



# General Assembly

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**Sixtieth session**  
Agenda items 46 and 120

## Resolution adopted by the General Assembly

[without reference to a Main Committee (A/60/L.48)]

### 60/251. Human Rights Council

*The General Assembly,*

*Reaffirming* the purposes and principles contained in the Charter of the United Nations, including developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all,

*Reaffirming also* the Universal Declaration of Human Rights<sup>1</sup> and the Vienna Declaration and Programme of Action,<sup>2</sup> and recalling the International Covenant on Civil and Political Rights,<sup>3</sup> the International Covenant on Economic, Social and Cultural Rights<sup>3</sup> and other human rights instruments,

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

*Reaffirming* that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

*Emphasizing* the responsibilities of all States, in conformity with the Charter, to respect human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language or religion, political or other opinion, national or social origin, property, birth or other status,

*Acknowledging* that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,

<sup>1</sup> Resolution 217 A (III).

<sup>2</sup> A/CONF.157/24 (Part I), chap. III.

<sup>3</sup> See resolution 2200 A (XXI), annex.

*Affirming* the need for all States to continue international efforts to enhance dialogue and broaden understanding among civilizations, cultures and religions, and emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance, respect for and freedom of religion and belief,

*Recognizing* the work undertaken by the Commission on Human Rights and the need to preserve and build on its achievements and to redress its shortcomings,

*Recognizing also* the importance of ensuring universality, objectivity and non-selectivity in the consideration of human rights issues, and the elimination of double standards and politicization,

*Recognizing further* 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,

*Acknowledging* that non-governmental organizations play an important role at the national, regional and international levels, in the promotion and protection of human rights,

*Reaffirming* the commitment to strengthen the United Nations human rights machinery, with the aim of ensuring effective enjoyment by all of all human rights, civil, political, economic, social and cultural rights, including the right to development, and to that end, the resolve to create a Human Rights Council,

1. *Decides* to establish the Human Rights Council, based in Geneva, in replacement of the Commission on Human Rights, as a subsidiary organ of the General Assembly; the Assembly shall review the status of the Council within five years;

2. *Decides* that the 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 and in a fair and equal manner;

3. *Decides also* that the Council should address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon. It should also promote the effective coordination and the mainstreaming of human rights within the United Nations system;

4. *Decides further* 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 and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development;

5. *Decides* that the Council shall, inter alia:

(a) Promote human rights education and learning as well as advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of Member States concerned;

(b) Serve as a forum for dialogue on thematic issues on all human rights;

(c) Make recommendations to the General Assembly for the further development of international law in the field of human rights;

(d) Promote the full implementation of human rights obligations undertaken by States and follow-up to the goals and commitments related to the promotion and

protection of human rights emanating from United Nations conferences and summits;

(e) Undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies; the Council shall develop the modalities and necessary time allocation for the universal periodic review mechanism within one year after the holding of its first session;

(f) Contribute, through dialogue and cooperation, towards the prevention of human rights violations and respond promptly to human rights emergencies;

(g) Assume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights, as decided by the General Assembly in its resolution 48/141 of 20 December 1993;

(h) Work in close cooperation in the field of human rights with Governments, regional organizations, national human rights institutions and civil society;

(i) Make recommendations with regard to the promotion and protection of human rights;

(j) Submit an annual report to the General Assembly;

6. *Decides also* that the Council shall assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and a complaint procedure; the Council shall complete this review within one year after the holding of its first session;

7. *Decides further* that the Council shall consist of forty-seven Member States, which shall be elected directly and individually by secret ballot by the majority of the members of the General Assembly; the membership shall be based on equitable geographical distribution, and seats shall be distributed as follows among regional groups: Group of African States, thirteen; Group of Asian States, thirteen; Group of Eastern European States, six; Group of Latin American and Caribbean States, eight; and Group of Western European and other States, seven; the members of the Council shall serve for a period of three years and shall not be eligible for immediate re-election after two consecutive terms;

8. *Decides* that the membership in the Council shall be open to all States Members of the United Nations; when electing members of the Council, Member States shall take into account the contribution of candidates to the promotion and protection of human rights and their voluntary pledges and commitments made thereto; the General Assembly, by a two-thirds majority of the members present and voting, may suspend the rights of membership in the Council of a member of the Council that commits gross and systematic violations of human rights;

9. *Decides also* that members elected to the Council shall uphold the highest standards in the promotion and protection of human rights, shall fully cooperate with the Council and be reviewed under the universal periodic review mechanism during their term of membership;

10. *Decides further* that the Council shall meet regularly throughout the year and schedule no fewer than three sessions per year, including a main session, for a total duration of no less than ten weeks, and shall be able to 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;

11. *Decides* that the Council shall apply the rules of procedure established for committees of the General Assembly, as applicable, unless subsequently otherwise decided by the Assembly or the Council, and also decides that the participation of and consultation with observers, including States that are not members of the Council, the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations, shall be based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights, while ensuring the most effective contribution of these entities;

12. *Decides also* that the methods of work of the Council shall be transparent, fair and impartial and shall enable genuine dialogue, be results-oriented, allow for subsequent follow-up discussions to recommendations and their implementation and also allow for substantive interaction with special procedures and mechanisms;

13. *Recommends* that the Economic and Social Council request the Commission on Human Rights to conclude its work at its sixty-second session, and that it abolish the Commission on 16 June 2006;

14. *Decides* to elect the new members of the Council; the terms of membership shall be staggered, and such decision shall be taken for the first election by the drawing of lots, taking into consideration equitable geographical distribution;

15. *Decides also* that elections of the first members of the Council shall take place on 9 May 2006, and that the first meeting of the Council shall be convened on 19 June 2006;

16. *Decides further* that the Council shall review its work and functioning five years after its establishment and report to the General Assembly.

*72nd plenary meeting  
15 March 2006*

**United Nations Office of the High Commissioner for Human Rights**



**SUGGESTED ELEMENTS FOR  
VOLUNTARY PLEDGES AND COMMITMENTS BY CANDIDATES FOR ELECTION TO  
THE HUMAN RIGHTS COUNCIL**

In accordance with General Assembly resolution A/RES/60/251, when electing members of the Human Rights Council, Member States shall take into account (1) the contribution of candidates to the promotion and protection of human rights and (2) their voluntary pledges and commitments made thereto. Additionally, members elected to the Council shall (1) uphold the highest standards in the promotion and protection of human rights; (2) fully cooperate with the Council and (3) be reviewed under the universal period review mechanism during their term.

Beyond these provisions, the General Assembly provided no further guidance and established no particular framework for the form and content of electoral pledges, commitments and statements. However, extensive discussions since the adoption of the resolution have yielded useful suggestions for appropriate elements to be included. Drawing from these discussions, the guidance offered herein provides a framework within which Member States can provide relevant information when presenting candidatures. Member States which have already presented candidatures may consider supplementing the information provided in accordance with elements provided herein. These suggestions are not intended to be exhaustive and, in compiling information on the elements below, member States might also wish to provide additional information and make additional pledges and commitments as appropriate. To the extent possible, States are encouraged to include specific, measurable and verifiable commitments in their submissions.

Member States are encouraged to share information on their voluntary pledges and commitments both with the public in their respective countries and with all other Member States. They are further invited to provide that information to the Secretariat for posting on the websites of the United Nations General Assembly and the Office of the High Commissioner for Human Rights.

## **1. International contribution, pledges and commitments**

- ✓ List of international human rights instruments to which the State is already party and indications of intent to ratify further instruments and to withdraw reservations
- ✓ Co-operation with special procedures, accepting requests for visits, extending standing invitations, and responding positively to communications and follow-up on recommendations
- ✓ Cooperation with treaty monitoring bodies, timely submission of reports and implementation of concluding observations and contribution to the global reform of the treaty body system
- ✓ Contribution to international initiatives for the promotion and protection of human rights through the provision of human, technical and financial resources
- ✓ Cooperation with OHCHR and support for its activities
- ✓ Contribution to the deliberation of international human rights fora.
- ✓ Commitment to fully support and engage constructively in the deliberations of the Human Rights Council, its subsidiary bodies and mechanisms including the special procedures
- ✓ Commitment to open and constructive engagement in a robust universal review procedure including reporting on measures taken to follow-up on its recommendations
- ✓ Commitment to the meaningful engagement of NGOs with the Council.

## **2. National contribution, pledges and commitments**

- ✓ Description of national human rights policy, including information on national human rights planning, the existence of independent national human rights institutions, guarantees of effective remedies to redress human rights abuses, etc.
- ✓ Identification of principal human rights challenges as well as indication of steps to be taken to meet those challenges
- ✓ Indication of approach to the contribution of civil society, including in the formulation and implementation of domestic human rights policy and programmes
- ✓ Commitment to protect against and prevent discrimination in all its forms, in both law and in practice.
- ✓ Pledge to uphold the highest standards in the promotion and protection of human rights;

**REPUBLIC OF KOREA**  
PERMANENT MISSION TO THE UNITED NATIONS

MUN/582/06

The Permanent Mission of the Republic of Korea to the United Nations has the honour to circulate to all Member States, in accordance with Resolution A/RES/60/251 of 15 March 2006, the *Voluntary Pledges and Commitments on Human Rights* of the Republic of Korea.

Our pledges and commitments confirm our support for existing UN human rights treaties and protocols; detail our educational and legislative initiatives in support of human rights; and testify to our active cooperation through the UN system for strengthening democracy, good governance, the rule of law and respect for human rights and fundamental freedoms.

The Republic of Korea would highly appreciate the valuable support of all Member States for its candidature to the Human Rights Council.

The Permanent Mission of the Republic of Korea to the United Nations avails itself of this opportunity to renew to the Permanent Missions to the United Nations of all Member States the assurances of its highest consideration.

19 April 2006  
New York



# Republic of Korea

## Voluntary Pledges and Commitments on Human Rights

### **I. Background**

The Government of the Republic of Korea (ROK) places great importance on human rights as a universally shared value steadfastly advocated by the United Nations for six decades. The promotion and protection of human rights is a priority in the ROK's national as well as foreign policy goals.

Having been inspired by the UN's commitment to human rights and fundamental freedoms throughout its own process of democratization and economic development, the Republic of Korea attests to the imperative of human rights in the betterment of societies. The Government is making every effort to achieve continued improvements in the human rights situation within the Republic of Korea. It also endeavors to spread democracy and human rights worldwide.

The ROK is a signatory to the following six major human rights treaties, and to most of their Optional Protocols, regularly submitting reports on their implementation :

- International Covenant on Economic, Social and Cultural Rights (1990)
- International Covenant on Civil and Political Rights (1990)
- \* First Optional Protocol to ICCPR (1990)
- Convention on the Elimination of All Forms of Discrimination against Women (1985)
- International Convention on the Elimination of All Forms of Racial Discrimination (1979)
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1979)
- Convention on the Rights of the Child (1991)
- \* Optional Protocol on the involvement of Children in armed conflict (1994)
- \* Optional Protocol on the Rights of the Child on the sale of children, child prostitution and child pornography (1994)

Since its entry into the UN in 1991, the Republic of Korea has been actively involved in the work of the key human rights organizations of the United Nations. It has been a member of the Commission on Human Rights since 1993. It has also contributed to a wide range of discussions and programs for the promotion

of all aspects of human rights, including the recent discussion for the creation of the Human Rights Council (HRC).

Furthermore, in the conviction that human rights is best served by democracy and democratic governance, it has played a leading role in the formation of the Community of Democracies (CD). It has subsequently played a key role in the work of the CD as a member of the Convening Group (CG).

In the Republic of Korea, the National Human Rights Commission (NHRC) was established in November 2001 with the mandate to investigate and remedy human rights violations, to provide education and raise public awareness in the field of human rights, to conduct research, and to recommend legislative, institutional, or policy initiatives relating to human rights. The Commission has become a vital force for the promotion and protection of human rights in the Republic of Korea. In particular, in January 2006 it put forward its own proposal for a "National Human Rights Plan of Action (NAP)" for the period 2007-2011 to serve as a guideline for a comprehensive national plan for the advancement of human rights.

The Government of the ROK recently adopted legal amendments to ensure the advancement of human rights in a wide array of fields. These include gender equality (the abolishment of the male-dominated family registry system), labor rights (revisions of the labor law allowing teachers and public servants to engage in union-related political activities), judicial parity for the rights of victims as well as suspects in criminal cases, and non-discriminatory measures for foreign nationals.

## II. Pledges and Commitments

In line with its dedication to the noble aim of the promotion and protection of human rights, the Republic of Korea commits itself :

**To further advance human rights at the national level :**

1. By taking the following steps with respect to the withdrawal of reservations made to and the ratification of the UN human rights instruments in accordance with the recent advancement of human rights in the ROK including legal amendments and institutional developments in a wide array of fields :
  - promptly acceding to the Optional Protocol to the CEDAW Convention ;
  - examining the withdrawal of its reservations made to the International Covenant on Civil and Political Rights (14-5), the UN

- Convention against Torture (21 and 22) as well as to the CEDAW Convention (16-1-g) in the near future ;
- considering the accession of the Optional Protocol to the UN Convention against Torture in the near future.
2. By considering the ratification of the following 4 out of the 8 ILO Fundamental Conventions by 2008 :
    - Freedom of Association and Protection of the Right to Organize Convention (No.87)
    - Right to Organize and Collective Bargaining Convention (No.98)
    - Forced Labour Convention (No.29)
    - Abolition of Forced Labour Convention (No.105)
  3. By setting, in accordance with the recommendation of the UN, the 'National Action Plan on Human Rights (NAP)' for 2007-2011\*, which is expected to be completed at the end of the year 2006. The NAP, a blueprint for human rights policy, will set out guidelines for the advancement of human rights in a comprehensive and forward-looking manner.
    - \* The major aim of the NAP 2007-2011 is to propose institutional provisions to protect the socially vulnerable and minorities, and to draw up laws and institutions to build a strong basis for political, economic, social and cultural rights.
  4. By enhancing cooperation and partnership with civil society in ensuring the protection of human rights and good governance in the process of the formulation, implementation and evaluation of public policy.
  5. By strengthening human rights education to enhance public awareness and thereby incorporate human rights into the mainstream in all sectors of society.

**To further contribute to the advancement of human rights at the international level :**

1. By supporting member states in their implementation of human rights obligations with technical cooperation as well as encouraging states to become parties to the core human rights treaties.
2. By offering cooperation at the bilateral level as well as through the UN system for the strengthening of democracy, good governance, the rule of law and respect for human rights and fundamental freedoms.

3. By contributing to ongoing work aimed at improving the international human rights framework, such as reform of the treaty body system and the work of the OHCHR.
4. By cooperating fully with the treaty monitoring bodies, including through the timely submission of periodic reports, and acting promptly and in good faith on their concluding observations and recommendations.
5. By participating actively in ongoing discussions for the establishment of new international human rights instruments such as the work of the *Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities*.
6. By promoting intra-and cross- regional democratic progress and cooperation such as by providing technical expertise and offering full cooperation to countries requesting assistance in building democratic institutions within the framework of the Community of Democracies (CD).
7. By participating actively in the discussions for the creation of regional and sub-regional machinery for the promotion and protection of human rights in the Asia-Pacific region where such mechanisms are absent.
8. By contributing to the process of identifying and clarifying standards with regard to new human rights issues such as those in bioethics and information technology.

**To contribute to the work of the Human Rights Council :**

1. By actively taking part, in the spirit of dialogue and cooperation, in the launching of the new Council and the ensuing discussions on its working methods with a view to making it open, transparent, productive and functional, so that it may meet the needs and expectations of member states.
2. By doing its share to enable the Council to respond promptly and effectively to human rights abuses.
3. By demonstrating a strong commitment to the realization of civil, political, economic, social and cultural rights with the same emphasis on each and on an equal footing.