

Geneva International Centre *for* Justice  
*Independent, non-profit, non-governmental organization*

The background of the central section is a large, light grey United Nations emblem. It features a world map in the center, surrounded by a laurel wreath. The text 'FULL SESSION REPORT' is overlaid in large, bold, black capital letters.

# FULL SESSION REPORT

47TH SESSION OF  
THE HUMAN RIGHTS  
COUNCIL



**JUNE 21ST - JULY 14TH, 2021**

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# Introduction

The 47th Regular Session of the United Nations Human Rights Council was held at the Palais des Nations in Geneva, Switzerland from the 21st of June to the 14th of July, 2021.

Geneva International Centre for Justice (GICJ) participated through two oral statements and two written statements to the HRC as well as thirteen reports on panel discussions and interactive dialogues.

The 47th session of the Human Rights Council was marked by the the challenges that the pandemic has posed in the celebration of all sessions of the Human Rights Council since the COVID-19 outbreak. Regretfully, this digital session has made clear that the UN has yet to adapt to the current situation and ensure the adequate digitalization of the human rights processes under the UN's oversight. Thus far, civil society has been greatly handicapped from the digitalization than any other party to the Human Rights Council. The inefficiencies or difficulties arising from adapting to digitalization unfortunately always impact on the participation of NGOs, not States or other delegations. Whether it is because we have been put at the bottom of the priorities as the UN adapts to digital modalities or whether the situation is used as an opportunistic excuse to restrict civil society organisations' voices, we will continue standing up for NGO participation at the Council to ensure accountable protection and promotion of human rights.



# Items of the Human Rights Council Agenda

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 (UPR)
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

# Opening statements

The President of the Human Rights Council, Ms. Nazhat Shaheem Khan, opened the session. She recalled the extraordinary modalities due to the COVID-19 pandemic and encouraged all delegations to hold everything, including side events, digitally. Over the 3.5 weeks, the Council would host 7 panel discussions and 32 interactive dialogues as well as adopt outcomes of the Universal Periodic Review.



Ms. Khan then addressed the unprecedented situation concerning the Union of Myanmar, where two authorities claim to be the government entitled to represent the member state at the HRC. Pending a decision by the General Assembly, the Union of Myanmar would not be able to participate in the session. Since long-standing practice has established that a country concerned should be provided with the opportunity to speak, the Bureau proposed to postpone the consideration of the report of the UPR of Myanmar to the 48th session, and member states agreed. Oppositely, given the importance of the Council hearing the oral update by the High Commissioner and the oral presentation by the Special Rapporteur on Myanmar, the Bureau agreed they should be held. But regarding whether to hold the respective interactive dialogue, the Bureau sought the advice of the member states.

Member states expressed various views. The European Union, as well as the delegations of the Netherlands, France, Germany, Italy, Ukraine, Denmark, and the Czech Republic who aligned themselves with the EU statement, respectfully requested that the two IDs be held. Conditioning the holding of a dialogue on the worsening human rights situation in Myanmar on the presence of the country concerned, due to an accreditation issue resulting from the overthrow of the government by a military coup, would be without legal or procedural basis, set a dangerous precedent, and defeat the very purpose of the Council.

The Republic of Korea and the United Kingdom agreed: there is a grave human rights crisis in Myanmar that needs to be addressed now. Japan preferred the IDs to be held, but also counted on the open, inclusive, and transparent consultation with organisers. On the other hand, the Philippines, Russia, Brazil, Mexico, China, Venezuela and Eritrea requested the IDs to be postponed until the 48th session. Holding an ID without the country concerned would go against the principles of inclusivity and transparency and hinder constructive, equitable, and mutually respectful dialogue. Each state has the right to speak, especially the country whose human rights situation is being discussed and who is in the end responsible for ensuring human rights in their nation. Russia specified that the very format of the ID requires dialogue and not discussion of a state behind its back. This would create a harmful precedent.

Ms. Khan stated that the views expressed would be considered by the Bureau and revisited by the Council. Member states approved the adoption of the programme of work, with the understanding that the holding of the IDs on Myanmar was still subject to further consideration by the Bureau and the Council.

# Oral statements

During the 47th Session of the UN Human Rights Council Geneva International Centre for Justice (GICJ) delivered two oral statements in collaboration with Association Ma'onah for Human Rights and Immigration and International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD). GICJ also submitted two written statements in collaboration with a number of NGOs.

# Oral statements



## **Agenda Item 6: Universal periodic review**

- Adoption of reports by the Universal Periodic Review Working Group of - Austria A/HRC/47/12, A/HRC/47/12/Add.1
- Statement by: Association Ma'onah for HR & Immigration
- Delivered by Camille Miguet / GICJ on 08 July 2021

"Thank you, President.

We want to thank Austria for its participation in the Universal Periodic Review and for its commitment to addressing human rights concerns. In this regard, we note significant advances, including the implementation of measures to prevent social and economic impact of the COVID-19 pandemic, with new acts and programmes for the strengthening of equality and the progressive elimination of all forms of discrimination".

However, Ma'onah Association for Human Rights and Immigration and Geneva International Centre for Justice remain concerned about the alarming escalation of racial violence against minorities and migrants in Austria. We note a high level of anti-Muslim hatred which is reflected in the increasingly xenophobic public discourse. In recent months, numerous allegations of ethnic profiling by police against persons from minority communities were reported. Moreover, we regret that the country has introduced significant restrictions concerning family reunification and naturalization. We urge the Austrian government to take measures that would facilitate the integration of newcomers into the country and to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

Furthermore, since the beginning of the pandemic, online abuse has increased. However, we welcome the Parliament's approval of a bill to fight against online hate speech, and we encourage the Austrian authorities to ensure that this new regulation does not turn into excessive content blocking. Following the November 2020 attack, Austria has pledged to fight against terrorism and separatism by implementing assessment tools adapted to the identification of risks of violent radicalization. We support these efforts and encourage Austria to eliminate the risks of fragmentation and to further protect fundamental rights.

Thank you, President.





**Agenda Item 10: Technical Assistance and Capacity-building**

- Interactive Dialogue with the Independent Expert on the Central African Republic (oral update) A/HRC45/35
- Statement by: International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD)
- Delivered by Buba Ceesay / GICJ

Thank you, President,

We thank the Independent Expert for his update on technical assistance and capacity-building in the field of human rights in Central African Republic.

We remain deeply concerned with the humanitarian situation in Central African Republic and its further deterioration because of the armed conflict.

We would like to raise the urgent threats from explosive ordinances that have been recently increasing due to intensified conflict particularly in the West of Central African Republic. Amidst the dire humanitarian situation in the country, more people face new threats, which further exacerbates the plight of humanitarian workers who already face the challenge of accessibility in bringing aid to those desperately in need.

The number and situation of internally displaced persons (IDPs) is also of great concern especially towards the stabilisation of communities and society at large in the country.

We at International Organization for All Forms of Racial Discrimination and Geneva International Centre for Justice urgently recommend capacity-building towards strengthening an integrated psychosocial support system, particularly for children but also for IDPs and women who have suffered forms of sexual violence.

We also recommend technical assistance and capacity-building towards enhancing judicial systems as well as human rights training and education for enforcers of law under the government.

Thank you

# Written Statements

GICJ submitted two joint written statements at the 47th Session of the Human Rights Council. These statements highlight human rights violations that need more attention by the UN, Member States, and the international community. We published two written statements, the summaries of which can be found below.

## **The Continued Human Rights Violations Inside Iraqi Prisons**

The continuation of the inhumane treatment of Iraqi prisoners and detainees inside the prisons in the Republic of Iraq is an issue of increasing concern. Tens of thousands of Iraqi civilians have been subjected to unfair trials and grave violations during their imprisonment. In addition to being victims of human rights violations, many prisoners are charged with terrorism-related charges, with no sufficient evidence - the Anti-Terrorism Law is systematically and strategically misused to legitimize these arrests on discriminatory grounds.

The death penalty in Iraq is imposed on people convicted of a wide range of acts and not all of them can be categorized as one of the “most serious crimes”. The severe ill-treatment inside the Iraqi prisons is a violation of the ‘rights of prisoners and detainees’ guaranteed by international human rights and humanitarian law and stipulates that local authorities must provide prisoners with basic needs such as food, sleep, medical assistance, and psychological safety. Prisoners are often subjected to psychological harassment and are separated inside the prisons based on sect. Moreover, the violations inside the al-Taji Prison include the trafficking in human organs, where inmates inside the Prison are offered, rather than forced, to sell their body parts.



## **The Shocking Realities of the Israeli Occupation of Palestine**

Israel's attack on Al Aqsa Mosque in Jerusalem on Friday, 7 May 2021, during the holy month of Ramadan, and without legitimate security grounds, reflects a callous disregard for the religion of others. Palestinians' fundamental rights are increasingly undermined by the racist policies of the Israeli government, and ethnic cleansing is a reality that can no longer be denied.



Beginning on 10 May 2021, Israeli forces launched an act of aggression against the occupied people of Palestine that was the deadliest since 2014. The horrifying images in the media of deadly airstrikes exposed once again Israel's blatant disregard for human rights and humanitarian law. Hundreds of defenseless Palestinian civilians were killed, including 67 children. Thousands of Palestinians were injured, and hundreds of Palestinian homes were destroyed. Over seventy thousand Palestinians were displaced in Gaza, the West Bank, and East Jerusalem. In contrast, thirteen Israelis were killed and 117 wounded. The disproportionate casualties and damages recorded during the recent confrontations contradict Israel's claim that it was acting in proportional self-defense.

Israel as an occupying power has the responsibility to ensure the safety of those it occupies and to end its occupation of Palestine. Israel has a legal obligation to respect Palestinians' right to self-determination. Until the Palestinians' right to self-determination is fully realized there can be no equivalence between the act of people struggling for self-determination, and the acts of an unlawful occupying power.

# Reports

The full reports are available on our website: [www.gicj.org](http://www.gicj.org).

The summaries of the reports were written by Beatrice Serra, Karin Heisen and Tristan Arlaud. We thank them for their contribution.

## **Continuous Human Rights Violations in Eritrea**

Report by: Clélia Jeandin

At the 47th regular session of the Human Rights Council, the Special Rapporteur on the human rights situation in Eritrea presented his report to denounce that no progress had been observed throughout the past year regarding the human rights situation in Eritrea. The SR insisted on the absence of a legal framework or institution in Eritrea, which caused significant abuses to persist including violations of the freedom of opinion, freedom of association, and freedom of the media; the situation has worsened since the beginning of the conflict in the Tigray region. The SR also mentioned that, despite his attempts, he had not been able to engage in dialogue with Eritrea officials.



The Special Rapporteur insisted on the urgency of specific challenges. Referring to the arbitrary detention of 11 former government members, with no information being released on their conditions of detention and physical condition, the SR called on the government to release all of them, along with all the independent journalists arbitrarily detained. Mr. Mohamed Abdelsalam Babiker also mentioned the issue of the government-imposed national military service as an obligation that led young Eritreans to leave the country; not only does the national service last for an indefinite period, but allegations of forced labor and sexual violence being frequently experimented by those taking part in the national service have also emerged. Further to this, the SR insisted on the Council's primary role to investigate allegations of attacks committed by Eritrean groups towards Eritrean refugees and asylum seekers in the Tigray region. Eritrean authorities are also called on to withdraw their forces from the Tigray region and provide information on the whereabouts of missing Eritrean refugees.

Lastly, the SR reiterated the importance for Eritrea to cooperate with UN human rights treaty bodies and organs as well as with African human rights mechanisms, while calling on the international community to use every possible tool to pressure Eritrea to improve its human rights record, especially in the context of the ongoing conflict in the Tigray region. Mr. Babiker suggested that an independent investigation should be preferred to address allegations such as those of the prolonged detention of political opponents and the situation of Eritrean refugees.

Eritrea must also cooperate in this process by granting access to human rights experts and engaging in constructive and continuous cooperation with regional and international structures. To conclude, the SR insisted on the independence and legitimacy of his research and sources.

The representative of Eritrea strongly opposed the SR's mandate, accusing him of presenting a report containing unverified allegations to destabilize the country. He notably deemed national service in Eritrea as effective, thus claiming the reports' allegations unacceptable while pointing out the undeniable progress in terms of social and economic development made by Eritrea. Furthermore, Eritrea reminded the President that the mandate should exclusively focus on the human rights situation in Eritrea and claimed that the SR had exceeded his mandate by commenting on the case of refugees in Ethiopia. In this regard, the majority of Western States participating in the ID expressed deep concerns regarding the grave human rights violations committed in Eritrea, calling on Eritrea to release all those arbitrarily detained, to establish official structures improving the respect of all human rights and freedoms within the country, and to withdraw its forces from the Tigray region without any conditions. On the contrary, States such as the Democratic People's Republic of Korea, the People's Republic of China, Venezuela, and Ethiopia expressed their support to Eritrea's statement by condemning what they deemed as an increasing politicization of the Council.

GICJ strongly condemns the Eritrean authorities' actions. The government continuously violated rights such as those of freedom of expression, association, and assembly, and Eritrea's military presence in the Tigray region exacerbates the challenges faced by thousands of Eritrean refugees and asylum seekers. GICJ calls on Council members to pressure the Eritrean government to improve its legal structure and encourage its cooperation with regional and global human rights mechanisms. GICJ also calls on Eritrea to release all those arbitrarily detained and unconditionally withdraw its forces from the Tigray region.

# Female Genital Mutilation as a Grave Human Rights Violation

Report by: Melanie M. Ouma and Claudia González

On June 23, 2021, the Human Rights Council convened a high-level panel discussion on the multisectoral prevention of and response to Female Genital Mutilation (FGM) as decided in resolution 44/16 on eliminating FGM. The panel discussion sought to bring together representatives of States, national human rights institutions, NGOs, and other actors to highlight commitments and share good practices on preventing and eliminating FGM.

The UN High Commissioner for Human Rights, Ms. Michelle Bachelet, opened the discussion noting that FGM is a grave violation of human rights that affects women and girls everywhere. The economic costs of FGM to countries are very high: according to the World Health Organization, treating the health impacts of FGM would amount to USD 1.4 billion globally every year, and without decisive action, it is forecast to increase by 2050 sharply. Thus far, efforts have been made to prevent and eliminate FGM. Still, progress in eradicating the practice by 2030 was already too slow before the Covid-19, which further hampered such efforts. In this regard, the High Commissioner emphasized the need to prioritize and integrate the prevention and elimination in Covid-19 national response and humanitarian action plans. More innovative and effective strategies against this practice are deemed necessary, along with a multi-stakeholder and multi-disciplinary rights-based and gender-responsive approach. Following, the Minister for Women, National Solidarity, Family and Humanitarian Action of Burkina Faso, Ms. Helène Marie Laurence Ilboudo, emphasized that FGM is a violation of the fundamental human rights of women and girls that deprives them of their physical and mental integrity, their right to reproductive and sexual health, their right to bodily autonomy and in some cases, even their right to life.



Highlighting the need to use all partnerships and synergies available to achieve the goal of zero tolerance by 2030, she called on all States to make the fight against FGM their priority by including measures to fight FGM in national development programs and involving activists, financial and technical partners to allocate additional funds in such dispute. The director of End FGM European Network, Ms. Anna Widegren, took then the floor to deliver some insight into the current situation in Europe, noting that there are over 600 thousand FGM survivors in the continent as well as over 190 thousand women at risk of undergoing FGM in 17 European countries alone. She highlighted the importance of establishing multi-stakeholder platforms to coordinate the work among different sectors to effectively build bridges among all relevant actors and connect different levels of governance. In this context, the Council of Europe and the EU can play a crucial role in harmonizing policies at the national level to guarantee an equally comprehensive and holistic approach to end FGM in all European States.

The first panelist to intervene, Dr. Natalia Kanem, Executive Director of UNFPA, pointed out that the progress made thus far has been uneven. The overall number of girls at risk continues to climb with population growth and school disruptions due to the Covid-19 Pandemic. She strongly emphasized that FGM is grounded in an assortment of social, cultural, and economic factors and intersectoral discrimination, and harmful gender stereotypes. Therefore, addressing such complex issues requires that politics be translated into a multisectoral response that brings the whole of government and society together and demands that accountability systems are strengthened at all levels.

The next panelist, Ms. Amira Elfadil Mohammed Elfadil, Commissioner for Social Affairs of the African Union Commission, highlighted that eliminating FGM remains an important area of work for the Commission, which has the crucial role in keeping pushing member states to respect their commitments to end gender-based violence and assure women's human rights. Notably, she called on AU member states to strengthen their reporting on FGM to remain accountable to regional human rights organs and deliver on agreed standards and practices.

The Commissioner also noted that investments such as the Spotlight Initiative Africa regional program lend critical capacity support needed to end gender-based violence and harmful practices and strengthen human rights activists. Finally, she closed her statement by encouraging all Human Rights Council members and other stakeholders to continue engaging with the AU Commission to find lasting normative changes needed to guarantee girls' and women's human rights and inviting them to work alongside the AU Saleema Initiative to bring about a coordinated and accelerated continental momentum to protect children, especially girls, and to achieve zero FGM in Africa in one generation.

The last panelist, Mr. Bahrul Fuad, Commissioner at the National Commission on Violence against Women of Indonesia, shared the work of the Commission in eliminating FGM/C (FGM/Cutting). Mr. Fuad expressly referred to the results of three studies conducted on FGM/C practices in Indonesia, which showed that 53% of respondents reported bleeding, 52% reported reduced sex drive, and 2% reported infertility. Additionally, the studies found that girls experienced prolonged trauma due to undergoing FGM and that economically, FGM/C rituals contribute to additional household expenses. Based on these results, the Commission has built dialogue and strategic partnerships with religious and traditional leaders and provided ministries with a comprehensive understanding of FGM drivers.

Mr. Fuad also mentioned that the set-up of an advocacy consortium consisting of religious leaders, academics, and civil society organizations led the Ministry of Women Empowerment and Child Protection to develop advocacy guidelines for eliminating FGM/C targeted at youth and religious leaders and families in Indonesia. As a result of this collective effort, various ministries have developed a multisectoral 2030 Roadmap to eliminate FGM/C in the country, which clearly outlined the role of each sector. However, despite these successes, Mr. Fuad acknowledged that challenges remain, hence requiring further efforts in the fight against FGM.

During the session, 24 delegations delivered statements condemning FGM as a grave violation of human rights and an extreme form of sexual and gender-based violence, pointing out that such harmful practice undermines the recognition, enjoyment, and exercise of women and girls human rights and fundamental freedoms. Delegations emphasized States' primary responsibility to prevent and eliminate FGM, urging them to develop comprehensive and multisectoral approaches and strategies in line with international human rights law, based on principles of accountability, participation, transparency, empowerment, sustainability, equality, non-discrimination and international cooperation.

Considering that the Covid-19 pandemic has contributed to putting the fight against FGM on the back burner, States deemed necessary including FGM in Covid-19 prevention plans. To conclude, eliminating FGM requires cooperation between all parties, including international organizations, governments, civil society organizations, media outlets, educational institutions, and clerics. Several non-governmental organizations expressed concern for women and girls' complications, including a wide range of physical and mental trauma, which may also lead to death. Developing a legal framework to hold perpetrators accountable and protect victims by offering comprehensive, integrated clinical services and engaging communities is crucial to prevent and combat FGM.



Female Genital Mutilation is a grave violation of human rights and a severe form of violence against women and girls. Geneva International Centre for Justice welcomes all efforts to eliminate FGM but remains deeply concerned over the slow progress observed in its eradication globally. To bring FGM to a halt, multisectoral cooperation must be strengthened, and comprehensive approaches to FGM elimination must be adopted. All relevant stakeholders must be involved in such efforts, including governments, civil society organizations, the community, religious leaders, youth, and women. GICJ calls on all actors to increase efforts to fight FGM, emphasize prevention, and strengthen accountability to eradicate such harmful practices.

GICJ believes that more action is needed to achieve FGM eradication by 2030 and encourages the exchange of best practices to advance its elimination further. Yet, GICJ recognizes the importance of finding solutions adapted to the specific context of communities and societies, as they will yield more lasting and effective results. Halting the harmful practice of FGM will contribute to the optimal development and well-being of women and girls and the development of societies as a whole.

# Safeguarding the Right to Physical and Mental Health

Report by: Alicia Louise and Joy El Hajaly

The Special Rapporteur on the Right of Everyone to the Highest Attainable Standard of Physical and Mental Health, Dr. Tlaleng Mofokeng, delivered a report on substantive equality, anti-racism, gender equality, and intersectionality, concerning the realization of the right to health.



The report (A/HRC/47/28) focuses on several key priorities:

- the dismantling of legislation and policies that affect how individuals enjoy their sexual and reproductive health rights and mainstreaming of a gender perspective instead.
- Protection of health rights in the COVID-19 pandemic and access to related treatments and healthcare.
- Health equity concerning other socio-economic determinants of health and its dependence on the enjoyment of other rights, such as the right to life, non-discrimination and non-persecution, equality, privacy, freedoms of information, association, assembly, and movement.
- The prevention of sexuality and gender-based violence, exploitation, and femicide, with particular concern placed on eradicating the discrimination faced by women with disabilities, migrant women, and lesbian, bisexual, and transgender women when receiving medical and legal assistance.
- The health impacts of living in areas with high levels of air, water, and land pollution due to industrial activities and high-density residencies lead to poor ventilation and disproportionately higher rates of chronic illness.
- The eradication of non-communicable diseases and reproductive cancers, such as cervical cancer.

At the 5th and 7th meeting of the 47th Human Rights Council Session, the Special Rapporteur stated that adopting a substantive equality approach through an intersectional framework is crucial to address persistent global inequality, promote accountability, and oppressions and discrimination that impede the right to health.

That is, health equity will be achieved exclusively if barriers to access to health services, goods, and facilities are eliminated; corruption and poor management of resources in the health sector also must be halt. Further to this, the SR mentioned the insidiousness of coloniality and its presence in social orders and knowledge systems today, pointing out how racial hierarchies have enabled social discrimination that outlives formal colonialism to this day.

As such, anti-racism, anti-coloniality, and non-discrimination principles will be a priority since systematic racism reinforces other systems of oppression, which manifest in differential access to healthcare.

The SR reiterated the importance of taking stock of the profound negative impacts that the COVID-19 pandemic had on health systems in intensifying pre-existence global inequalities. Pointing out that wealthier countries have gained preferential access to vaccine rollouts, the SR calls on the international community for vaccine equity, urging all stakeholders in global health to support temporary waivers of intellectual property for low and middle-income countries to access scientific knowledge. In this vein, the report dedicates thought to innovation and digital technologies, highlighting how technology should combat rather than perpetuate sexism, racism, or ableism, or gender identity and sexual discrimination. The report was supported by the majority of states participating in the ID, which deemed necessary a human rights-based approach to combat the pandemic while making the physical and mental health of vulnerable people, particularly children and women, a priority. Delegations also pointed out the importance of ensuring access to medicines and vaccines, diagnostics, and therapeutics to all countries as an essential component of the human right to health.

Geneva International Centre for Justice (GICJ) urges the international community, particularly more developed countries, to immediately support developing countries by providing much-needed medical supplies and vaccines. By the Special Rapporteur, we encourage the prioritization of the protection of health rights for historically and presently persecuted groups during the COVID-19 pandemic and improved access to related healthcare and treatments for all. GICJ remains concerned for the diminished enjoyment of the right to health for internally displaced persons and civilians in armed conflict and women and girls who are particularly vulnerable to sexual violence and inadequate maternal healthcare. GICJ urges countries that have not fully criminalized rape and pedophilia to harmonize their domestic legislation with international standards and law.

## Pushbacks Remain Largely Unpunished

Report and Summary by: Beatrice Serra

The Special Rapporteur on the human rights of migrants, Mr. Felipe González Morales, delivered a report on pushbacks practices as a widespread phenomenon amounting to a breach of States' international obligations to protect the human rights of migrants at international borders, particularly the prohibition of collective expulsion and refoulement.



The report (A/HRC/47/30) provides a working definition of pushbacks by analysing the impacts of current pushback practices, particularly considering that the COVID-19 pandemic has worsened such practices, thus, the situations of migrants. Considering challenges that States face in guaranteeing access for migrants due process and safeguards at international borders, the report focuses on human rights-based border governance practices and makes recommendations to address the human rights impact of pushbacks of migrants on land and at sea. By highlighting that States have procedural and substantive obligations to ensure the rights of all migrants regardless of status, Mr. Morales pointed out how impunity for pushbacks is still prevalent in many jurisdictions. Therefore, the Special Rapporteur urges Member States to put an end to pushback practices, recommending States to ratify and implement, also through the harmonization of domestic law, the relevant international human rights instruments and adopt a human rights-based, age- and child-sensitive and gender-responsive approach to protect and guarantee human rights of migrants.

At the 6th and 8th meeting of the 47th session of the Human Rights Council, the Special Rapporteur on the human rights of migrants highlighted that the examination of current pushback policies and practices shows that States often respond to migrations movements by creating and progressively increasing barriers which lead to the return of migrants without individual assessment of the protection of their human rights needs and safeguard measures. Without such individual assessments of each migrant situation and other procedural safeguards, pushbacks amount to a violation of the prohibition of collective expulsion, which exacerbates the danger of human rights violations.

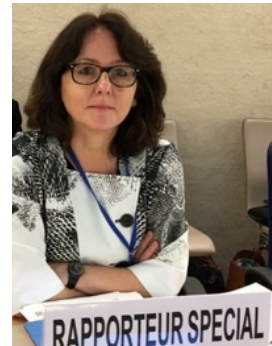
To combat such violations, the Special Rapporteur recommended conducting serious investigations into pushbacks, boosting national, regional, and international monitoring mechanisms, inviting the Human Rights Council to closely monitor and follow up the matter of pushbacks while urging States to act at the national level. Mr. Felipe González Morales concluded that a gender perspective should be a critical component in any policies to tackle pushbacks, the importance of international cooperation in rescue at sea and the crucial work of civil society organizations which must not be criminalized for their actions. The report was supported by the majority of states participating in the ID, denouncing how pushbacks deny migrants of their fundamental rights by depriving them access to protection as defined at the international and national level. Many States also expressed deep concerns for the variety of human rights violations faced by people with significant vulnerabilities, particularly women and children.

GICJ remains committed to protecting the human rights of all migrants, regardless of status, and calls on States to implement and ratify all relevant international instruments and to harmonize domestic laws with international standards and obligations. The human rights of all migrants arriving at borders must be respected and protected, particularly their right to receive an individual assessment of their situation. Most importantly, States should build a legal and practical framework at the international level through the cooperation of the origin, transit and receiving countries creating safe legal routes, fighting migrants smuggling and human trafficking networks, and assuring basic human conditions. GICJ invites all actors to implement a human security approach focused on addressing the root causes of migration flows by developing prevention strategies, and promoting more substantial aid and human rights' programs in countries of origin, particularly those affected by wars, conflicts, or unexpected disasters.

# The Impunity of Rape Culture

Report and Summary by: Beatrice Serra

The Special Rapporteur on violence against women, its causes and consequences, Ms. Dubravka Šimonović, delivered a report on means to address rape as a grave, systematic and widespread human rights violation, a crime, and a manifestation of gender-based violence against women and girls.



The report (A/HRC/47/26) points out that despite the international legal framework and numerous domestic laws criminalizing rape, international standards are not fully incorporated and implemented mainly due to gender-based stereotypes and discrimination coming from the surrounding general context. Consequently, perpetrators enjoy impunity, and rape remains one of the most widespread crimes not reported by victims.

The Special Rapporteur recommends a model law that States should implement to criminalize and prosecute rape effectively to end such impunity culture. Most importantly, being a central and constitutive element, the lack of a free consent should be included in the definition of rape, considering force or threat of force a clear evidence of non-consent but not a constitutive element of the crime. The Special Rapporteur recognizes that international human rights law, international humanitarian law, and international criminal law on rape have advanced significantly over the past few decades. Still, it requires all States to accelerate the harmonization of national laws with international standards jurisprudence on rape as the primary tool to combat violence against women.

At the 11th and 13th meeting of the 47th session of the Human Rights Council, the Special Rapporteur on violence against women, its causes and consequences, presented her thematic report highlighting states' responsibility to prevent the crime of rape, to change the prevalent rape culture of impunity for perpetrators, stigmatization and lack of access to justice for victims. Although the intersection between the COVID-19 pandemic and pandemic of gender-based violence has exacerbated the situation, it revealed pre-existing shortcomings in laws and services.

The CEDAW Convention and general recommendation number 35 for 189 States Parties and under the Istanbul Convention for its 34 parties already provide a legal framework for rape. Still, States need to counter pushbacks to the Istanbul Convention and more generally those against gender-based violence and women's rights by better use of all available international instruments. To conclude, Ms. Dubravka Šimonović recommended including violence against women as a permanent agenda item of the Commission of the Status of Women and the Crime Commission to allow the Human Rights Council to allocate more time to such an important topic. The report was supported by the majority of states participating in the ID, which stressed the importance of preventing, criminalizing, and prosecuting crimes against women through harmonizing national law with international standards.

All States have also been invited to sign and accelerate the ratification of the Istanbul Convention and other relevant international instruments which have been proved to bring positive effects on the lives of women, girls, families, and the entire community.

GICJ recognized the development of international human rights and humanitarian law and the achievements made in combating violence against women under the Special Rapporteur. Still, it requires further efforts to protect victims adequately. GICJ remains committed to putting an end to impunity for perpetrators and calls upon the international community to take adequate measures to combat gender stereotypes, all forms of discrimination and gender-based violence, and sexist sub-culture that objectifies women.

GICJ encourages all states to ensure full compliance with their international standards in combating violence against women. All States must sign and ratify the Istanbul Convention and other international instruments, addressing their efforts to combat violence against women, including rape.

# The Non-punishment Principle as a Cornerstone to Combat Human Trafficking

Report by: Meike Lenzner, Basel Al-Kababji, Clélia Jeandin  
Summary by: Beatrice Serra

The Special Rapporteur on trafficking in persons, especially women and children, Ms. Siobhán Mullally, delivered a report on the principle of non-punishment as a cornerstone for the recognition of trafficking in persons as a severe human rights violation.



The report (A/HRC/47/34) analyses current challenges in implementing the principle of non-punishment, considered the crucial element for an effective protection of the rights of victims of trafficking. Despite international instruments and jurisprudence recognizing the non-punishment principle, its application is still irregular and not effective across jurisdictions. Although the Security Council has frequently called upon States not to penalize or stigmatize victims of trafficking for their involvement in any unlawful activities.

States have repeatedly failed to implement the non-punishment principle. When States fail to implement the principle of non-punishment, they breach their commitments to recognize victims' rights to assistance, protection, and effective remedies as a priority. Additionally, failing to respect the principle leads to further serious human rights violations, including detention, forced return, refoulement, arbitrary deprivation of citizenship, debt burdens arising from the imposition of fines, family separation and unfair trial. In the present report, the Special Rapporteur provides a set of recommendations according to which States should ratify and implement all relevant international instruments combating trafficking in persons and provide for the right to non-punishment mainly through the incorporations of a specific non-punishment provision into domestic laws to guarantee effective protection of victims across jurisdictions.



At the 13th and 15th meeting of the 47th session of the Human Rights Council, the Special Rapporteur on trafficking in persons, especially women and children, recalled that punishing victims of trafficking for the commission of unlawful acts marks a breach with the commitments made by states to prioritize victims' rights in compliance with the non-punishment principle. Failing to respect the obligation of the non-punishment principles amounts to a severe human rights violation committed by States.

Considering the trauma already suffered for being a victim of trafficking, the added fear of prosecution and punishment can only prevent victims from seeking protection, assistance, and justice, while traffickers keep facing impunity. It is crucial to recognize that punishment can have a lifelong impact on victims of trafficking, threatening recovery and the protection of human rights of survivors. The best practice should consist of a broad implementation of the non-punishment principle, which considers the reality of trafficked people's lives to enable their recovery. The risks of trafficking and re-trafficking during the COVID-19 pandemic are increasing, particularly impacting women and girls due to high women unemployment, closure of schools, increased presence online of both children and traffickers.

The SR concluded by inviting all States to facilitate access to justice and safe reporting for victims, without fear of detention, deportation, or penalty, highlighting that the current measures and actions are insufficient to implement the principle. The report was supported by the majority of states participating in the ID, recognizing the non-punishment principle as the cornerstone for the protection of the rights of trafficked victims. Many States expressed deep concerns about the economic impact of the COVID-19 pandemic, which exacerbates situations of vulnerability, especially for women and children, exposing them to serious human rights violations.

GICJ recognizes that punishment can have long-lasting harmful impacts on victims of trafficking, threatening the recovery and protection of the human rights of survivors. In that regard, GICJ remains committed to safeguarding trafficked persons from being punished for offenses committed due to their situation while condemning traffickers for such violations. We call on all member states to ensure that the non-punishment principle is implemented without any conditions for victims of trafficking and to improve mechanisms aimed at identifying victims and providing them with immediate support. Lastly, GICJ calls on states to establish concrete measures to help victims reintegrate into society and provide them with long-term support, especially in the economic and mental terms.

# Business and Human Rights

Report and Summary by: Buba Ceesay

At the 47th Session of the Human Rights Council, the Working Group on the issue of human rights and transnational corporations and other business enterprises presented its report on the 9th Forum on business held between 16th to 18th November 2020 under the theme “Preventing Business-related Human Rights Abuses: The Key to a Sustainable Future for People and Planet.” The report focuses on the virtual events of the Forum on Business and the main issues discussed and considered by the body. The report highlighted that the Forum held a panel discussion on policy coherence at the international level, reinforcing the call on government and businesses to implement their human rights obligations and responsibilities in the COVID-19 crisis.



The Forum also held a panel discussion of senior representatives of regional organizations and governments from different regions to share experience and lessons learned from the respective efforts on implementing the Guiding Principles, including in the context of COVID-19 and recovery measures. This was followed by a multi-stakeholder conversation on the steps to prevent business-related abuses. The report illustrates the different actions taken by states, including laws with broad due diligence provision, laws on improving transparency, plans on intruding mandatory due diligence with monitoring mechanism, and publication states actions plans. It indicates that the Forum highlighted the challenges of victims’ access to remedy and the need for multi-stakeholder and social dialogues, business partnerships to address business-related human rights challenges in the context of COVID-19.

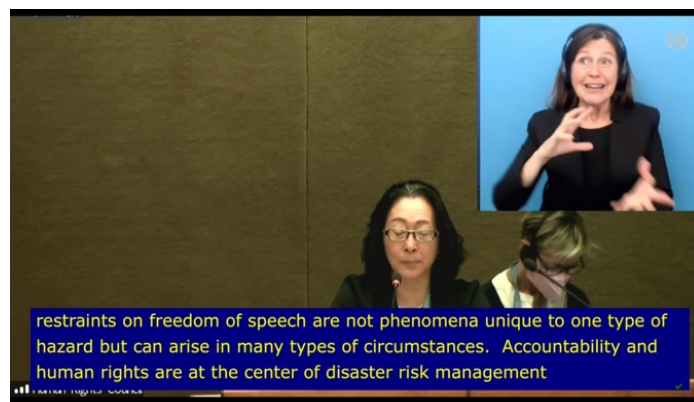
The presentation of the Chair of the highlighted the issues considered by the Forum which includes the question of steps states and businesses should take to prevent and address business-related human rights abuses and their activities across the value chain in line with the guiding principles, how states, companies, businesses and investors should respond to COVID 19 pandemic in human rights friendly manner and helping a resilient recovery, the connection between human rights and climate crisis and the business and human rights, the role of national human rights institutions, and human rights defenders, the connection between business and human rights agenda and the anti-corruption agenda.

Geneva International Centre for Justice, embraces the forum's considerations and how states, businesses and the investors' community should respond to COVID 19 pandemic calls for more action to prevent and address human rights abuses. We support the move for both mandatory and voluntary mix measures to address business-related human rights abuses. We especially welcome the idea of smart mix solutions to address unconscionable business practices affecting vulnerable and marginalized groups and individuals. We endorse the call of the Forum on business to put in place measures to prevent and address racism and xenophobia.

## Panel Discussion on Climate Change

Report and Summary by: Tristan Arlaud

In light of Resolution 44/7 adopted by the Human Rights Council on the 16th of July 2020, climate change was reaffirmed and reinforced to become part of the annual agenda of the Human Rights Council. Looking at recent events, it is evident that climate change affects all nations more rapidly than predicted. It came to the Council and most Human Rights activists' attention that today climate change is widening the inequality gaps to the detriment of marginalized communities and vulnerable groups.



This year's Panel Discussion on the 30th of June 2021, as part of the 47th session, was based on the OHCHR Report A/HRC/47/46: An Analytical Study on the Promotion and Protection of the Rights of Older Persons in the Context of Climate Change. Bringing to bear that by 2050, about 1.5 billion of the world population will be age 65 and above; the study emphasizes that older individuals are more prone to lose the enjoyment of their fundamental rights as a result of political, social, and economic factors.

The discussion was overviewed by Ms. Michel Bachelet, High Commissioner for Human Rights, during which five panelists were invited to take a stand: Ms. Mami Mizutori (Special Representative of the Secretary-General for Disaster Risk Reduction, Ms. Katherina Rall (Senior Environment Researcher at Human Rights Watch), Mr. Handaine Mohamed (Expert on issues of climate change and indigenous people in Africa), Ms. Claudia Mahler (Independent Expert on the Enjoyment of all Human Rights by older persons) and Mr. Saleemul Huq (Director of the International Center for Climate Change and Development). All panelists galvanized on studying with accurate data the impact of climate change on older persons and to include this part of the population as a vulnerable group in all national and international legal frameworks.

It was further spotlighted that all nations need to comply with the Paris Agreement's requirement of GHGs emissions reduction and intensify research for fossil fuels' subsidies. New comprehensive programs are desired, including all vulnerable groups in emergency responses and the establishment of new climate laws as part of their legacy. As concluding remarks, speakers thanked the Office for the report and reiterated the gravity of the situation, as climate change and human rights are wholly entwined today.

Delegations and Civil Society also spoke and clarified some of their climate-oriented actions. Importantly, island states and some African nations shared their concerns as they are, at this very moment, already suffering from the drastic changes in the climate. As previously mentioned, climate change portrays the ongoing inequality in the world. Moreover, as highlighted by Mauritius, the last contributors to climate change are those who suffer the most from it.

GICJ expresses its concern regarding the respect for the Paris Agreement to limit rising temperature to 1.5 degrees Celsius by 2050. In light of recent dramatic events, it is indisputable that climate change and human rights are intertwined. To combat climate change is to protect everyone's enjoyment of fundamental rights. We urge all nations to take part in the COP26 in Glasgow in November 2021, accelerate all actions towards the set goals of the Paris Agreement and the UNFCCC, and put in place internationally binding legal instruments to ensure full respect for international climate and human rights law.

# Ending Arbitrary Executions

Report by: Karin Heisen and Camille Miguet

On June 30th and July 1st, 2021, the new Special Rapporteur on extrajudicial, summary or arbitrary executions held an interactive dialogue to present his predecessor's work in combating unlawful killings, including through her country visit to Nigeria. The UN Minnesota Protocol on the Investigation of Unlawful Death (2016) defines unlawful deaths as "deaths resulting from acts or omissions of the State, its organs or agents, deaths in custody and failure of the State to protect life."



During her visit to Nigeria in 2019, previous Special Rapporteur Ms. Agnès Callamard examined killings by state actors, in particular the Nigerian Security Forces, as well as non-state actors including the Islamic State in West Africa Province (ISWAP) and Boko Haram, Fulani farmers and Fulani herders and gangs or cartels. Security forces fail to protect communities against attacks by armed groups as well as extrajudicially execute their citizens themselves, with some of their acts amounting to crimes against humanity or war crimes. The scale of the situation is dire: alone in northeast Nigeria, over 10,000 detainees have died in military detention centers since 2011 due to starvation, torture, deprivation of access to medical resources and more. Further, maternal deaths due to the criminalization of abortion, killings based on sexual orientation and femicides are also prevalent. Ms. Callamard found "complete impunity for extrajudicial killings" and a "flagrant disregard for the rule of law" in Nigeria, which "has created a climate in which everyone –state and non-state perpetrators alike– know they can get away with murder."

When given the floor to speak, Nigeria vehemently disagreed with what it alleges are inaccuracies in the previous Special Rapporteur's findings. The representative claims the government has adopted necessary measures to uphold human rights for its citizens.

During the interactive discussion, participating states expressed their rejection of the abhorrent practice of arbitrary executions and that perpetrators must be held accountable. They brought attention to a range of thematic issues including rising killings by law enforcement, executions of government critics and lack of access to COVID-19 vaccines essential to ensure the right to life; demographic-specific issues including targeting of women, LGBTQI+ and black individuals; and region-specific issues such as unlawful killings by the Iranian and Syrian regimes, the Taliban in Afghanistan and Ethiopian and Eritrean forces in the Tigray region of Ethiopia. Meanwhile, a minority of states rejected any allegations of extrajudicial killings, including Saudi Arabia, as well as claimed it is their right to impose the death penalty, including Libya and Egypt.

Non-governmental organisations (NGO) drew the Council's attention to unlawful killings committed by governments in a range of countries. In Colombia, law enforcement as well as armed civilians possibly acting with the acquiescence of the state use lethal force against social protestors. Under the new president, Philippine authorities have killed between 8,000 to 30,000 alleged drug offenders during police raids, in addition to perceived opponents of the government. In Brazil, authorities continuously kill black people, particularly women living in impoverished favelas, such as Kathlen Romeu and her unborn child who were shot to death in a police raid. Ten years ago, Libyan authorities killed journalist Anton Hammerl and to this day, his killing has not been adequately investigated by Libya, his states of nationality South Africa and Austria nor his state of residency, the UK. Lastly, one NGO pointed out that in Nigeria, the rate of killings and kidnappings have not decreased since the Special Rapporteur's visit: Boko Haram, ISWAP and Fulani militants alone had killed around 2,000 individuals in 2021 thus far.

In his closing statements, current Special Rapporteur Mr. Morris Tidball-Binz emphasized his intention to promote effective implementation of the Minnesota Protocol to prevent and investigate extra-legal, arbitrary and summary executions. He committed to working with a wide range of civil society actors, including the African Society of Forensic Medicine, to help train and advise Nigerian forensic professionals on its implementation. In response to various questions posed by delegations, Mr. Tidball-Binz keenly supported the initiative to set up a permanent international multi-stakeholder mechanism for governments that would facilitate the coordination of the search, identification and location of missing migrants and refugees. On the issue of the death penalty, Mr. Tidball-Binz reaffirmed his firm stance that capital punishment must be progressively abolished. Regarding the recommendation to change the title of the mandate to "Special Rapporteur on arbitrary deprivation of life" to align it with the right to life protected by Article 6 of the International Covenant on Civil and Political Rights, Mr. Tidball-Binz welcomed the interventions and stated that a decision on this matter could be taken in 2023 when the mandate is renewed.

Geneva International Centre for Justice condemns, in the strongest terms, all extrajudicial, summary or arbitrary deprivation of life. There is no region in the world where people are not unlawfully killed. Therefore, we condemn those countries denying any allegations or refusing to investigate extrajudicial executions when evidence proves otherwise, as well as those states who insist it is their right to impose the death penalty when it is a clear violation of the right to life and to live free from cruel, inhumane or degrading treatment protected inter alia by the Universal Declaration of Human Rights and the ICCPR. We call on the remaining 54 countries to abolish the death penalty, especially China, Iran, Egypt, Iraq and Saudi Arabia, who execute at the highest rates

The culture of impunity for arbitrary executions must end. Concrete action must be taken through a concerted effort by governments, civil society and families of victims and in the form of prevention, independent and transparent investigations and prosecution of perpetrators. We fully support the new Special Rapporteur in all his future actions to investigate promptly, effectively and transparently all arbitrary deprivations to the right to life.



## Panel Discussion on Women's Rights

Report by: Karin Heisen, Melanie Ouma, Jennifer Tapia Boada

On July 5th and 6th, 2021, the Human Rights Council held its annual full-day discussion on the human rights of women, featuring two panels: violence against women and girls with disabilities and gender-equal socioeconomic recovery from the COVID-19 pandemic. In 2007, the Council unanimously adopted Resolution 6/30 to incorporate "at minimum an annual full-day meeting to discuss the human rights of women, including measures that can be adopted by States and other stakeholders, to address human rights violations experienced by women."



The first panel sought to discuss the violations experienced by women and girls with disabilities and assess good practices in implementing prevention and response mechanisms. After an opening statement by the UN Deputy High Commissioner for Human Rights, panelists from the Committee on the Elimination of Discrimination against Women, Union of People with Disabilities of Kyrgyzstan, Indonesian Association of Women with Disabilities and International Disability Alliance took the floor, followed by states and civil society organisations. They elucidated that one in five women lives with a disability, 40 to 68% of whom experience sexual violence before the age of 18. Forms of violence include inter alia intimidation, physical force, sexual abuse, forced impregnation or abortion or sterilization, trafficking, psychological manipulation, lack of free and informed consent, legal compulsion and economic coercion.

Gender-based violence against persons with disabilities is difficult to eradicate because it is prevalent in all spaces physical and digital and it can occur at home or institutions and at the hands of close family members as well as strangers. These women and girls do not experience such violence as a homogenous group, but rather as individuals who face multiple and intersecting forms of discrimination, rendering some, such as indigenous women, more vulnerable to abuse. Stereotypes and stigma cause discriminatory laws and exclude women and girls with disabilities from participation in most decisions pertaining to their lives, which exacerbates their risk of gender-based violence and hinders their access to remedies for violations of their rights. While some states have taken considerable steps to minimize risks to this group, the pandemic has exacerbated violence in most states.

Panelists voiced that good practices to combat these violations include training public servants and civil society members on how to incorporate the perspective of disabilities in policies related to women. Policy makers must provide stronger commitment to freeing women and girls with disabilities from violence and discrimination. Forced sterilization of women must be prohibited. Lastly, measures adopted must include the voices, perspectives and needs of women and girls with disabilities.

The second panel aimed to discuss concrete ways to ensure that socioeconomic recovery plans from COVID-19 advance gender equality. Following an opening statement by the UN High Commissioner for Human Rights, the panel featured the UN Women Regional Director for Asia-Pacific, a feminist and development practitioner from Uganda and the Government Commissioner for Gender Equality Policy of Ukraine. Panelists, states and civil society organisations emphasized that the COVID-19 pandemic has exacerbated pre-existing socioeconomic inequalities, impacting women the most. It has burdened economic sectors where women are overrepresented, declined women's participation in the labor force and placed the burden of unpaid care work on women more than men. Although women are crucial to overcoming the COVID-19 crisis, they only represent 24% of membership of national institutions created to respond to the pandemic.

Panelists voiced that the focus of solutions must be on immediate and long-term policy priorities. The immediate priority should be to protect women care workers. Secondly, the world must invest in the care economy to rectify undervaluation and unequal share of unpaid work. This can be achieved through investments in infrastructure, such as expanding rural electricity access to help women spend less time on unpaid work and creating more secure, professional and fairly-paid care jobs.

In addition, gender-responsive financing can dismantle structures and systems that create and reinforce inequality. Accordingly, the debt burden on low- and middle-income countries should be cancelled in order to free up their resources for public services, social protection and boosting of the informal sector. As gender equality is a prerequisite for policy success in every sphere of society, governments must keep their international commitments on gender equality by increasing women's participation in decision-making at all levels and investing in women's empowerment during the post-pandemic recovery period.

At this 47th session of the Human Rights Council, Canada submitted the draft proposal Resolution 47.L.18 which, inter alia, urges states "to prevent and respond to the increase in violence against women and girls, including those with disabilities, amid the COVID-19 pandemic by integrating accessible and inclusive prevention, response and protection measures" into pandemic responses and recovery plans. Member states of the Council adopted the resolution at the end of the session without a vote.

Geneva International Centre for Justice remains committed to uplifting the voices of women and girls, in particular those with disabilities. We strongly support the Council's efforts to integrate women's rights into its work through this annual discussion. GICJ asks that states follow through with their commitments voiced on July 5th and 6th through concrete, proactive action. The world is stronger and more resilient when women have an equal seat at the table.

# The Eroding Situation in Ukraine and the Autonomous Republic of Crimea

Report by: Tristan Arlaud

Given the scope and length of the conflict, the human rights situation in the Autonomous Republic of Crimea and Eastern Ukraine has alarmed the HRC countless times. Since the shooting down of Malaysia Airlines Flight 17, killing all 298 passengers on board, the gravity and scope of the war between Ukraine and the Russian Federation were regularly placed in the Council's agenda. Over the past seven years, there had been numerous reports of human rights violations in either Crimea or the Donbas region from enforced disappearances, arbitrary detention, ill-treatment, and many more. A significant dispute involving two Members of the Council, the Europe Convention on Human Rights (ECHR), and parties to most human rights and humanitarian treaties.



On the 9th of July 2021, during the 47th session, two reports were presented during the Interactive Dialogue on the High Commissioner's oral presentation on Ukraine and human rights in Crimea.

The first was an OHCHR report A/HRC/47/CRP.2 arbitrary detention, torture, and ill-treatment in the context of armed conflict in eastern Ukraine between 2014 and 2021. The report is based on the analysis of countless conflict-related individual cases; it enabled the Office to notify at least 4,000 conflict-related detainees and had been subject to torture or ill-treatment over the past seven years. Further, it informs of the improvement of the situation in government-controlled territory but still demands significant progress be made in the coming years. Each side of the conflict needs to cooperate with its international obligations to stop the persistent human rights violations in the region.

The second was a Secretary General's report A/HRC/47/58 on the Situation of Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol (mandated by UNGA res. 75/192). The report notifies numerous violations which occurred between the 1st of July and 31st of December 2020.

From deliberate harassment and hindrance of lawyers in high profile cases, coercive methods of self-incrimination, and torture allegations, the region's judicial system is chaotic; meanwhile, the Russian Federation continues to restrict the SG's Office from direct access and controls most of the area. Additionally, significant discrimination towards Jehovah's witnesses and Crimean Tatars by the government sanctioning most religious practices.

The Dialogue was introduced by Ms. Monique T.G Van Daalen, Vice-President of the Council, and then continued by Rapporteur Ms. Keva Lorraine BAIN. Following all formalities, Ms. Emine Dzaparova was given the floor with a five minutes' statement during which she outlined pertinent issues of the ongoing situation.

She accentuated the terrible human rights situation in both regions as highlighted in the reports but further pointed at the Russian Federation as the main protagonist in commissioning such atrocities. As she stated: as a member of the HRC and the Council of Europe, it is unbelievable that Moscow commits such horrors [...] the Russian Federation continues to distort the truth and impose its false narrative...."

Most delegations denounced the Russian Federation for committing human rights violations in both regions and the country's failure to uphold its international obligations, specifically, to act in good faith regarding the Minsk Agreement 2015. The impact of Covid-19 was brought forward, as across most nations, it deteriorated the enjoyment of fundamental rights, particularly towards women. Civil society also shared their concern about the atrocious situation in both regions and further emphasized the importance of giving direct access to the OHCHR in their monitoring mission.

Tensions arose between the Ukrainian and Russian Delegations during the meeting. The Vice-President of the Council played the Russian Federation's statement, who shifted the blame towards Ukraine and its actions in Crimea. The Ukrainian Delegation requested numerous times not to play the video claiming that it constitutes a clear violation of UNGA resolutions of which the Security Council is a subsidiary party. According to the rules of procedure, the Council nor the secretariat has the mandate to credit or censor the accreditation of member states' delegations. The Ukrainian delegation rejected and condemned the Council's action and further expressed its protests in a verbal note distributed among all Member States.

A five minutes' video statement was also given to Ukraine's Parliament for Human Rights, during which it denounced the Russian Federation's breach of the four Geneva Conventions under International Humanitarian Law (IHL), Article 10 of the ECHR on freedom of expression and the constant human rights violations committed by authorities towards Crimean Tatars.

As part of any HRC dialogue on High Commissioner oral presentation, Ms. Nada Al-Nashif detailed her concluding remarks on the issues of Monitoring; freedom of expression, opinion, the right to peaceful assembly, and association and their limitations; the use of diplomatic channels and the International Community to influence state actors; the impact of Covid-19; and finally, the reports on the 2014 Odessa mass killing.

Geneva International Center for Justice disapproves of the Russian Federation's and separatists' groups' constant breaches of international human rights law and international humanitarian law and lack of cooperation with the UN. The practices of arbitrary detentions, ill-treatment, torture, enforced disappearance shall under no circumstances, whether politically motivated or based on racial or religious differences occur, as they are breaches of all fundamental rights governed by the Charter of the UN. Politics or religions are often the root causes of conflicts to which the primary victims are civilians.

GICJ welcomes international cooperation and comprehensive communication between all stakeholders to all disputes and within the whole of the international community. There is an urgent need to act regarding the Russian and Ukrainian conflict, as it has been going on for too long, and the human rights situation is not improving.

# Conclusions and Reflections

The 47th session of the Human Rights Council has shown both the resilience of GICJ's interns and the team coordination required to yield successful results, together with members of our partner NGOs. With the entire session taking place remotely, a lot of preparation leading up to the session was necessary, and training of interns located both in the office and remotely in over twelve countries was necessary.

Training consisted of teaching interns the functions of the HRC body and actors, the process of drafting and editing statements and the method of writing reports on HRC meetings. Interns followed interactive dialogues and panel discussions on topics they specialized in and through their reports and written and oral statements, they collectively contributed to the progressive realization of social and economic rights and the protection of fundamental rights.

Unfortunately, in this session, the civic space for NGOs was significantly restricted. GICJ, working jointly with a group of NGOs, found that since the outbreak of the COVID-19 pandemic, there have been restrictions and limitations of NGO participation at HRC sessions. Namely, the number of written statements an NGO could submit was reduced to 5. The number of general debate items that an NGO could speak at was also only 5. Then, for the first time, they reduced the number of NGOs that can speak under each general debate item, compared to previously all NGOs who had registered to speak. To compound this, during the meetings, if time was running low, the number of NGOs who could speak was even further reduced. This unfair situation calls for the UN to reconsider the way it has approached digitalization and ensure that the protection of human rights is not affected by this transition to the digital sphere.



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