

Transcription of the Debate and Adoption of A/HRC/35/L.21

“Protection of the family: role of the family in supporting the protection and promotion of human rights of older persons”

**Human Rights Council
Thirty-fifth session
6–23 June 2017
Agenda item 3**

Transcribed by Family Watch International

President: (Mr. Joaquín A. Maza Martelli, President of the Human Rights Council)

Good afternoon distinguished delegation. I hereby declare open the 35th meeting of the 35th session of the Human Rights Council. We shall continue to take action on draft resolutions—those that are still pending. I now give the floor to the distinguished representatives of Egypt, Qatar, Belarus, and I understand the Russian Federation for them to present draft text on L21 entitled “Protection of the family role of the family in supporting the protection and promotion of human rights of older persons.” Ambassador of Egypt you have the floor. Thank you.

1:03

Egypt, (Mr. Amr Ramadan):

Thank you, Mr. President. On behalf of a cross-regional core group of main sponsors, namely Bangladesh, Belarus, Cote d’Ivoire, China, Egypt, El Salvador, Mauritania, Morocco, Qatar, Russian Federation, Saudi Arabia, Tunisia, and Uganda, I have the honor to present draft resolution L.21 titled “protection of the family, role of the family in supporting the protection and promotion of human rights of older persons.” This draft resolution is to date co-sponsored by 46 member states including the Arab Group. Family is an undisputable social, cultural, moral, and religious value that should be celebrated and nurtured. In accordance with international human rights law particularly under the UDHR and the two International Covenants, the family is the natural and fundamental unit of the society and as such is entitled to protection by the state and the society.

States are required to take specific measures to ensure the protection of this social institution as a unit and promote its sustainability and preservation. The draft resolution this year addresses the role and potential of the family in supporting the human rights of older persons, right of older persons to family life, the challenges facing families with members of older persons, measures to empower families to advance the rights of its members of older persons, and means and ways to protect the older persons from any violations and abuses including in a family setting. L.21 will result in holding an intercessional seminar to discuss the impact of family protection policies on the role of the family in supporting the human rights of older persons.

Moreover, L.21 maintains the key foundations from previous years such as a) the status of the family under international law and its role including in fostering social cohesion and preserving society's values, morals, cultural heritage, and value system; b) the role of the family in the promotion and protection of family members with focus on older persons; c) the contribution of the family in social and sustainable development including its potential in implementing the 2030 Agenda. The current draft underscores

that measures aimed at protecting the family on the one hand and protection and promotion of human rights of family members on the other hand are directly correlated and go hand in hand. Protecting the family as an institution in no way negates all the existing laws that protect the human rights of individuals as those inside the family or outside the family.

The draft stresses the primary responsibility of the state to protect and promote the human rights and fundamental freedoms of all individuals. Through two rounds of informal consultations and numerous bilateral consultations, the core group attempted to the furthest extent to accommodate several proposals. The main sponsors were not in a position, however, to accept proposals that change the entire focus, scope, or orientation of the resolution, or revise the letter and spirit of obligations under international law. The draft resolution continues to impose no one-size-fits-all definition for the family and leaves this matter within the discretion of each state and society. On several occasions, the text recognizes the diversity of circumstances and challenges facing families around the world.

Family is family, whatever, everywhere. As the unit that bonds men, women, and children together. Even if families such as single-headed families, including widows and divorcees, extended families, and migrant and indigenous families, for example, existed in various settings and faced diverse circumstances, they should remain reflective of similar essence and shared values.

To conclude, today is another opportunity for all council members not to fail millions of families around the world. We urge the few council members that are still adamantly resisting this call not to make their natural and logic position towards family values and role as a hostage to an obsession neither with specific topics nor domestic discussions and debates. Let me again thank the co-sponsors as well as the tens of pro-family from around the world who constantly supported this process and invite the council to adopt draft resolution L.21 as tabled without any changes. I thank you Mr. President.

President: Thank you very much. I would now like to give the floor to the representation of Malta for them to present a written amendment. [No reply from Malta.] I understand that Qatar would like the floor. Thank you.

6:40

Qatar, (Ms. Noor Ibrahim Al-Sada): Mr. President, I have the honor to join the previous distinguished representative of Egypt in introducing and further deliberating on the draft resolution L.21 entitled "Protection of the family, role of the family in supporting the protection and promotion of human rights of older persons." Given the various and particular challenges faced by older persons in the enjoyment of their human rights, the present draft resolution tends to address the most pertinent aspects related to the roles, which can be played by the family in supporting the older person to overcome these challenges.

While the family remains the first environment where older person can develop their potential and enjoy a fulfilling life, yet the existence of older person within a family is considered to be a strong driving force for the role played by the family and the preservation of cultural identity, traditions, moral heritage, inter-generational solidarity, and social development. L.21 addresses the issue and synergy with states responsibility to promote and protect the human rights and fundamental freedoms of all individuals including older persons and the entitlement of the family as the fundamental group unit of society to be protected by society and the state.

The one-day intercessional seminar to be organized before the 38th session of the Human Rights Council will be an ample opportunity to reflect and share good practices in this regard. Finally, Mr. President let me underline that the main sponsors of this draft resolution have exerted all possible efforts to take onboard different views expressed by distinguished delegates during the informal consultation held for this draft resolution. We will continue to be open, constructive, and transparent in order to encourage more co-sponsors to join us in the future. Thank you.

President: I now would now like to give the floor to Belarus.

8:46

Belarus, (Ms. Inna Vasilevskaya): Thank you, Mr. Chairman. As a member of the group of core sponsors of the resolution, Belarus would like to add the following. The family plays an important role in strengthening partnership links and solidarity between generations in particular in the light of the aging society in many regions. Family support and care for older generations is chiefly something that goes in both directions. Ignoring the institution of the family by governments and NGOs could lead to older persons in future being deprived of support and care, and there would be a rising risk of poverty for them, and this would threaten and jeopardize the implementation of goal 3 of the 2030 Agenda—a healthy way of life and well-being for all persons regardless of their age. The resolution calls upon governments to adopt strategies to strengthen partnership relations and solidarity between generations by protecting and strengthening the family.

The family as a natural fundamental unit of society can effectively facilitate the implementation of rights and opportunities of older persons and ensure the human rights of all members of the family.

We call upon the council to support the resolution and adopt it by consensus. Thank you.

President: Thank you. The Russian Federation has the floor.

10:20

Russian Federation, (Ms. Natalia Zolotova): Thank you, Mr. Chairman. The Russian Federation's participation in the core group of sponsors of the resolution L.21, Protection of the Family is a responsible and important step for my delegation. The family is a complex socio-cultural phenomenon. The specific and unique nature of the family is that it brings together practically all aspects of human life and appears at all levels of the social dimension—from the individual to the socio-historical, from the material to the spiritual.

The family gives the person life, upbringing, their initial socialization, and everything without which a person cannot live and exist fully. The role of the family is not just the reproduction of the population but to perpetuate the species in the broadest sense of the term. The family is a link that binds generations. Through it, the person develops their inherent qualities, so the family is not just a community of spouses, parents, and children, but also an element of the social structure.

The family is particularly important for people at times when society is undergoing a spate of instability. Given the global processes taking place around the world today the institution of the family cannot always rapidly and properly adapt to changing conditions, and in that case, the state must take care of the family. Mr. President, by introducing questions of protection of the family on to the council's agenda the core sponsors of the resolution L.21 wanted to draw the attention of the international community to this important actor in the life of society—namely the institution of the family.

We intentionally left outside the bounds of our initiative a definition of the family and its possible forms and formats since we see these issues as falling purely under the national competency of each individual state. We oppose the imposition upon others of any particular model of the family. Our aim is to recognize the role of the institution of the family both in the development of society in general and in the protection and promotion of the rights of its members; to discuss problems faced by the family and together to find possible solutions, and lastly, to determine what support and assistance families need from the state.

We are confident that any state that is interested in having the family as a reliable partner will focus on family well-being, creating conditions for families to be able to fulfill its social and educational functions related inter alia to support for its older members. Mr. President, we call upon the council to approach consideration of resolution L.21 in a spirit of openness and objectivity, leaving the discussion of different interpretations of the definition and composition of the family outside room 20 and focusing on the role of this institution in solving the problems that face society. We trust that the draft of our resolution will enjoy broad support in the council and will be adopted without a vote. Thank you.

President: Thank you very much. And now I would like to give the floor to the representative of Malta for them to present a written amendment regarding L.45.

14:19

Malta: Thank you Mr. Chairman. I have the honor to present this amendment on behalf of the European Union. After negotiations and several attempts to persuade the main sponsors to agree language that would have helped to reach understanding on this important text, the European Union has been compelled to propose the following amendment that seeks to recognize that various forms of the family exist across the world and among other diverse cultural, political, and social systems. Hence the European Union proposes to insert a new OP1bis that recognizes that in different cultural, political, and social systems, various forms of the family exist.

The amendment is short and does not seek to specify the various forms. The purpose of this amendment is to not define the family, as indeed the main sponsors of this resolution were always at pains to stress during negotiations. In addition, the amendment is a direct quotation from agreed language from the UN International Conference on Population and Development and the Beijing Declaration and Platform for Action; documents that have been reaffirmed in their entirety multiple times by the General Assembly and this council including during this session. Unfortunately, in recent years states have sought to draw back on previously agreed terminology. This is the terminology that we propose is included in this resolution. For these reasons we call on the council members to vote for the amendment. Thank you.

President: I would now like to give the floor to the distinguished representative of Switzerland for them to present their amendments regarding L.48, L.47, and L.49 for revision. I would like to ask the representative of Switzerland if they could present the amendments jointly in the interest of time. Thank you.

16:30

Switzerland, (Ms. Barbara Fontana): Thank you very much Mr. President. Switzerland has submitted three amendments to draft resolution L.21 on the protection of the family and would like to thank the co-sponsoring delegations for L.47, L.48, and L.49 for their support. Amendment L.47 aims to replace and I quote, "the role of the family" with the "role of families" in the title of the resolution in order that

this read "Protection of the family: the role of families in supporting the protection and promotion of human rights of older persons."

Amendment L.48 aims to introduce the same amendments by replacing "role of the family" with the role of families in connection with the intercessional seminar allowed for in OP29. This seminar will relate to the impacts of states' observance of their obligations under the relevant provisions of international human rights law concerning the protection of the family on the role of families in bolstering the protection and promotion of the rights of older persons. We have noted that draft resolution L.21 has integrated in several places the word "families" in the plural. This is a positive development for us. Each family is different; there is no one identical, two identical families. However, we have noted a continuing reticence to pluralize "families" in key parts of the resolution as is the case in the title and the request for the seminar.

We hope that amendments L.47 and L.48, which we agree be submitted to vote jointly will be adopted by the council and call on the members of the council to vote yes.

Furthermore, we emphasize that the acceptance will not in principle affect the meaning of the resolution driven by the co-sponsors. Finally, Switzerland has also submitted a third amendment, amendment L.49, relating to older women and the fact that they are more exposed to physical and psychological violence. The proposed language is based on paragraph 108 of the Madrid International Plan of Action on Aging from 2002 with certain amendments in light of its integration in this resolution. After discussion with the co-sponsors of this amendment and the core sponsors of L.21 we have decided to submit oral revisions.

These have been posted on the council's Extranet and have been circulated in the room. The proposed language reflects more directly the Madrid language. We are confident that this new version will have the support of the council. Thank you for your attention.

President: Thank you very much. We take note of Switzerland's proposal to take action on L.47 and L.48 jointly and vote on these jointly and amendment L.49 as already revised subsequently.

I would now like to give the floor to El Salvador and Egypt on behalf of the sponsors in order to express the point of view of the core sponsors on the proposed amendments. Thank you.

19:55

El Salvador, (Ms. Carmen Elena Castillo): Thank you very much, President. El Salvador takes the floor on behalf of the core group of main sponsors for L.21, namely Bangladesh, Belarus, China, Cote D'Ivoire, Egypt, Mauritania, Morocco, Qatar, Russia, Saudi Arabia, Tunisia, and Uganda. In reference to amendment L.49 presented by Switzerland, allow me first of all to reiterate to the members and observers of the council that the core sponsors of L.21 support and fully subscribe to the commitments shouldered by all members of the United Nations in 2002 in Madrid during the Second World Assembly on Aging, and in particular concerning the Political Declaration and the Madrid International Plan of Action on Aging, The proof of this is our commitments in the final documents of the Madrid Conference and the fact that many of these provisions have been included in L.21. Amendment L.49 presented by Switzerland focuses on risk factors of physical and psychological abuse being confronted by older women in our societies.

Despite further we recognize that this refers more to our resolution on “Violence against Women” or on the “Rights of Older Persons.” The co-sponsors of L.21 do accept the inclusion of this issue in our resolution because we want to reach a consensus on the resolution. Finally, President, I would like to express to the Swiss delegation and to the co-sponsors of L.49 our thanks. Thank you, President.

President: Egypt has the floor.

21:41

Egypt, (Mr. Amr Ramadan): Thank you, Mr. Chairman. As stated by El Salvador on behalf of the co-sponsors we are not in a position to accept amendments L.45, L.47, and L.48, while we welcome the L.49 as already revised as submitted by Switzerland, and we thank them for their understanding and cooperation.

President: I understand that the co-sponsors of L.45, L.47, and L.48 are not in agreement, and so we will therefore vote on L.45, L.47, and L.48. We have been informed by the secretariat that there are eleven additional co-sponsors to the draft proposal L21.

We will now hear the general comments concerning the draft resolution and all of the amendments, and therefore, I would like to give the floor now to the members of the council who would like to make general comments. Thank you.

United Arab Emirates has the floor.

23:35

United Arab Emirates, (Mr. Obaid Salem Saeed Al Zaabi): Thank you very much, President. The family in society is the fundamental unit that manages the life of all individuals from childhood to old age, and this draft recalls the obligations and responsibilities to protect the families as the fundamental unit and to support that role in terms of the protection of groups requiring particular attention, including older persons.

This support is always thanks to the family, and the family is the core unit for the defense of older persons when they need it most. The protection and promotion of the family therefore facilitates not the ill-treatment of older persons but their protection. The family has been considered a unit while the Human Rights Council focuses on the family as individuals and is introducing amendments which promote the egoism and selfishness and dissolves family connections.

The principle of the family is to work to protect and promote the rights of older persons, and we have to renew our perspective in terms of the best interest of older persons taking a global approach, which takes into account the specificities of each society. We do hope that this draft will enjoy the support of all council members. Thank you.

President: Cote d'Ivoire has the floor.

25:36

Côte d'Ivoire, (Ms. Nogoziène Bakayoko): Thank you Mr. President. Côte d'Ivoire, as a member of the core group on the protection of the family, would like to invite member states to support this resolution on the role of the family in supporting the protection and promotion of the human rights of older persons. This resolution reminds member states their duty to protect the family as the fundamental unit

of society by this year focusing in particular on the crucial role that the family plays in supporting and protection of older persons.

The unity of the family unit is also based on the care and attention given to older persons as well as protecting their rights. The protection of the family as an institution and improving families' capacity to support their older members will certainly contribute to the care given to the latter.

Mr. President, given its commitment on this initiative, Côte d'Ivoire invites state parties to support this resolution to ensure effective protection and strengthening the cohesion of the family unit so as to allow the family to fully fulfill its role as a stabilizing element in society.

Côte d'Ivoire also remains convinced that this issue within this assembly is part of the discussion on the exchange of good practices and the major challenges facing the implementation of state obligations under international law to provide the necessary support and protection to the family for the well-being of its members. Thank you.

President: Kenya has the floor.

27:15

Kenya, (Mr. Daniel Kottut): Mr. President, I thank you. We make these general comments in support of the resolution on the protection of the family and rights of older persons. This resolution supports fundamental aspects of family protection and promotion of human rights of older persons within the family which we, with this delegation subscribe to. Our current constitution defines family in article 45 as the natural and fundamental unit of society and necessary basis of social order and shall enjoy the recognition and protection of the state. It continues that older people in Kenya have the right to marry a person of the opposite sex based on the free consent of the parties. The parties have equal rights during the marriage and even in the event of dissolution.

This constitution domesticates binding international human rights treaties and takes cognizance of the soft law. Therefore, any attempt to dilute, erode or alter our understanding of the family is contrary to our laws. We recognize the importance of family as the natural environment for growth, nurturing, and well-being of all its members. Additionally, older persons are part of the vulnerable members of the family that face unique challenges such as lack of income, adequate housing and access to health facilities.

Nevertheless, the government has adopted several initiatives to counter these challenges by providing cash and trusts to older persons to provide regular and predictable cash flows for their livelihoods. Kenya, by law, therefore protects the family and its members and also the older persons. Additionally, as well in Kenya the family has taken care of the aging.

It stands imperative that governments design a comprehensive frameworks for the protection and promotion of the rights of older persons. Mr. President, we thank the sponsors of this resolution for their efforts in bringing to our attention and discussion this important subject of family and the older persons. We therefore look forward to the convening and engaging during the one-day intercessional seminar on the impact of implementation by states of the applications and the relevant proficiency of international human rights law with regard to the protection of the family. I thank you.

President: Indonesia has the floor.

29:48

Indonesia, (Mr. Hasan Kleib): My delegation welcomes the draft resolution L.21 on the family focusing on the role of the family in supporting the protection and promotion of human rights of older persons.

Indonesia attaches great importance to the protection of the family. We believe that family as a fundamental unit of society is entitled to protection by society and the state, as specified in various international human rights laws. We view that this draft resolution outlines measures and policies aimed at the promotion of the role of the family in supporting and protecting of the rights of older persons. It has sufficiently addressed the challenges that will notably face by older persons in society by highlighting the empowerment role and family responsibilities of the family for the protection, development, welfare, and support of older persons as well as the importance of inter-generational solidarity and social cohesion.

Mr. President, Indonesia recognizes the important role that the family plays in development. Therefore the government continuously engages and provides the family with special protection and the empowerment of all its members, especially older persons.

We continue to ensure that the equality and opportunity of older persons continually improves and they are not subjected to any discrimination, as mandated by the constitution and various national law and regulation.

Mr. President, while commanding the core group in accommodating several concerns and optimum ways during the informal consultations my delegation hopes that this resolution provides a foundation for us to progress on this issue and that this resolution can be adopted by consensus. I thank you.

President: China has the floor.

31:42

China, (Mr. Jiang Duan): Thank you very much, President. L.21 places the emphasis on the role played by the family for the promotion and protection of the human rights of older persons. It asks states to bring themselves into line with international law to support families in playing their full role.

China believes that it's extremely important to accord the family its full role in our development planning. We must place particular emphasis on this family perspective. As a member of the core group, we support this draft resolution. Thank you, President.

President: Kyrgyzstan has the floor.

32:41

Kyrgyzstan, (Mr. Daniyar Mukashev): Mr. President, as it was pointed out by the delegation of Egypt during the introduction, the family is the natural and fundamental group unit of society and is entitled to protection by society and the state as envisaged in the Universal Declaration of Human Rights and binding international instruments in particular, International Covenant on Civil and Political Rights.

The family is the natural environment for the growth and well-being of children and has primary responsibility for the nurturing and protection of children from infancy to adolescence. Equality

between women and men, women's equal participation and employment, and shared parental responsibilities, are essential elements of a policy on the family.

The family is uniquely suited to advance the social and economic well-being of all its members, as well as society at large. The family is a strong force for society cohesion and integration, inter-generational solidarity and development, and plays crucial role in the preservation of cultural identity, traditions, morals, heritage, and the value system of society. We also believe that this resolution supports the role of the family in protecting the rights of older persons.

Thus Kyrgyzstan fully and strongly supports the draft resolution protection of the family role of the family in supporting the protection of and promotion of human rights of older persons as it was submitted by the core group. Thank you.

President: Nigeria has the floor.

34:21

Nigeria, (Mr. Audu Ayinla Kadiri): Mr. President, Nigeria is dedicated to the protection of the role of the family and in particular the invaluable support and care it devotes to older persons. This fundamental obligation cannot be compromised for whatever reason. As a result, we are supporting the tabled draft resolution on the protection of the family and its role in the protection and promotion of the human rights of older persons. The resolution at hand reminds all of their duty to protect the family as the basic and fundamental unit of society. The family unit is thus the first line of care for the elderly and the defense of their rights.

Protecting the institution of the family enhance the ability to support its older members will facilitate care and needed attention. However we are concerned by the extremist and divisive concepts being introduced into this draft resolution that should have been a completely non-controversial text. Nigeria therefore rejects the amendments contained in L.45, L.47, and L.48 as they complicate a good text and add no value to the purport of the draft resolution. I thank you.

President: I would like to ask whether or not another delegation would like to speak at this stage of the discussion. No. The secretariat tells me that there are PPIs for this draft. I would like to give the floor to the Secretariat to discuss that. Thank you.

36:15

Secretariat, (Mr. Kyle Ward, Chief Programme Support and Management Services, OHCHR (Programme Budget Implications)): Thank you, Mr. President. The draft resolution now before the council, L21, decides to convene before the 38th session of the Human Rights Council a one-day intercessional seminar on the impact of the implementation by states of their obligations under relevant provisions of international human rights law with regard to the protection of the family on the role of the family in supporting the protection and promotion of the human rights of older persons and requests the High Commissioner to present the summary report to the Human Rights Council at its 39th session.

Unfortunately, the formal statement of financial implications for this draft resolution has not yet been received from our counterparts in New York. Pending its receipt and posting on the council's Extranet, I would inform the council that the implementation of this resolution will entail financial implications including travel and daily subsistence allowance for five expert participants, general temporary

assistance to carry out related research in substantive preparation of the seminar, and preparation of the summary report, and conference servicing costs for interpretation services during the intercessional seminar and the translation and processing of the final report. In total, estimated costs would be approximately \$120,100 U.S. dollars, including \$47,800 under Section 2 - General Assembly and Economic and Social Council Affairs and Conference Management, \$71,600 under section 24 - Human Rights, and \$700 under Section 29F - Administration Geneva of the program budget for the biennium 2018-2019.

This statement is presented to inform the council that no provision has been included within the proposed program budget for the biennium 2018-2019 to accommodate these new activities, and thus the additional requirements for the implementation of this new mandate will be presented to the General Assembly this autumn in the context of the annual report on the revised estimates of the Human Rights Council decisions for this year. Thank you.

President: Thank you very much. Let us begin to go through each of the written amendments as they were presented in their respective order. Then subsequently we will take action on the text in its entirety as amended or not, as the case may be. Let us move first to amendment L.45. I would like to give the floor to members of the council for explanations of votes regarding and before the vote of L.45. Saudi Arabia has the floor, Ambassador.

39:30

Saudi Arabia, (Mr. Abdulaziz Alwasil): Mr. President, Saudi Arabia has taken the floor on behalf of the core group of the main sponsors of L.21, namely Bangladesh, Belarus, China, Cote D'Ivoire, Egypt, El Salvador, Qatar, Mauritania, Morocco, Russian Federation, Saudi Arabia, Tunisia and Uganda to explain our position on amendments L.45 presented by Malta on behalf of the EU.

Mr. President, this amendment defeats the purpose and the balance of the resolution and adds no value to it.

The focus of the resolution is on the role of the family in promoting and protecting the human rights of older persons and the challenges faced by them and by the family while supporting and caring for older persons, and we believe the resolution in front of us addresses this issue clearly without having to go into details of what a family is or how it is described. Getting into a discussion regarding the definition of what a family is and its definition forms is irrelevant to the subject and the theme of this year's resolution and takes us in a completely different direction from the focus of this resolution. In addition to that, though the amendment looks innocent and that's probably the reason why it was manipulatively agreed on 20 years ago, its divisive significance justifies the gradual disappearance from the UN documents in the last decade. This was partially expedited due to its misuse by some member states to promote controversial notions and concepts.

We have [chosen] not to include any definition of the family in the text of the resolution, and we do not intend to include it in order to keep a balanced and focused text. This resolution is guided by the literal wording of Article 16.3 of the UDHR, 23.1 of ICCPR, and 10.1 of ICESCR.

We have tried as much as possible to take the concerns of the EU and other delegations and incorporate them into the text, however, the language proposed in this amendment opens the scope for further controversies, and hence we could not accept it. Mr. President, due to mission considerations the main

sponsor rejects amendments L.45 and will vote against it. We call upon co-sponsors and the council members to vote no to L.45. I thank you Mr. President.

President: Would any of the delegation like to take the floor. No. The delegation of Qatar has the floor.

43:03

Qatar, (Ms. Noor Ibrahim Al-Sada): Thank you, Mr. Chair. Mr. Chair we cannot accept this amendment, and we will vote against it, and we call on council members to vote against L.45. Thank you.

President: On the request of the delegation of Saudi Arabia the council will now proceed to a recorded vote on amendment L.45. I would like to ask the Secretariat to turn on the voting machine and would call on delegations to register their vote.

Please check the votes.

The voting is concluded, and the results are the following, 19 votes in favor, 22 against, 5 abstentions. In consequence, L.45 has been rejected. Thank you.

We now shall take action concerning amendments L.47 and L.48 simultaneously.

I would now like to give the floor to the members of the council for voting explanations before voting concerning L.47 and L.48 jointly. You have the floor please. Belgium has the floor.

45:29

Belgium, (Mr. Geert Muylle): Thank you Mr. President. Just to say that Belgium supports the two amendments submitted by Switzerland contained in documents L.47 and L.48 which aim at changing the word "family" into "families." Belgium considers it is important to recognize in line with the International Conference on Population and Development that in different cultural, political, and social systems, various forms of the family exist. There are single-parent families, child-headed households, families separated because of migration, newly constituted families with children from former marriages, etc. It is important to be inclusive and to leave no one behind. Policies need to take this diversity into account.

We believe that by changing the word "family" into "families" this diversity will be better reflected, and it is for these reasons that we will vote in favor of L.47 and L.48 and that we do ask that other members of the council vote in favor as well. Thank you.

President: Bangladesh has the floor.

46:48

Bangladesh, (Mr. Mostafa Abid Khan): Thank you Mr. President. Bangladesh takes the floor on behalf of the core group of the draft resolution L.21 to provide explanation of vote before the vote on amendments L.47 and L.48.

L.47 seeks to amend the title of the draft of the resolution while L.48 proposes to change the term "the family" in OP 29, line 5 to be read as "families." The core group has spent considerable time attempting to grasp the logic and possible added value of these amendments, yet we fail to recognize any. The amendments L.47 and L.48 constitute an attempt for no sound justification to intentionally deviate from

the term “the family” as used under international human rights law. The reference to the family is the consensus language used in measure binding UN treaties on human rights and the Universal Declaration on Human Rights. The family is referred here as a legal unit and the social institution representing the power and cohesiveness of the unit and its role in the society. More than 100 national constitutions throughout the world use “the family” as a legal language.

Moreover, as the other core group members stated in the opening statement of the resolution, the use of the word “family” does not deny this call for the nations to interpret and define family according to their own national laws and cultures while being consistent with the internationally agreed language. As a matter of fact, the text of the draft resolution already recognizes the diversity and challenges and circumstances facing several families, several types of families around the world including single-parent families, child-headed families, extended families, and families with members with disabilities and/or older persons. In this light we see these two amendments as basically an inappropriate invitation to reinvent the meaning of article 16.3 of the UDHR, 23.1 of ICCPR, and 10.1 of ICESCR, and many other established group global sources.

In conclusion, therefore, the core group and main sponsors of the draft resolution reject the amendment L.47 and L.48 and will call on the co-sponsors and the council members to vote no. I thank you, Mr. President.

President: I would like to give the floor to Saudi Arabia. You have the floor, sir.

49:25

Saudi Arabia, (Mr. Abdulaziz Alwasil): Mr. President, due to the already given consideration and explanation the sponsor reject the amendments L.47 and L.48 and will vote against it. We call upon all co-sponsors and council members to vote no to L.47 and L.48. Thank you, Mr. President.

President: Qatar has the floor.

49:55

Qatar, (Ms. Noor Ibrahim Al-Sada): Mr. Chair, we cannot accept these amendments, and will vote against it, and we call on council members to vote against L.47 and L.48. Thank you.

President: On the request of the delegation of Bangladesh, the council will now proceed to a recorded vote concerning amendments L.47 and L.48 simultaneously. I would like to ask the secretariat to turn on the voting machine and call on the delegations to register their votes.

Please check your vote.

The voting is closed, and the results are as follows: 17 votes in favor, 23 votes against, 6 abstentions. As a result, L.48 and L.47 have together been rejected. Thank you.

The council will now proceed to take action regarding L.49 as orally revised. I would like to give the floor to the council members for voting intentions and explanations regarding L.49 or revisions to L.21.

No requests for the floor? United States has the floor.

52:39

United States, (Mr. Jason Ross Mack): Thank you. A point of clarification: are we acting on L.49 or L.21? Thank you.

President: I apologize as the President. The council will now proceed to take action concerning L.21 as orally revised. Is that clear? Thank you. The United Kingdom requests the floor.

53:30

United Kingdom of Great Britain and Northern Ireland, (Mr. Julian Braithwaite): Thank you, Mr. President. Family and family life are clearly important to us all. We therefore regret that a number of modest proposals put forward by a number of states to amend this resolution were not acceptable. These amendments could have helped bridge understanding and agreement. This leaves us with a draft resolution that does not adequately reflect the need to support all families in all their diverse forms.

In this regard, we do struggle to understand particularly why the main sponsors can't accept agreed language on this issue. We regret that once again the resolution does not place sufficient emphasis on the protection of the rights of individuals within families. We're concerned the resolution attempts to rewrite the 2030 sustainable development agenda by introducing to it the concept of the family. We are concerned with the elements of the text suggests cultural or traditional values can justify harmful practices that can happen within the family setting such as female genital mutilation, and we remain uncertain as the human rights protections which this resolution suggests for the family unit should be entitled to. Nor is it clear from what, or from whom, the family should be protected. Therefore, we have no choice then to call for a vote and we urge council members to vote against. Thank you Mr. President

President: The delegation of the United States of America has the floor.

55:10

United States of America, (Mr. Jason Ross Mack): Thank you Mr. President. The United States is disappointed to have to vote against the resolution before us today. The sponsors of this text were unwilling to take essential edits presented by a diverse group of countries seeking to ensure that the resolution properly recognizes the diversity of family types we find around the world.

The family plays an important role within society, and we have come to observe that the nature and role of the family adapt over time while the family retains its fundamental value. We agree with the sentiment in the resolution that recognizes the important role that families play in society. We also appreciate the emphasis on the human rights of older persons in this resolution.

However, the United States believes that discussions at the United Nations must consider all types of loving families that exist today, be those families headed by one mother and father, a single parent, a same-sex couple, grandparents, or the many other family structures that provide essential support for raising children and assisting and caring for the elderly.

In addition, it is essential that we not lose focus of the fundamental primacy of ensuring the human rights of all family members. While the family as a unit in all of its various forms plays a key role in society, human rights belong to individuals, not the family unit.

Resolutions like the one presented fail to give sufficient weight to the importance of ensuring that the human rights of all individuals in all families are supported and protected. Thank you.

President: Germany has the floor.

56:49

Germany (on behalf of European Union): Thank you, Mr. President, I have the honor to speak on behalf of the EU Member States that are members of the Human Rights Council on draft resolution L.21.

Mr. President, the EU attaches great importance to family-related issues. We share the view of many in this room about the valuable contribution that families can give to strengthening our societies and the need to support their role. We thank the main sponsors of this resolution for having held informal consultations and for having included some of our proposals.

The EU engaged constructively alongside many states from around the world. Sadly, we were not able to find a text that could have achieved consensus as the main sponsors did not wish to accommodate key concerns, particularly around the importance of recognizing that various forms of the family exist. This is clearly the case in different cultural, political and social systems, and the notion of the family continue to evolve with time. Our discussions at the international level should mirror this if we are to have impact on the ground.

Furthermore, the overall approach of the resolution is to place emphasis on the protection of the family rather than on the international legal obligations of states to promote and protect the human rights of individual family members, who are the rights holders.

We also remain concerned that not enough attention is given to addressing violence and discrimination that can occur within families, especially against women and girls.

Finally, we remain concerned that traditional values or customs may be invoked by this resolution to justify harmful practices or to undermine the fundamental, universal nature of human rights. For these reasons, the EU Member States who are members of this Council cannot support this resolution.

President: Thank you very much. Would any other delegation like to speak at this time? No. On the request of the delegation of the United Kingdom, the council will now proceed to a recorded vote concerning L.21 as orally revised.

Please could the Secretariat activate the voting machine? I request that delegations register their votes.

Please check your votes.

The voting is closed, and the results are as follows: 30 votes in favor, 12 votes against, and 5 abstentions. As a result L.21 as orally revised is adopted.