



UN Human Rights Council 43rd Regular Session
24 February – 20 March 2020

GICJ REPORT



Table of Contents

1. Introduction
 - 1.1 List of Agenda Items
2. Opening of Session and Council President Welcome
 - 2.1 Elisabeth Tichy-Fisslberger
 - 2.2 Antonia Guterres
 - 2.3 Tijjani Muhammad-Bande
 - 2.4 Michelle Bachelet
3. GICJ Participation at the 43rd Session of the HRC
 - 3.1 Oral Statements
 - 3.2 Written Statements
 - 3.3 GICJ Side Event
4. Critique and Final Words

1. Introduction

The United Nations Human Rights Council held its forty-third regular session at the Palais des Nations in Geneva, Switzerland from 24 February to 20 March 2020. During the 43rd Session, the Council focused on various serious and urgent human rights issues across the globe. The Council heard the presentation of numerous reports over four weeks that addressed a variety of themes and several country-specific situations.

Due to the outbreak of COVID-19, the UN Human Rights Council decided to suspend its 43rd session, this decision was implemented as from Friday, the 13th of March 2020. It has affected the discussions of, at least, four agenda items (7-Palestine, 8- Vienna Declaration, 9-Racism, and 10- Technical assistance), all were planned to take place at the last week of the session.

1.1 List of Agenda Items

1. Organizational and procedural matters
2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General
3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.
4. Human rights situations that require the Council's attention
5. Human rights bodies and mechanisms
6. Universal periodic review
7. Human rights situation in Palestine and other occupied Arab territories
8. Follow-up to and implementation of the Vienna Declaration and Programme of Action
9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action
10. Technical assistance and capacity-building

2. Opening of Session and Council President Welcome

2.1 Elisabeth Tichy-Fisslberger

The 43rd regular session of the Human Rights Council was opened by President Elisabeth Tichy-Fisslberger in the morning of the 24th February 2020. She reiterated the importance of the Council to all people affected by human rights abuses and welcomed a record of 100 dignitaries participating



in the Council. A special welcome was sent towards 10 least developed countries and small island states whose participation was possible through the voluntary technical assistance trust fund and its 28 donor countries.

The President started her speech with a reminder of the HRC mandate and other “housekeeping remarks”. Noteworthy was especially the focus on gender equality and a new code of conduct with the prevention of sexual harassment at such meetings in mind.

2.2 António Guterres – Secretary General

António Guterres, Secretary General started the session by talking about his own past and human rights struggles he experienced. Mr. Guterres grew up under the Salazar dictatorship in Portugal and experienced first-hand the hardship people face under non-democratic rule. But as he mentioned



this dictatorship, like many other issue areas concerning Human Rights, it had been overcome during the past years and decades. While praising the adoption of legal frameworks, conventions, there is still much to be done and new issue areas arise. Guterres highlighted especially the issue areas of war-torn regions, human trafficking, exploitation of women and girls, prosecution of Human Rights defenders and hate directed at minorities.

Guterres reiterated that the answer to most problems the international community currently faces, are human rights, their upholding and respect for the individual.

A very important point he mentioned was that Human Rights are not a “flashy” suspect, upholding, protecting and advocating human rights does not necessarily make headlines and a lot of work and actions happen behind the scene. Most people know about the UN sustainable

development goals but other initiatives, such as Human Rights Up Front, are not mentioned in most media outlets, yet their work is very important and deserves praise.

His opening remarks concluded with a call upon every country to uphold human rights and showed how even the United Nations personal agenda is still work in progress. Not even the United Nations reached gender parity yet but Guterres promises to do so at all levels by 2028.

2.3 Tijjani Muhammad-Bande

Mr Tijjani Muhammad-Bande, President of the UN General Assembly, was next in line with his opening statement. We welcome that during his first few sentences, he mentioned that it was not only nation states that have responsibility and agency in the issue area of human rights but also civil society and



private actors. In his opening remarks, Tijjani Muhammad-Bande, especially highlighted the right of the child, education, gender equality and refugees to be the most important issue areas that need to be tackled by all international and national actors. Within those issue areas Muhammad-Bande, is especially concerned with the right of the child, thus repeated to mention in it his closing sentence and declared it to be the “top-priority”.

2.4 Michelle Bachelet

The United Nations High Commissioner for Human Rights, Michelle Bachelet, began her statement by mentioning the urgency of certain issue areas such as climate change. Bachelet recognized movements of younger generations to be part of the decision-making process now, thus indirectly supports and legitimises



peaceful protests, such as “Fridays for Future”, around the world, a notion that we highly welcomed. She called out egoism of current generations and the need to be “good ancestors” that prepare the world for upcoming generations of humanity.

Bachelet states that multilateral agreements of recent years already set the stage to solve current problems. She reiterates the need to follow the plans laid out in treaties such as the Agenda 2030, the Global Compact on Migration and the UN framework on Climate Change.

Especially in light of the current Covid-19 crisis, her statement regarding health care and the need of achieving greater access to it, becomes even more prevalent.

Another issue area Bachelet mentions, is the need for greater transparency within the UN. Transparency is the basis of legitimate decision-making processes. To achieve an atmosphere of agreement, legitimacy and cooperation between all international actors (Nation States, Civil Society TNC's etc) it is important to have a similar level of information available.

She finished her statement by using the bush fires in Australia representative of the current climate and human rights situation. She stated that the international community could not leave an uncontrollable firestorm of intersecting and escalating human rights crises.

Geneva International Centre for Justice welcomed those opening remarks by the Secretary General, the President of the General Assembly and the High Commissioner for Human Rights. Especially the call for cooperation between nation states, civil society actors and transnational corporations is one that we support in the fullest.

We believe that the issues that were mentioned during the opening sessions of the Human Rights Council, give an overall representation of events and human rights violations across the globe. It is important to highlight the issue area of climate change, a topic that should be at the very top of the Agenda of each international actor.

Yet, it is important, to not forget the importance of topics such as freedom of speech and democracy. Recent years have shown that civil society in many countries, that are not known for following democratic standards, began to rise, and that citizens want to be part of the decision-making process. GICJ would have hoped to hear a strong support for all peaceful protests across the world, no matter if its climate movements, or movements of discontent with the governments such as in South America or the Middle East.

3. GICJ participation at the 43rd Session of the Human Rights Council

Geneva International Centre for Justice delivered ___ joint oral statements in cooperation with International Organization for the Elimination of Racial Discrimination (EAFORD), International-Lawyer.org, and Association Ma'onah for Human Rights and Immigration. With these oral statements, we shifted the focus to often neglected topics by the UN and its member states, and publicly addressed human rights violations across a variety of countries and issue areas.

3.1 Oral Statements

ITEM 7 - ID Human Rights Council report on recommendations of the independent international commission of inquiry of the protests held in the Occupied Palestine Territory

Delivered by: Charlotte Taillon

Thank you, Mr. President,

EAFORD and Geneva International Centre for Justice welcome the report by the High Commissioner on ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem. The ongoing protests in Palestine are caused by decades of suppression and violations of international law by the Israeli Government.



The people of Palestine protest for the right of self-determination and sovereignty as well as a solution that brings lasting peace, economic development and increased living standards to the region. However, this desperate cry for independence is forcefully suppressed and muzzled by Israel's armed forces.

The Israeli authorities constantly suppress the political voice of the Palestinians with disproportionate force. In addition, the protesters are accused and restrained with unjust punishments. This violent suppression of the Palestinians violates several treaties of international human rights law and United Nations resolutions. Israel denied accountability for those violations and will continue to do so in the future. It is the responsibility of the UN and all its member states to hold Israel accountable for any violation of international law.

Despite numerous recommendations by the UN and non-governmental bodies Israel has not refrained from the excessive use of force. The non-cooperation by the state of Israel shows their

ill-intend towards Palestine and unwillingness to find a solution for peace. This notion of suppression is further reiterated by the so-called peace plan published by the United States in support of Israel.

It became apparent over the past decades that Israel ignores recommendations by the international community. Thus, we call upon the UN to exceed the tool of recommendation and apply measures that protect the people of Palestine from violence carried out by Israel. Furthermore, we reiterate the need for a lasting solution for peace.

Thank You

ITEM 2 - ID on HC report on Rohingya and other minorities in Myanmar

Delivered by: Marcel Florian Loehr

Thank You Madam President,

EAFORD and Geneva International Centre for Justice welcome the High Commissioner report on Rohingya and other minorities in Myanmar, however we identify various issue areas that the report failed to mention.

It is beyond our understanding, how it is possible to not mention “National Verification Cards” that are currently issued by the Myanmar government, particularly when



one of the subheadings the report uses is titled “Contemporary Drivers of Discrimination”.

The Myanmar authorities force the Rohingya in Rakhine State to acquire NVC’s, and use excessive force, such as torture or detainment, if Rohingya resist. Officially the authorities claim this process to be the first step to claim citizenship in the future, but in reality, it renders the Rohingya stateless. Instead of calling out this serious violation of international law, the report proceeds to blame Facebook and the availability of mobile phones as contemporary drivers of discrimination, when in fact the Myanmar government is the entity that continuously suppresses the Rohingya population. It does not come by surprise that the repatriation process failed, considering the ill-intent shown by the Government of Myanmar. Rohingya remain stuck in a vacuum, they live under poor circumstances in refugee camps in Bangladesh yet returning to Myanmar is not an option until government sponsored discrimination stops.

Finally, we want to ask the High Commissioner, if the report has the promotion of human rights and the well-being of the Rohingya as its main priority or is a solely political statement that tries to avoid holding the Government of Myanmar accountable?

Thank You

ITEM 2 - GD on HC oral update, HC/SG country reports on OHCHR activities in Iran

Delivered by: Marcel Florian Loehr

Thank you, Mrs./Mr. (Vice-) President,

We welcome the oral update of the High Commissioner/Secretary-General on the situation in Iran. We want to especially highlight the peaceful protests nationwide of citizens fed up with the deteriorating human rights situation. During those protests, minorities, journalists and human rights activists are targeted by the government with excessive use of force and violence. Many protesters



were detained, some injured, freedom of speech and freedom of assembly were restricted to a point that they are practically non-existent.

The violent and disproportionate reaction by the military further legitimizes the roots of the protests. Protestors are calling for a structural change in their national political landscape. The current political establishment violates their basic human rights and international law in various ways.

While EAFORD and Geneva International Centre for Justice denounce all forms of violence against peaceful protesters, we specifically want to focus on the targeting of the Ahwazi Arabs by the Iranian authorities. The persecution and extrajudicial killing of Ahwazis has been a longstanding problem, yet recent protests led to a deterioration of the situation and an increase in the brutality and attacks against Ahwazi Arabs.

Furthermore, we are alarmed by the situation in detention centres and prisons. Men, women and even minors are reportedly being forced to confess, tortured, and executed. We call on the Human Rights Council, as a matter of urgency, to take all available measures to address more firmly such crimes.

Thank You

ITEM 3 - ID with SR on Sale of Children

Delivered by: Elizabeth Leach

Thank you, Madam/Mr. (Vice-) President,

We welcome the oral update of the Special Rapporteur on the Sale of Children; however, we wish to draw your attention to the sexual exploitation of children for prostitution in Iraq.

The Sale of Children for sexual purposes is a longstanding problem that already appeared in the early days of U.S. presence as an occupying force in 2003, yet the situation is deteriorating as of recent.



An organized system of prostitution and sexual slavery was created by ISIL with a network of warehouses to retain, inspect, market and sell victims.

The fostering of the widespread and systematic sale of the exploitation of children is thanks to ongoing poverty, patriarchal structures, humanitarian crises and weak legal frameworks.

Furthermore, EAFORD and Geneva International Centre for Justice are alarmed by the increase of mutaa, also known as pleasure marriages, of vulnerable teenage girls to adult men. This abhorrent practice puts male economic benefits over the well-being and human dignity of women and young girls. Additionally, a practice - which is illegal under Iraqi law - allows men to pay for a temporary wife. This procedure is further aided by clerics who abuse Sharia laws while not receiving the prosecution and punishment they deserve.

We call upon the Special Rapporteur to further investigate this issue area since it has not been mentioned in his/her current report.

Thank You

ITEM 3 – HRD, Attacks on Human Rights Defenders and Civil Activists

Delivered by Valentina Ferreira Gutierrez

Thank you, Mr. President,

We appreciate the Special Rapporteur's specific mention that the State's responsibility to protect defenders cannot be outsourced or renounced on account of special circumstances.

In this regard we would like to bring to his attention that the number of abductions and assassinations of human rights defenders and civil activists in Iraq since October 2019 is shocking. Security forces are not only



attacking protests leaders and activists but are also intentionally targeting medics whose only objective is to treat those who have already fallen victim to the violence. We would appreciate the Special Rapporteur taking this into account.

We regret however that, in its various press releases, the High Commissioner maintains that the perpetrators remain unidentifiable, and that it continues to rely on the government to prevent and punish violations.

Mr. Special Rapporteur,

In this matter International Lawyers and Geneva International Centre for Justice wish to bring up two issues. First, the perpetrators are easily identifiable: they are the militias, not vague entities. They are linked to the ruling parties and officially to the Prime minister and have admitted on many occasions that they play a direct role in the crackdown. Second, the UN cannot rely on the government of Iraq to track and punish the perpetrators. In Iraq, the targeting of human rights defenders is the ordinary course of business and follows a deep trend that developed due to 17 years of corrupt rule and impunity. Indeed, given the links between the government and those generally regarded as responsible for the killings, it is unlikely that investigation will bear any fruit.

Once again, I thank Mr. President and Mr. Special Rapporteur.

ITEM 3 ID on the Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material

Delivered by: Sarah Tayara

Thank you, Mr. Vice-President,

Ma'onah and Geneva4Justice would like to thank the Special Rapporteur on the Sale of Children for her report and the overview of her activities over the last year. 30 years after the creation of the mandate, it is still as relevant as ever.

As mentioned in the report, conflict zones increase the vulnerability of children, a phenomenon which is rife in countries such as Syria, Iraq and Yemen. I

witnessed this in December 2019, when I visited Syrian refugees in Hatay on the Turkish-Syrian border.

Mme. Special Rapporteur, the plight of the security and the rights of children was devastating.

Their vulnerability is exacerbated due to a lack of birth certificates, the loss of their parents and the knowledge of offenders that there is an absence of effective mechanisms which will hold them accountable for their actions.

Humanitarian crises strip parents of their ability to protect their children from exploitation. As a result, the responsibility of states to protect children who have found themselves trapped in the turmoil of war is greater now than ever.

We recommend, Mme. Special Rapporteur, that comprehensive legal systems and educational programmes centred on women and children are implemented in conflict zones such as Syria, Yemen and Iraq in order to ensure protection of vulnerable children and their human rights.

Thank You



ITEM 3 – General Debate on humanitarian situation in Syria and Yemen

Delivered by: Sarah Tayara

Thank You, Madam President

The humanitarian situation in Yemen is rapidly deteriorating. The Houthi militia, backed by Iran, is committing indiscriminate violations of human rights. Taking over schools and targeting hospitals are just some of the ways in which innocent civilians are suffering. In an attempt to silence criticisms of their actions, the Houthi's are assassinating and abducting



political leaders and human rights activists who seek to shed light on the injustices against the people of Yemen. Maonah and Geneva4Justice call upon the international community not to be silenced until justice has been achieved for the victims of the Houthi crimes.

As for Syria, the terrors unleashed on Idlib over the last year has triggered the largest displacement crisis of the 21st century, forcing millions out of their homes and into the open in search of shelter for themselves and their families. As they try to seek refuge in makeshift tents, many are unable to escape death as they are stalked by the brutality of the cold. One devastating example is that of Abdul-Wahab. The loss of the 7-month-old baby due to the freezing temperatures is a symbol that we have failed the people of Syria. But how many symbols will it take, Mr President, how many more Abdul-Wahab's need to be lost before the international community makes a real effort to protect those who are fleeing to find safety?

Thank You

ITEM 4 – Discussion on SG oral update on involvement of UN in Myanmar

Delivered by: Mathieu James Fournier

Thank you, Mr. President,

EAFORD and Geneva International Centre for Justice commend this Council for its successful Independent Inquiry mission in Myanmar. Ending the atrocities in the country is the ultimate objective. This starts with the recognition that the conditions for



genocide exist. The recent Order for Provisional measures from the International Court of Justice is a step in the right direction.

It should be further noted that, in making its decision, the Court relied heavily on the Inquiry mission report. This is a testament to the efficiency and the objectives of this Council.

We must not stop here though. We are disappointed in Myanmar's negative reaction to the provisional measures. Its government has been ordered to submit a compliance report within 4 four months, then a report every 6 months thereafter.

We fear that any such report, if one is submitted at all, will be incomplete and unspecific.

There is no doubt that the ICJ may refer the enforcement of the Order to the UN Security Council, however, we live in the aftermath of the events in Yugoslavia. We note that the ICJ ordered provisional measures in that case as well, without concrete follow up. As cynical as this may sound, we know what humans are still capable of.

The United Nations and the wider international community should continue to be cautious and keep their eyes peeled on the situation. A proactive approach is necessary to secure an adequate report on behalf of the Myanmar Government. We invite this Council to devote a special item at the 44th Human Rights Council Session, focused solely on Myanmar's compliance with the Order.

Thank You

ITEM 3 - GD Attacks on Human Rights Defenders and Civil Activists

Delivered by: Eva Kehoe

Thank you, Mr. President,

As the Special Rapporteur on the Situation of Human Rights defenders mentioned in his report, the State's responsibility to protect defenders cannot be outsourced or renounced on account of special circumstances.

In this regard we would like to bring to this Council's attention the number of abductions and assassinations of human rights defenders and civil activists in Iraq since October 2019.



Security forces are not only attacking protests leaders and activists but are also intentionally targeting medics whose only objective is to treat those who have already fallen victim to the violence.

We regret however that, in its various press releases, the High Commissioner maintains that the perpetrators remain unidentifiable, and that it continues to rely on the government to prevent and punish violations.

In this matter EAFORD and Geneva International Centre for Justice wish to bring up two issues. First, the perpetrators are easily identifiable: they are the militias, not vague entities. They are linked to the ruling parties and officially to the Prime minister and have admitted on many occasions that they play a direct role in the crackdown.

Second, the UN cannot rely on the government of Iraq to track and punish the perpetrators. Indeed, given the links between the government and those generally regarded as responsible for the killings, it is unlikely that investigation will bear any fruit.

We urge the High Commissioner and this Council to adopt a more direct approach, less reliant on rhetoric.

Once again, I thank Mr. President

GD item:4 Brutality against peaceful demonstrators in Iraq

Delivered by: Mr. Najj Haraj

Madam President,

I would like to draw the Council's attention to the systematic and widespread violations against the peaceful demonstrators in Iraq, which have consisted of the use of various weapons, including by sniper fire. Since October 1, 2019, up to 700 protesters have been killed and over 25,000 injured.



The authorities intentionally killed the demonstrators. This is what the United Nations Mission in Iraq confirmed in its reports to the UN Security Council, but we have not seen practical measures on the ground that deter the authorities and provide protection for the demonstrators.

We must point out that The main demand for which the demonstrators went out on the streets is to restore their homeland and build a real democratic system of governance, absolutely rejecting the sectarian quota system that the American occupation imposed on the country in 2003. Since then, Iraqis have been deprived of their most basic rights, power has been shared according to sectarian and ethnic loyalties, at the expense of citizenship, and the country's wealth and international aid have been shared among the powerful in the same way.

Madam President

The demonstrators hope that the international community will help them in organizing early and transparent elections under effective international supervision, liberated from the domination of the ruling parties' militias. Through this, they can achieve their main goal of a real civilized democratic system instead of the current repressive regime.

Thank you

3.2 Written Statements

Geneva International Centre for Justice (GICJ) submitted 11 joint written statements with other NGOs prior to the 43rd Regular Session of the United Nations Human Rights Council (HRC). The statements covered several specific country situations and other human rights violations across the globe.

Iraq

The plight of Human Rights Defenders and Journalists in Iraq

Throughout the anti-government demonstrations plaguing Iraq since the beginning of October 2019, threats, kidnappings, and assassinations of civil activists and media personnel have continued to make headlines. Indeed, tactics of protest suppression have stretched far beyond the indiscriminate targeting of demonstrators, with growing numbers of human rights defenders and journalists being killed under mysterious circumstances or forcibly disappeared, with their dismembered remains often being uncovered nearby. It is almost certain that such activities are being carried out either by the government's own security personnel or by independent militias. This statement considered this practice of assassination and forced abduction of activists and human rights defenders over the course of the 2019-2020 demonstrations. Its objective was to urge the United Nations (UN) and the international community to recognise that such tactics are both longstanding and prevalent in Iraq: enforced disappearances, kidnappings and assassinations have been a systematic and strategic feature of the Iraqi system for many years. More importantly, perhaps, this statement aimed to highlight that such tactics have become an important and worrying feature of the demonstrations, and to demand that perpetrators are prosecuted, and the illegal and criminal acts are terminated as soon as possible.

[Link to full written Statement](#)

The persisting situation of Enforced Disappearances in Iraq

United Nations (UN) Secretary-General's message on the International Day of the Victims of Enforced Disappearances on 30 August 2019 was welcomed news. In his statement the Secretary-General called on states to prevent enforced disappearances and bring those responsible to justice. He further called for increased cooperation with UN mechanisms, and urged all states to sign, ratify, and accede to the International Convention for the Protection of All Persons from Enforced Disappearance (CED). The Secretary-General particularly stressed one crucial element: that the international community should not treat enforced disappearances as an issue of the past. Such

cases are in fact on the rise. This message has no better application than in the case of Iraq, where enforced disappearances occur on a massive and widespread scale since the United States of America (U.S) invasion in 2003.

Although Iraq has ratified the CED, entered into force on 23 December 2010, it has not yet provided any effective legislation to implement it. We cannot even find a clear definition of “disappearance” in Iraqi law. The situation in Iraq is admittedly complex and the eradication of enforced disappearances will be a long-term challenge. But such an endeavour must start with the fight against corruption and impunity that has been plaguing the country for decades. The government of Iraq must cooperate with UN Human Rights mechanisms if it ever hopes to one day finally find a permanent peace.

[Link to full written Statement](#)



2019-2020 Protests: The deadly price of freedom in Iraq

Since the beginning of October 2019, Iraq has been racked by protests demanding the overhaul of the corrupt, sectarian-based political establishment that has been in place since 2003. Such protests, with hotspots in the Shia-majority areas of Baghdad and the Southern cities of Basra, Najaf, and Karabala, have been met by violence. Since the very beginning of the demonstrations, protestors have been directly targeted by the government security forces and militias, whose attacks

have been both indiscriminate and intentionally fatal.¹ This is despite the fact that the peaceful nature of the demonstrations has been maintained from the start.² This has been directly noted by Jeanine Hennis-Plasschaert, Special Representative of the Secretary-General in Iraq. The press and civil activists have also been targeted by assassination and abduction attempts.

This statement will cover such tactics of violence, which have undeniably constituted a grave violation of international human rights law. Its objective is to urge the United Nations (UN) and the international community to recognize the gravity of the protestors' situation, and to encourage efforts to both prosecute perpetrators of violence and to work towards the protestors' eventual aims.

[Link to full written Statement](#)

Palestine

The “Peace to Prosperity” plan and International Law

Under the pretence of a detailed economic vision for the future of Palestine, the Trump administration proposed a “solution” for the ongoing conflict between the state of Israel and the state of Palestine. The plan, called Peace to Prosperity released on January 28th, 2020, claims having peace and a better future for Palestine and its citizens at its centre, yet it violates existing international law, and restricts the human rights of the Palestinian people.

The so-called solution rather resembles a political favour meant to support the Israeli Prime Minister Netanyahu in the upcoming election, than a serious and well-intended proposal for peace and development.

The fact that Palestinian leaders were not consulted in the drafting process of the proposal reveals the true intentions behind the plan. The proposal depicts a dystopian future for the Palestinian people, and a way to further restrict the development of Palestinian economy and statehood. It aims at strengthening the position of Israel in the region.

The plan proposes a future in which Palestine acts as a sovereign state with a functioning economy, but the measures the plan recommends could not be any further from that. If the plan in its current state would be implemented, Palestine would not gain any form of state sovereignty but be economically and politically depended, or in other words, suppressed, by the United States of America (US) and Israeli government.

[Link to full written Statement](#)

The heavy economic cost of the Israeli occupation for Palestinian territories (Palestine)

The economy of Palestine declined considerably after the establishment of the Israeli state in 1948. The conflict between Israel and Palestine has led to fragmentation of Palestine, whereby the Palestinians are physically and politically divided. This fragmentation is above all the result of the Oslo Peace Agreement, which laid the foundations for the isolation, and Israel's economic and political control of the Occupied Palestinian Territory (OPT).

The 1994 Paris Protocol was especially destructive. It imposed an unbalanced customs union, allowing Israeli businesses straight access to the Palestinian market but restricting Palestinian goods' entry into Israel's.

On the one side there is the Palestinians in the Occupied Territories, who do not hold Israeli citizenship and who are not subject to Israeli law. On the other side there are Palestinians with Israeli citizenship who live inside Israel. They make up about one fifth of Israel's population. While the conflict has separated Israeli Palestinians from other Palestinians, the Israeli government has blocked the former from its political community. The Palestinians living in Israel are considered second-class citizens. This culminated with the adoption of the Basic Law in 2018, which emphasized the Jewish nature of Israel at the expense of its democratic character, thereby reinforcing over 60 laws that discriminate against Israeli Palestinian economic, political and cultural rights.

Israel has extensive control over the Palestinian economy. The belligerent occupation allows Israel to exercise physical control over the Palestinians' daily economic activity and expand its colonization of Palestinian land. Palestinian lives are controlled by a complex licensing system. There are over a hundred different types of permits for moving in and out of the West Bank alone. The most striking fragmentation is in East Jerusalem. The wall dividing and separating East Jerusalem has weakened the political ties between the residents in Ramallah and the West Bank. This is also evident in the region's economy: over 5,000 small and medium-sized companies have been closed in the years following the construction of the Wall, and the share of people living in poverty has increased from about 60% to 80%

[Link to full written Statement](#)

The illegality of Israeli settlements in the Occupied Palestinian Territory

Israeli settlements are one of the main and most serious issues in the Palestinian-Israeli conflict. Settlements are a symbol of the discriminatory system that the Palestinian people have been facing since 1948. They have a devastating impact on the human rights of Palestinians.

The issue of settlements has received a lot of attention throughout the years by United Nations bodies and the international community. Following the Oslo Accords, Israel enjoys joint security control over Area B of the West Bank and full control over the security, planning and construction in Area C, the latter constituting 62 per cent of the West Bank. Based on this information, Israel has control over a substantial part of the Occupied Palestinian Territory. Thus, Israel decides which laws are to be applied, and has chosen to implement military law to the Palestinian population. Israeli settlers, on the other hand, are under the criminal legal system of Israel. This practice is against international humanitarian law and human rights law.

Israel, as the Occupying Power, must respect international customary law and the Fourth Geneva Convention. The Palestinian population of the Occupied Palestinian Territory should be protected by these regulations. Therefore, the Occupying Power has several obligations and duties under International humanitarian law.

[Link to full written Statement](#)

China

Violations of the right to freedom of religion in China

The Uyghur population located in Xinjiang Uighur Autonomous Region, China (Xinjiang) faces ongoing human rights violations carried out by the Chinese government solely based on Religious beliefs and cultural heritage. After the terror attacks of



9/11 a clear rhetorical shift is notable. While previous riots, protests and deaths were blamed on a specific Organisation, the East Turkestan Islamic Movement, China officially suggested the existence of the Uyghur to be a terrorist threat to China.¹ This rhetorical shift establishes a clear link of Islam and violence, a link that violates national as well as international law.

Under the pretence of combating terrorism, China actively suppresses the Uyghurs right to access Islamic knowledge and education. This suppression becomes evident in a tightening of Chinese legislation over the past years. The wearing of religious symbols and engagement in religious activities has been outlawed in all educational institutions in Xinjiang. Furthermore, activities that contribute to the peaceful performance of religion were labelled as “illegal” and “extremist”. Certain ways of wearing a beard or selection of names contribute to the “spread of religious fanaticism” according to China.

It is assumed that Uyghurs and other Turkic minorities are being held in so-called counterextremism centres and/or forced in so-called “re-education camps” for political and cultural indoctrination. Interviews with victims of those detention centres claim prison like conditions as well as torture.

The Chinese Government actively tries to stop minors from becoming religious. Also, it encourages citizens to report parents that introduce their children to religious activities. Rather than participating in religious activities, the Chinese Government offers rectification. Other measures taken by the Chinese Government culminate to the full or partial destruction of over 100 mosques and shrines. These all are violations of the right to self-determination, and the state responsibility to respect the cultural heritage of Muslim minorities in China.

[Link to full written Statement](#)

Lebanon

Environmental degradation, corruption and sectarianism fuel Lebanon’s protests

Lebanon is currently facing a major environmental problem regarding pollution and environmental degradation. The situation violates a number of human rights: the rights to life, to health, the rights of the child, as well as the right to live in a healthy and sustainable environment. Lebanon’s environmental degradation and the problems associated can be traced back to what seems to be the root of all problems in Lebanon: corruption and sectarianism. Waste management is a profitable business and a big proportion of money invested to solve Lebanon’s environmental problems goes back into the pockets of politicians and their associates. Thus, the current unprecedented protests have united all different sections of the society with the aim of ending once for all the sectarian nature of Lebanese politics and widespread corruption.

[Link to full written Statement](#)



Thematic issues

Neglected racism and racial discrimination in modern society

Today, racism and racial discrimination is an overlooked and under-acknowledged human rights violation and threatens the lives of millions of people across the globe. Governments have failed in their decades-long commitments towards eliminating the scourge of racism and racial discrimination. Furthermore, they have also failed across the globe in taking the necessary steps and adequate measures toward properly implementing existing international laws that protect humans against racially based violence, hate crimes, institutionalised racism, and other such race-based acts and fears.

This written statement addressed current instances of racism and racial discrimination that persist in today's society, which continues to devastate innocent individuals, families, and communities.

It also addressed concerns that have allowed this scourge to perpetuate in the 21st century

[Link to full written Statement](#)

The rise of global corruption - Evolving challenges and implications on Human Rights around the world

Corruption is responsible for a great portion of global Human Rights violations. Whether they occur in the Occupied Palestinian Territories, Myanmar, or Iraq, Human Rights violations either find their sources, or find their promotion hindered by corruption.

However, when it comes to corruption, one cannot simply stop and point to specific countries, namely the “easy targets”, to explain violations of Human Rights, or obstacles to their promotion. In fact, one needs to take a step back and understand how corruption affects humanity and the planet.

We are noticing with deep concern a global rise in corruption in all regions and all nations. With this rise, comes the fear of increased human rights violations. One should not ignore an alarming fact: development is not an immunization against corruption. And yet, many developed countries will be the first to denounce corrupt governments in other regions of the world, conveniently ignoring the issues that they themselves face.

Corruption is intimately linked with the overall health of democratic institutions. The countries that are most efficient at tackling corruption are, unsurprisingly, those whose democratic institutions are most protected and independent. Yet we notice the degradation of such institutions even in many countries that have taken a leading role in the promotion of Human Rights. International and democratic institutions rely on these powers for support. But if this trend continues, it will compromise every effort at making this world a safer place.

[Link to full written Statement](#)

Children exploitation in situations of conflict and Humanitarian

Violence against children is a major human rights problem. The impact of violation, abuse and/or neglect in childhood is detrimental to physical, psychological and reproductive health throughout the life-course, yet the high costs to society are avoidable. There are clear risk factors for violence at the level of the individual, family, community and society. According to the World Health Organization (WHO), each year, at least 55 million children in Europe suffer some form of physical, sexual, emotional or psychological violence and these abuses have been widely unreported.

Whether it is during natural disasters, armed conflict or protracted humanitarian situations, crises are accompanied by inequalities and impoverishment impacting on child development. Existing

vulnerabilities, from gender-based violence to discrimination and lack of economic opportunities are exacerbated during such crises.

Regrettably, these contexts result in children risking being exposed to sale, trafficking and other forms of exploitation, whether in their homes, communities or in places where migrants or refugees reside, including reception centres or refugee camps in source, transit and destination countries. Girls become victims of sexual exploitation, including sexual slavery, forced marriage, forced pregnancy and prostitution.

This statement specifically raised concerns about violence against children and its forms in the scenarios of conflicts and humanitarian crises where children are the victims, and offered a further analysis on the grievous situation in post-invasion Iraqi.

[Link to full written Statement](#)

3.3 GICJ planned Side Event

The side event GICJ which was planned to be held on 12 March 2020, did not take place due to the cancellations of all side events as part of the measures taken by the UN to combat COVID-19. In our Side Event we planned to raise awareness for the peaceful protesters in Iraq and the brutal crackdowns by the armed governmental forces, as explained in the Concept Note below.

Concept Notes

The right of peaceful assembly has been reiterated in various treaties of international law such as the Universal Declaration of Human Rights or the International Covenant on Civil and Political Rights. However, many countries violate this right of their own civil population, especially recent events in Iraq give us reason to host this side event to raise awareness and support the civilian population that wants to exercise their rights of assembly and political participation.

The brutal crackdown on the demonstration and its increasingly systematic and widespread nature is very alarming and needs to be more firmly addressed by the international community.

Despite the fact that the demonstrations were peaceful in nature, the government used excessive force to suppress every form of political dissent or critique directed at the government. Ever since the start of the demonstrations on October 1st, more than 800 protesters were killed, especially alarming is the specific targeting of human rights defenders. The events in Iraq are not only a direct attack on the right of peaceful assembly but also on the right of freedom of speech.

With this side event we want to show our support to the people of Iraq that fight for a better future and hope that the entire international community will support the population of Iraq in

their fight for political reforms and regime change. The human rights council needs to take immediate action to prevent the number of deaths and injured to rise even higher.

4. Critique directed at the 43rd Session of the Human Rights Council

Nation states failed and continue to fail to find durable solutions to the problems that arise in our globalized world. It is widely accepted that global governance cannot be of the sole responsibility of states and that a cooperation with Non-governmental Organisations and Transnational Corporations is necessary for successful global governance and the protection of Human Rights. The unipolar system of the UN, that has nation states at its centre, is trying to uphold human rights but in today's time, more actors need to be involved in agency and accountability, to ensure the well-being of each individual on this planet.

Especially at UN Human Rights Sessions, the participation of civil society is necessary to shed light on topics and issue areas that nation states shy away from. Countries follow not only a humanitarian agenda but also have economic interests in their mind when making policy. The conflict of interest states experience often results in the neglect of human rights. It is impossible to change this fact and that is why the participation of non-governmental actors at UN events such as the Human Rights Council is important. Civil society actors and NGOs do not follow economic or political interests, thus they can solely focus on the protection of human rights.

It saddens us even more that it is NGOs and civil society actors that are so limited in the possibility to participate at the sessions of the Human Rights Council. Speaking time of NGOs at debates is limited to 90 seconds, and in most Interactive dialogues there is a maximum of 15 minutes speaking time for all NGOs combined. This becomes especially frustrating when member states of the UN avoid talking about certain topics at the UN. One example of this is the ongoing protests in Iran and Iraq and the violent suppression of civilian political opinion by the government. This issue was virtually ignored by states, and it was up to NGOs to highlight this issue in the short timeframe that was allocated by the UN.

Many NGOs remain strongly concerned about the shrinking civil society space at the UN and especially at Human Rights Council sessions. This includes severely limited physical space in the Assembly Hall for civil society, speaking time and number of speaker slots during meetings, number of participants per NGO, and invitees to side-events. A large number of NGOs expressed concern that limiting the speaking in the ten General Debates to only five is a another feature of reducing Civil Society space at the Human Rights Council. NGOs are now especially concerned

with the decision, taken at the end of 2019, to eliminate the General Debates altogether during the June session of the Council as part of what the Council consider as “efficiency measure”.

Another issue, which occurred at the 43rd Session of the HRC, was the restrictions put on NGOs due to Coronavirus (COVID-19). All side-events were cancelled; side-events serve to raise special awareness of issue areas that do not find attention during larger debates. They also instigate deeper discussion into the topic, which often cannot happen during General Debates or Interactive Dialogues. Of course, NGOs respect the situation surrounding COVID-19, yet it is beyond our understanding how the main session of the Council took place with the participation of several hundred people from across the world while side-events, with attendance of around 50 people, were cancelled.

Appendix – Council Resolutions & Decisions

Due to the Suspension of the 43rd Session, no Resolutions or Decisions were made thus far.

Final Words

On the 13th of March, coincidentally Friday the 13th, the UN Human Rights Council was suspended due to COVID-19. Ever since, countries took measures such as curfews and travel bans to hinder the virus from spreading. Leaders such as Donald Trump and Emmanuel Macron, called the fight against COVID-19 a war against an invisible enemy.

“Inter arma enim silent leges” is a well-known Latin saying that means “in times of war, the laws fall silent”. Geneva International Centre for Justice wants to remind the entire international community that Human Rights need to be upheld and protected no matter the circumstances. Like other crises, COVID-19, affects mostly those who have underlying health conditions, no access to health care, or suppressed minorities. Thus, we highly urge Nation States, NGO’s, TNC’s, and individuals to work together to tackle this crisis.

With COVID-19, a new challenge arises for the new international community, a challenge like no other in recent history, a challenge that needs cooperation on all levels of agency. For sure this challenge can be overcome when we all work together.

Geneva International Centre *for* Justice

Independent, non-profit, International non-governmental organization

GICJ is an independent, non-profit, international non-governmental organization dedicated to the promotion and reinforcement of commitments to the principles and norms of human rights. GICJ is headquartered in Geneva, Switzerland and is governed by the Swiss Civil Code and its statutes. Basing its work on the rules and principles of International Law, International Humanitarian Law and International Human Rights Law, GICJ observes and documents human rights violations and seeks justice for their victims through all legal means available.

Mission: GICJ's mission is to improve lives by tackling violations and all forms of violence and degrading or inhumane treatment through the strengthening of respect for human rights; reinforcing the independence of lawyers and judiciaries; consolidating the principles of equity and non-discrimination; ensuring rule of law is upheld; promoting a culture of awareness on human rights; and combating impunity.

Work: GICJ has been tackling issues of justice and accountability since it was established. GICJ maintains a partnership with various NGOs, lawyers and a vast civil society network around the world. Through these channels, GICJ is able to receive documentation and evidences of human rights violations and abuses as they occur in several countries. GICJ continues to bring this information to the attention of relevant UN bodies in order to gain justice for all victims.

Geneva International Centre *for* Justice



Postal address:

P.O. Box: GICJ 598 CH-1214
Vernier, Geneva – Switzerland

Office address:

150 Route de Ferney, CH 1211
Geneva 2 - Switzerland



facebook.com/GIC4



[@Geneva4Justice](https://twitter.com/Geneva4Justice)



[@Geneva4Justice](https://instagram.com/Geneva4Justice)



info@gicj.org



+41 22 788 19 71

