

[A reinvigorated Human Rights Council ends its 19th session](#)



On 23 March the Human Rights Council concluded its 19th session. The four weeks of meetings in Geneva were marked by a series of positive developments, particularly with regard to the Council's response to country situations. After the Council's 18th session, when momentum appeared to have stalled following the body's initial engagement with and follow-up to the events of the 'Arab Spring', this session saw the Council respond to various situations with renewed vigour.

Perhaps foremost amongst the initiatives taken at this session was the adoption of a [resolution on Sri Lanka](#). At the last session of the Council, Canada withdrew its attempted resolution on the situation, to the great disappointment of human rights defenders who have been urging action on the serious situation in the country for several years now. The adoption of a resolution at this session is therefore a breakthrough. While most Asian member States of the Council voted against the resolution, India remarkably voted in favour. This is a significant shift from a State that until now had been an uncritical ally of Sri Lanka's, although India made clear that it still held to its position that Sri Lanka's sovereignty should be fully respected, and that the role of the international community should be to support Sri Lanka's own efforts.

The [moderate resolution was led by the US](#), and simply urges the Sri Lankan Government to implement the recommendations from its own Lessons Learnt and Reconciliation Commission, and ensure accountability for all Sri Lankans. Sri Lanka expressed fierce opposition to the initiative, accusing States of using the small country as a scapegoat. One very concerning result of Sri Lanka's trenchant attitude were several reported incidents of human rights defenders attending the session being intimidated by members of the Sri Lankan delegation. This was coupled with a vicious campaign in State-controlled Sri Lankan media against what it described as 'traitors' in Geneva.

The President of the Council, Uruguayan Ambassador Ms Laura Dupuy Lasserre, responded swiftly to these allegations by issuing a Presidential Statement in which she called on States to immediately put an end to harassment and individuals of groups and individuals attending the session, and announced that all allegations would be investigated. However an [outburst from a Sri Lankan minister](#) on the last day of the session in which he threatened to 'break the limbs' of human rights defenders, means that the situation is far from reassuring.

The Council's renewed energy on country situations was marked early on in the session by the holding of an urgent debate on Syria. At the conclusion of the debate a [resolution was adopted](#) condemning the continued widespread and systematic violations of human rights and expressing concern at the humanitarian situation. A [second resolution on Syria](#) was adopted later in the session in follow-up to the report of the Commission of Inquiry. This resolution is the strongest adopted by the Council to date, calling for international accountability for potential crimes against humanity and referencing the High Commissioner's call for the Security Council to refer the situation to the International Criminal Court. The resolution also extends the mandate of the Commission of Inquiry for a further six-months.

While Syria's non-cooperation with the Council and its mechanisms is blatant, there were disappointing signs that other States who had passed through the upheavals of last spring with minimal confrontation at the international level, had not undergone a change of position in Geneva. For example, both Libya and Yemen presented rather weak resolutions on the situations in their own countries. The adoption of a [resolution on Libya](#) saw the Russian Federation and Uganda present a [series of last-minute amendments](#), which called for, amongst other things, the High Commissioner to be given a mandate to report on the human rights situation in the country. With Libya rejecting these amendments, many EU States and the US also voted against them. This clearly shows the drawbacks of attempting to proceed through cooperation and consensus.

Egypt too showed no signs of having changed its position in the Council after its own internal upheaval last

year. During negotiations on the resolution on 'Promoting and Protecting Human Rights in the Context of Peaceful Protests', the delegation attempted to insert language that would give governments greater power to crack down on protestors. The [resolution was ultimately adopted by consensus](#), and tasks the Office of the High Commissioner for Human Rights, with the assistance of relevant special procedures including freedom of assembly and association, freedom of expression, and human rights defenders, to report on effective measures and best practices to ensure the promotion and protection of human rights in the context of peaceful protests. The report will be presented next March, at the 22nd session of the Council.

This session also saw the long-anticipated and first ever [panel on sexual orientation and gender identity](#) at the Council, created by the South African led resolution at last year's June session. [The panel](#) was to discuss the report of the High Commissioner, commissioned by the South African resolution, on violence and discrimination on the basis of sexual orientation and gender identity.

It was unfortunate that almost all OIC States chose not to engage in the debate, staging a walkout as the panel began. Pakistan delivered a statement on behalf of those boycotting the debate, in which it put forth its unique interpretation of the Vienna Declaration and Programme of Action, according to which culture and religion must be taken into account when implementing human rights standards, and ignoring the further reference to State obligations to promote and protect all human rights regardless of political, economic, or cultural systems.

The discussion, as a result of the almost complete lack of negative voices, sent a clear message that violence and discrimination directed against individuals on the basis of their sexual orientation and gender identity will not be tolerated by the international community. Further developments on the issue of sexual orientation and gender identity can be expected at the 20th session of the Council in June.

You can read an end of session statement presented by ISHR on behalf of nine NGOs [here](#). A full list of resolutions adopted during the 19th session of the Human Rights Council can be [found here](#).

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