



General Assembly

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Human Rights Council

Twenty-fourth session

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council*

24/35.

Impact of arms transfers on human rights in armed conflicts

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming that everyone has the right to life, liberty and security of person and is entitled to a social and international order, in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the Geneva Conventions of 12 August 1949, the Additional Protocols thereto of 8 June 1977, other international human rights law and international humanitarian law instruments and the Vienna Declaration and Programme of Action,

Recalling also General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolutions 5/1 and 5/2 and decision 5/101 of 18 June 2007, and resolution 16/21 of 25 March 2011,

Recalling in particular that the Human Rights Council has the mandate to, inter alia, serve as a forum for dialogue on thematic issues on all human rights,

Acknowledging that millions of people around the world are affected by systematic human rights violations and abuses in armed conflicts,

Acknowledging also that human rights law and international humanitarian law are complementary and mutually reinforcing,

* The resolutions and decisions adopted by the Human Rights Council will be contained in the report of the Council on its twenty-fourth session (A/HRC/24/2), Part One.

Recalling the principles and provisions related to international human rights law and international humanitarian law, and to the promotion of responsible action by States, as contained in the Arms Trade Treaty adopted by the General Assembly on 2 April 2013,¹ as well as in other relevant instruments,

Reaffirming that all efforts should be made to ensure the cessation of all violations and abuses of, and the full respect for, international human rights law and international humanitarian law in armed conflicts,

1. *Expresses its deep concern* at the fact that arms transfers to those involved in armed conflicts may seriously undermine the human rights of civilians, especially women, children, the elderly, persons with disabilities and vulnerable groups;

2. *Notes with alarm* that such arms transfers can have a seriously negative impact on the human rights of women and girls, who may be disproportionately affected by the widespread availability of arms, as it may increase the risk of sexual and gender-based violence, and may also contribute to the recruitment and use of children in armed conflicts;

3. *Urges* all States to refrain from transferring arms to those involved in armed conflicts when said States assess, in accordance with their applicable national procedures and international obligations and standards, that such arms are sufficiently likely to be used to commit or facilitate serious violations or abuses of international human rights law or international humanitarian law;

4. *Invites* all relevant special procedures, commissions of inquiry and human rights treaty bodies to bear the present resolution in mind, within the framework of their respective mandates, when considering the situation of human rights in armed conflicts.

*37th meeting
27 September 2013*

[Adopted by a recorded vote of 42 to 1, with 4 abstentions. The voting was as follows:

In favour:

Angola, Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Czech Republic, Ecuador, Estonia, Ethiopia, Gabon, Germany, Guatemala, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Kenya, Libya, Malaysia, Maldives, Montenegro, Pakistan, Peru, Philippines, Poland, Republic of Korea, Republic of Moldova, Romania, Sierra Leone, Spain, Switzerland, Thailand, Uganda, Venezuela (Bolivarian Republic of)

Against:

United States of America

Abstaining:

Kuwait, Mauritania, Qatar, United Arab Emirates]

¹ Resolution 67/234 B.