladesh, Bolivia, Brazil, Burkina Faso, Chile, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Malaysia, Nicaragua, Nigeria, Pakistan, the Philippines, Qatar, the Russian Federation, Saudi Arabia, Senegal, South Africa and Uruguay.
4. In addition to the above-mentioned States Members of the Council, the request was also supported by the following observer States of the Council: Algeria, Benin, Bhutan, Burundi, Colombia, Congo, Ecuador, Equatorial Guinea, the Islamic Republic of Iran, Kenya, Kuwait, the Libyan Arab Jamahiriya, Morocco, Nepal, the Niger, Panama, Tunisia, Uganda, the United Arab Emirates, the United Republic of Tanzania, Venezuela (Bolivarian Republic of) and Yemen.
5. As more than one third of the membership of the Council supported the above-mentioned request, the President of the Council convened informative consultations on the matter on 16 February 2009 and decided to convene a special session of the Council on 20 February 2009.

A. Opening and duration of the session

6. The Council held its tenth special session at the United Nations Office at Geneva on 20 and 23 February 2009. It held three meetings during the session.
7. The tenth special session was opened by the President of the Council.

B. Attendance

8. The special session was attended by representatives of States Members of the Council, observer States of the Council, observers for non-Member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations.

C. Officers

9. At its second organizational meeting of the third cycle, on 19 June 2008, the Council elected the following officers, who also served as officers for the tenth special session:

President: Martin Ihoeghian Uhomobhi (Nigeria)

Vice-Presidents: Erlinda F. Basilio (Philippines)
Alberto J. Dumont (Argentina)
Marius Grinius (Canada)

Vice-President and Rapporteur: Elchin Amirbayov (Azerbaijan)

D. Organization of work

10. Pursuant to paragraph 124 of the annex to Council resolution 5/1, an open-ended informative consultation was held on 16 February 2009 in preparation for the tenth special session.

11. At its 1st meeting, on 20 February 2009, the Council considered the organization of its work, including speaking time limits, which would be five minutes for statements by States Members of the Council and three minutes for statements by observers for non-Member States of the Council and other observers. The representatives of United Nations agencies and experts who had been invited to participate in the session would each have up to five minutes of speaking time. The list of speakers would be drawn up in chronological order of registration. The main sponsor Member States for the convening of the special session would be given the floor first, followed by States Members of the Council, observer States and observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, and observers of national human rights institutions and non-governmental organizations.

12. The special session was conducted in accordance with the relevant provisions contained in Council resolution 5/1.

E. Resolution and documentation

13. The resolution adopted by the Council at its tenth special session is reproduced in chapter I of the present report.

14. The list of documents issued for the tenth special session is contained in the annex to the present report.

F. Statements

15. At the 1st meeting, on 20 February 2009, the President of the Council made a statement.

16. At the same meeting, the United Nations High Commissioner for Human Rights made a statement.

17. Also at the same meeting, the representatives of Brazil and Egypt (on behalf of the Group of African States) made statements as main sponsor Member States for the convening of the special session.

18. At the same meeting, statements were made by the representatives of groups of States: Cuba (on behalf of the Non-Aligned Movement), Czech Republic (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Liechtenstein, the former Yugoslav Republic of Macedonia, Montenegro, the Republic of Moldova, Serbia, Turkey and Ukraine), Egypt (on behalf of the group of Arab States) and Pakistan (on behalf of members of the Organization of the Islamic Conference).
19. Also at the same meeting, statements were made by the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights, Cephias Lumina; the representative of the International Labour Organization, Raymond Torres; the representative of the World Trade Organization, Willy Alfaro; and the representative of the World Health Organization, Andrew Cassels.
20. At the same meeting, statements were made by the following States Members of the Council: Angola, Argentina, Bahrain, Bangladesh, Canada, Chile, China, Djibouti, Ghana, India, Indonesia, Japan, Malaysia, Mauritius, Mexico, Nicaragua, Nigeria, the Philippines, Qatar, the Russian Federation, Saudi Arabia, Switzerland and the United Kingdom of Great Britain and Northern Ireland.
21. At the 2nd meeting, on 20 February 2009, statements were made by the independent expert on the question of human rights and extreme poverty, Magdalena Sepúlveda Carmona; Linos-Alexander Sicilianos, member of the Committee on the Elimination of Racial Discrimination; the representative of the International Organization for Migration, Michele Klein-Salomon; and the representative of the United Nations Conference on Trade and Development, Alfredo Calcagno.
22. At the same meeting, statements were made by the following:
- (a) Observer States of the Council: Algeria, Belarus, Bhutan, Botswana, Colombia, Côte d'Ivoire, Ecuador, Guatemala, Honduras, Iceland, Iran (Islamic Republic of), Israel, Kazakhstan, Kuwait, Morocco, Nepal, Norway, Panama, Singapore, Sudan, Tunisia, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen;
 - (b) Observer for the Holy See;
 - (c) Observer for Palestine;
 - (d) Observer for an intergovernmental organization: African Union;
 - (e) Observers for non-governmental organizations: Arab Commission for Human Rights, Dominicans for Justice and Peace (also on behalf of the Association Points-Coeur, Caritas Internationalis, the International Catholic Child Bureau and the International Organization for the Right to Education and Freedom of Education), Europe-Third World Centre, Indian Council of South America, Indian Movement Tupaj Amaru, International Federation of Human Rights Leagues, Nord-Sud XXI, Permanent Assembly for Human Rights and Rencontre africaine pour la defense des droits de l'homme (also on behalf of the International Youth and Student Movement for the United Nations and Organisation pour la communication en Afrique et de promotion de la coopération économique internationale).

23. At the 3rd meeting, on 23 February 2009, general comments in connection with the special session were made by the representatives of Brazil, China, Cuba and Egypt.

24. At the same meeting, the President made his concluding remarks.

G. Action on the draft proposal

25. At the 2nd meeting, on 20 February 2009, the representative of Egypt (on behalf of the Group of African States, Brazil and co-sponsors of the draft resolution) introduced draft resolution A/HRC/S-10/L.1. The draft resolution was sponsored by Brazil and Egypt (on behalf of the Group of African States) and co-sponsored by Algeria, Angola, Bahrain, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Botswana, Burkina Faso, Chad, China, Colombia, Côte d'Ivoire, Cuba, the Democratic Republic of the Congo, Djibouti, Ecuador, Ethiopia, Ghana, Honduras, India, Indonesia, the Islamic Republic of Iran, Jordan, Kenya, Kuwait, the Lao People's Democratic Republic, Lebanon, Malaysia, Mali, Morocco, Nicaragua, Pakistan, Palestine, the Philippines, Qatar, the Russian Federation, Saudi Arabia, Senegal, South Africa, the Sudan, the Syrian Arab Republic, Thailand, Tunisia, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Yemen.

26. At the 3rd meeting, the representative of Chile made a statement proposing an amendment to the draft resolution.

27. At the same meeting, the representative of Brazil orally revised the draft resolution.

28. Also at the same meeting, statements in explanation of vote before the vote were made by the representatives of Canada, Germany (on behalf of States members of the European Union that are members of the Council), Japan and Switzerland.

29. At the request of the representative of Germany (on behalf of States members of the European Union that are members of the Council), a roll-call vote was taken on the draft resolution, which was adopted, as orally revised, by 31 votes in favour, 0 against, with 14 abstentions. The voting was as follows:

In favour: Angola, Argentina, Azerbaijan, Bahrain, Bangladesh, Bolivia, Brazil, Burkina Faso, Cameroon, Chile, China, Cuba, Djibouti, Egypt, Ghana, India, Indonesia, Jordan, Madagascar, Malaysia, Mauritius, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Uruguay;

Abstaining: Bosnia and Herzegovina, Canada, France, Germany, Italy, Japan, Mexico, Netherlands, Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

30. At the 3rd meeting, a statement in explanation of vote after the vote was made by the representative of Mexico.

31. For the text of the resolution as adopted, see chapter I.

III. Report of the Human Rights Council on its tenth special session

32. At the 3rd meeting, on 23 February 2009, the report was adopted ad referendum and the Rapporteur was entrusted with its finalization.

ANNEX

List of documents issued for the tenth special session of the Council

Documents issued in the general series

- A/HRC/S-10/1 Letter dated 16 February 2009 from the Permanent Representative of Egypt to the United Nations Office at Geneva and the Permanent Representative of Brazil to the United Nations Office at Geneva, addressed to the President of the Human Rights Council
- A/HRC/S-10/2 Report of the Human Rights Council on its tenth special session

Documents issued in the limited series

- A/HRC/S-10/L.1 The impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights: draft resolution

Documents issued in the non-governmental organizations series

- A/HRC/S-10/NGO/1 Joint written statement submitted by the Europe Third World Centre, a non-governmental organization in general consultative status, Women's International League for Peace and Freedom (WILPF), a non-governmental organization in special consultative status, International Federation of Rural Adult Catholic Movements (FIMARC) and Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), non-governmental organizations on the roster
- A/HRC/S-10/NGO/2 Written statement submitted by Nord-Sud XXI, a non-governmental organization in special consultative status with the Economic and Social Council.
