

Geneva International Centre *for* Justice



The 51st Regular Session of the Human Rights Council

12th September – 7th October 2022

GICJ Full Session Report



www.gicj.org

THE 51st REGULAR SESSION OF THE HUMAN RIGHTS COUNCIL

12th September – 7th October 2022

GICJ FULL SESSION REPORT

Table of Contents

Introduction.....	1
Opening Session	2
Opening Statements	2
List of Agenda Items	4
GICJ's Participation	5
Oral Statements.....	6
1. GICJ strongly condemns the ongoing crimes in Myanmar	6
2. GICJ calls for universal jurisdiction for the Rohingyas	8
3. Between 500,000 and 1,000,000 Iraqis forcibly disappeared	10
4. More regulation on new technology regarding enforced disappearances is essential	12
5. The atrocities committed against Uyghurs must be a priority at the HRC	14
6. GICJ urges the Houthi militia to be held accountable for Yemen's humanitarian crisis ...	16
7. Humanitarian assistance and justice for the victims of the military junta's abuses.....	18
8. GICJ urges states to end economic cooperation with junta's owned companies	20
9. GICJ calls on the UN to urgently identify the Houthi militia as a terrorist organisation ..	22

10. States must support the Investigative Mechanisms and examine abuses in Iraq	24
11. GICJ calls for an Independent International Commission of Inquiry in Iraq	26
12. The inclusion of indigenous people is essential in multilateral decision making	28
13. GICJ urges international community to end Israeli's impunity concerning collective punishments	30
14. Israeli "peaceful democracy" and its failure to apply to Palestinians	32
15. GICJ calls for ending extrajudicial executions of Palestinians	34
16. Pervasive racial discrimination and inequality faced by children of African descent	36
17. GICJ calls States to address past forms of racism and exclusion and their lasting consequences	38
18. States must reevaluate their laws regarding systematic racism and discrimination.....	40
19. GICJ urges states to not let the weight of their past eclipse the future	42
20. International community must encourage systems of transitional justice	44
21. GICJ expresses concerns about violations of the Rights of the Child in South Sudan	46
22. Effective transitional justice mechanisms as a means for peace in South Sudan	48
23. GICJ urges states to not use the pandemic as a means to limit democracy	50
24. GICJ calls for additional measures to prevent the proliferation of foreign armed groups in CAR.....	52
25. Yemen is in dire need of technical assistance to counter the Houthi's violence	54
GICJ's Discussion Reports	57
1. Road to stability for Afghanistan	57

2. The Fragility of Women's Rights in Afghanistan.....	59
3. Protecting the Right to Safe Water and Sanitation in a Global Water Crisis	61
4. Contemporary Forms of Slavery Affecting Vulnerable Communities.....	63
5. Transitional Justice Processes and the Failure to Uphold Fundamental Human Rights ...	65
6. Use of Arbitrary Detention as a tool to crush dissent remains widespread	67
7. The Worldwide Persistence of Enforced Disappearance and its Effects.....	69
8. Scrutiny of Myanmar at the UN: Waiting for a Joined-Up Approach	71
9. Cycle of extreme violence and retribution continues in Ethiopia	74
10. Intolerable Hardship - Syria's 11 Years of War.....	76
11. Burundi Calls for the Termination of the Special Rapporteur's Mandate	78
12. Commission of Inquiry determines that war crimes have been committed in Ukraine	81
13. Gender-Based Barriers that seek to Silence Women.....	83
14. A Renewed Call for the Protection of Indigenous People	85
15. Reprisals and intimidations against people cooperating with the United Nations are still increasing.....	87
16. Urgent concerns remain about the HR situation of persons of African Descent	89
17. Law Enforcement Obligations to Ensure Racial Justice.....	91
18. The Rise of Hate Crimes Threatening Transitional Justice in the Democratic Republic of Congo	93
19. South Sudan's Transitional Justice Process has been Delayed	95

20. OHCHR Report accuses Russia of Committing Numerous Human Rights Violations in Ukraine	98
Resolutions	101
1. Resolution to establish a debate on the situation of the Uyghurs in China was rejected: Will “Southern States” ever be leaders in the defence of Human Rights?	101
2. The promotion of the rule of law and accountability for perpetrators is vital for the prevention human rights atrocities	103
3. Resolution to strengthen the journalists’ protection accepted by consensus	105
4. Taliban abuses against women and girls to be subject to greater scrutiny	107
5. Council adopts new resolution to “improve” the human rights’ situation in Syria.....	109
6. Joint resolution on terrorism and human rights by Mexico and Egypt	111
7. “From rhetoric to reality” resolution to combat racial discrimination approved by the Human Rights Council	113
8. Resolution requires the OHCHR to submit a report on the development of transitional justice processes worldwide	115
9. With the rejection of its 2 amendments, Resolution L12 on Arbitrary Detention stands strong	117
Conclusion and Reflections.....	119

Introduction

The 51st Regular Session of the Human Rights Council (HRC) was held at the Palais des Nations in Geneva, Switzerland from the 12th of September to the 7th of October 2022. Within this period, the Human Right Council held 5 panel discussions, 29 interactive dialogues, 31 dialogues with special procedures, and adopted 39 resolutions.

Geneva International Centre for Justice (GICJ) covered the session as an independent, non-profit, and non-governmental organisation. Collaborating with other NGOs such as the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Ma'onah Center for Human Rights, International-Lawyers.Org and Meezaan Center for Human Rights and Immigration, GICJ wrote articles and extensive reports of various articles debated through HRC51, such as the human rights abuses suffered by the Uyghurs in East Turkestan, the Palestinians in the occupied territories and the Rohingyas under the yoke of Myanmar's military junta. In addition, GICJ participated actively in the interactive dialogues delivering an amount of 25 oral statements.

This Full Session Report includes GICJ's entire participation at the HRC51. The first section includes the oral statements delivered; the second consists of the executive summaries of all written discussion reports; the last section contains articles on the passed and failed resolutions.

Opening Session

On 12th September 2022 Mr. Federico Villegas, President of the Council gave the opening remarks at the 1st Meeting of the 51st Session of the Human Rights Council.

During the opening session, both Mr. Federico Villegas and Mr. Simon Manley, Ambassador of Great Britain and Northern Ireland, held a moment of silence for her late Majesty Queen Elizabeth II.

Following the opening remarks, the floor was given to Nada Al Nashif, Deputy High Commissioner for Human Rights, who addressed the council and delivered her Annual Report

Opening Statements

Nada Al Nashif, **Deputy High Commissioner for Human Rights**, delivered the Annual Report of the High Commissioner for Human Rights. First, she extended her welcome to the new Under-Secretary-General for Policy Mr Volker Türk, whose appointment as the next High Commissioner for Human Rights was approved by the UN General Assembly on Thursday 8th September 2022.

The Deputy High Commissioner noted that since the Council's last meeting in June 2022, several situations around the world have continued to raise serious human rights concerns requiring urgent action. She expressed she would not touch on situations that are the subject of separate discussion during the session, namely, Afghanistan, Belarus, Cambodia, the Democratic Republic of Congo, Georgia, Myanmar, Nicaragua, Philippines, South Sudan, Sri Lanka and Ukraine.

Thus, Nada Al Nashif highlighted thematic areas to be addressed in countries that are not to be discussed during the session such as Chad, Guinea, Libya, Haiti, and Ecuador amongst others.



The Report highlighted specific areas of focus, namely, an increase in hate speech and incitement to violence against ethnic minorities; the shrinking civic spaces in certain States; targeted attacks against Muslims and other minorities; violence against women and excessive force by security forces during protests against human rights defenders, lawyers and journalists.

Regarding the crisis in Ukraine, it was highlighted how the Russian Federation, and the intimidation, restrictive measures and sanctions against people voicing opposition to the war in Ukraine, undermine the exercise of constitutionally guaranteed fundamental freedoms. Further, she emphasised the suffering endured by the civilian population in Ukraine and discussed how the war has produced global political-economic issues, including severe food shortages and threats to security in some of the poorest countries.

In her concluding remarks, Nada Al Nashif acknowledged that the coming months are a critical test of political will. She stressed that political commitments that are grounded in international human rights standards can propel us forward towards more just and equal societies. It must be recognised that States can and should use the full gamut of human rights as problem-solving measures. Fuller use should be made of International Human Rights Mechanisms; the Treaty Bodies, Universal Periodic Review and Special Procedures to provide critical oversight and guidance to assist states in moving forward with the protection and promotion of human rights.

List of Agenda Items

1. Organisational 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.

GICJ's Participation

For the 51st Regular Session of the Human Rights Council, Geneva International Centre for Justice (GICJ) assembled a team composed of **24 interns and volunteers**. The team covered **30 discussions** and wrote **22 discussion reports**, among which two combined reports, and submitted **3 written statements**. Several colleagues delivered an amount of **25 oral statements** during the session, while **9 resolution articles** were written.



Oral Statements

During the 51st Session of the UN Human Rights Council, Geneva International Centre for Justice (GICJ) delivered 25 oral statements in collaboration with the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Association Ma'onah for Human Rights and Immigration, and Meezaan Center for Human Rights.

1. GICJ strongly condemns the ongoing crimes in Myanmar



[Click here to watch the video](#)

Item 2: Interactive Dialogue on the Report of the Independent Investigative Mechanism for Myanmar

Joint statement with Meezaan Center for Human Rights

Delivered by *Martin Browne* / GICJ

Thank you, Mr President,

We welcome the update report from the Investigative Mechanism and commend all of those who have engaged in providing evidence of serious crimes and human rights breaches in Myanmar.

Bodies like this Mechanism are crucial in achieving justice in practice and should not be limited by a lack of funding in carrying out their necessary activities.

Recording, analysing, and progressing cases against individuals who have committed elements of crimes - particularly Genocide - is a complex process. But the wheels of international justice must continue to turn to achieve justice for victims of these grave crimes.

Ascertaining criminal responsibility to the highest international standards sends a strong signal to future offenders, and is the most effective way to bring an end to the ongoing crimes highlighted in this report including genocide against Rohingya Muslim people, prolonged detentions, unlawful killings, and displacement across Myanmar.

Full financial and institutional support to access witnesses and documents are straightforward commitments that can be easily implemented by every State that comes to this room promising to protect basic rights.

Meezaan Center for Human Rights and Geneva International Centre for Justice strongly urge all states to give real, practical, and effective support to the Mechanisms' investigations. This is necessary to increase accountability for serious crimes and achieve justice for the people of Myanmar.

Thank you.

2. GICJ calls for universal jurisdiction for the Rohingyas



[Click here to watch the video](#)

Item 2: Interactive dialogue on the report of Independent Investigative Mechanism for Myanmar

Joint statement with

International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD)

Delivered by *Ardya Syafhana* / GICJ

Thank you, President,

This month will mark three years since the establishment of the Independent Investigative Mechanism for Myanmar (IIMM) and the five-year commemoration of the clearance operations against the Rohingya people.

Nevertheless, retributive justice in Myanmar is still far from attainment. When the IIMM persisted in facilitating criminal proceedings against Myanmar authorities, only Bangladesh, Gambia and Argentina agreed to hold such judicial processes. On the other hand, Myanmar domestic court focused more on prosecuting only the political opponents and denied IIMM access in its territory. Given the situation, investigations into Myanmar rely upon the assistance of other states and related individuals outside Myanmar.

EAFORD and Geneva International Centre for Justice calls for all UN member states to assist the accountability process of the international courts, IIMM as well as taking initiatives toward the universal jurisdiction. In addition to technical and humanitarian assistance, we also urge the adoption of the UN Security Council Resolution on jurisdiction of international criminal court under Article 13(b) of the 1998 Rome Statute, to cover all Myanmar territory for probable war crimes and crimes against humanity.

3. Between 500,000 and 1,000,000 Iraqis forcibly disappeared



[Click here to watch the video](#)

Item 3: Interactive Dialogue with Working Group on enforced disappearances

Joint statement with

International Organization for Elimination of all Forms of Racial Discrimination (EAFORD)

Delivered by *Emily Bare* / GICJ

Thank you, President,

I would like to thank the Working Group for its report and commend its activities as being crucial in achieving justice for victims.

As the report highlights, Iraq currently has the highest number of outstanding documented cases of enforced disappearance, standing at 16,427 victims. However, our investigations show that the true number of victims is drastically higher than this.

Although precise figures are difficult to determine, we believe according to our research and contacts in Iraq that the total number of enforced disappearances is between 500,000 and 1,000,000 persons.

Over the past five years, evidence shows that groups have been burying bodies in mass graves, including the Iraqi Hezbollah militia – the same group that is accused of keeping thousands of Iraqis in secret prisons.

Despite the seriousness of these violations, the report failed to identify Iraq as a particular area of concern.

While the report finds that Iraq has no official documentation of violations since 2003, the pervasive practice of enforced disappearance did not just cease at the turn of that new year. Instead, reliable evidence shows that enforced disappearances in Iraq have drastically escalated and perpetrators are consistently given impunity.

EAFORD and Geneva International Centre for Justice strongly urge the Human Rights Council to support the mission of the Working Group in investigating these rampant enforced disappearances in Iraq.

Thank you.

4. More regulation on new technology regarding enforced disappearances is essential



[Click here to watch the video](#)

Item 3: Interactive Dialogue with the Working Group on Enforced Disappearances.

Joint statement with the Meezaan Center for Human Rights

Delivered by *Martin Browne* / GICJ

Thank you, Mr. President,

We welcome the report of the Working Group and commend those who contribute to its activities.

We lament reports of countries failing to fully engage with the Working Group when core human rights are threatened by disappearance; states should take every possible measure to prevent threats

to life, liberty, and of torture. We urge states who are proud of their human rights record to respond to requests for information and permit country visits in the coming year.

On technological interference - the Group's findings chime with our work. We urge all states to refrain from exploiting technology to monitor those campaigning for the enjoyment of basic rights especially those who simply want to contact their family members.

Positively, states should support technology that documents and shares essential information about persons, detention facilities, and burial sites to facilitate effective investigation. This is particularly vital in Iraq where detention sites are kept secret from family members and official requests to access burial sites are blocked without reason.

Meezaan Center for Human Rights and Geneva International Centre for Justice remind states that no situation of conflict, or political instability may be invoked to justify disappearances nor to ignore requests for more information.

States do not have to be a signatory to the Convention in order to be bound by norms of basic humanity. Nevertheless, we call on more states to ratify the Convention and work to implement its provisions domestically.

5. The atrocities committed against Uyghurs must be a priority at the HRC



[Click here to watch the video](#)

Item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Joint statement with Meezaan Center for Human Rights

Delivered by *Farah Caïdi* / GICJ

Thank you, vice-President,

On behalf of Meezaan Center for Human Rights and Geneva International Centre for Justice I take the floor today regarding human rights in China, especially the violations perpetrated by the Chinese government against the Uyghur Muslim community and other minorities.

Although the high commissioner's office report confirms what the global community already apprehended, the document itself is ground-breaking as it is an official recognition of the atrocities committed by China. It paves the way for immediate action by intergovernmental bodies and UN mechanisms.

To fasten the implementation of the reports' recommendations, we urge the HRC to prioritise the persecution of Uyghurs and other minorities on the agenda. We join the request of many others for a special Council session to be held on this matter. Supporting the call of more than 50 UN Special Rapporteurs and experts in 2020 and 2022, we urge this council to establish a special procedure to examine the dramatic situation of Human Rights in China, especially against minorities. Finally, given the extensive amount of credible evidence brought to light throughout the years, we highly believe the implementation of an independent investigative mechanism is crucial to collecting, unifying and preserving the evidence.

Meezaan and Geneva International Centre for Justice (GICJ) urge this council to finally take action. Dear delegates, this situation is urgent and must shift towards seeking accountability for justice to be served.

Thank you.

6. GICJ urges the Houthi militia to be held accountable for Yemen's humanitarian crisis



[Click here to watch the video](#)

Item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Joint statement with the Association Ma'onah for Human Rights and Immigration

Delivered by *Namrata Hazarika* / GICJ

Thank you, vice-President,

We are alarmed by the human rights situation in Yemen. Embroiled in sexual and gender-based violence, arbitrary arrests and extra-judicial killings, Yemen is facing one of the worst humanitarian situations of the 21st century. Although humanitarian aid is being provided, it

continuously fails to reach the people it is intended for. This is because the armed Houthi militias in Sana'a intervene and seize the aid, birthing a self-perpetuating cycle of human rights violations.

Terrorist attacks carried out by the Houthi militia add to the already existing issues of starvation, lack of sanitation, and lack of health care. The Houthi militias deliberately fail to provide civilians their rights to health care and safe drinking water. Such practices are mostly prevalent in the areas of Sana'a, Hodeidah, Ibb, Aden, Taiz and Marib. Thus, the basic fundamental rights of a majority of Yemen's population are being compromised, curbing any scope for development.

Maonah and Geneva International Centre for Justice reiterate that the militia's deprivation of healthcare rights amounts to war crimes for which they must be held accountable. The inability of the Yemeni justice system to criminalise the Houthi militias perpetuates their impunity. To ensure protection of all rights under Item 3, we urge member-states to exert political pressure on the de-facto authorities to ensure accountability of human right abuses.

Thank you.

7. Humanitarian assistance and justice for the victims of the military junta's abuses



[Click here to watch the video](#)

Item 4 - ID with SR on Myanmar

Joint statement with

**International Organization for the Elimination of All Forms of Racial Discrimination
(EAFORD)**

Delivered by *Conall Corrigan* / GICJ

Thank you,

Since February last year, abuses committed by the military junta in Myanmar have spanned the entire spectrum of human rights resulting in the deaths and displacement of thousands of civilians. Five years on from the brutal crackdown on the Rohingya Muslim population, members of this

religious group are still awaiting justice and accountability for violations of their basic human rights.

The humanitarian crisis has been worsened by the rising prices of essential commodities, particularly food and fuel, as a result of the conflict in Ukraine which has severely impacted global supplies.

The Report of the Independent Investigative Mechanism for Myanmar has found, that since 2021, the civilian population have been forced to endure a barrage of violent mistreatment at the hands of armed forces.

The actions of the military junta in Myanmar constitute clear violations of numerous international human rights standards contained in treaties signed and ratified by Myanmar.

Although a recent Fact-Finding Mission carried out by the OHCHR found that some progress has been made in isolating the military regime from the global economy, much more must be done to ensure those who perpetrate crimes against civilians are held accountable for their actions.

The International Organization for the Elimination of All Forms of Racial Discrimination and Geneva International Centre for Justice remain concerned about the current situation in Myanmar. The international community must commit itself to pursuing a coordinated effort to support the people of Myanmar by providing vital humanitarian assistance, ensuring justiciable remedies for victims of rights abuses, and prioritising the de-escalation of the conflict.

Thank you.

8. GICJ urges states to end economic cooperation with junta's owned companies



[Click here to watch the video](#)

Item 4: ID on OHCHR Report on Myanmar

Joint statement with

**International Organization for the Elimination of All Forms of Racial Discrimination
(EAFORD)**

Delivered by *Loïc Dorthé* / GICJ

Thank you, President,

We welcome the report of the Office of the High Commissioner for Human Rights, but remain concerned with its results. We recall that by taking over the country, the junta has exacerbated an already fragile human rights situation. The reduction of civic space and perpetration of crimes

against humanity such as elements of genocide against the Rohingya, cannot go unanswered by the international community.

However, we regret that the recommended sanctions, designed to starve financial resources of Myanmar's military, are ineffective, or simply insufficient. As the report details, the junta and its leaders are using resources of state-owned enterprises to fund their control over the country. The sectors, companies, and senior officials at the helm are known. Lack of action by partner states is therefore inexcusable. Currently, too many countries trading with the junta remain unaccountable, and the inaction of neighbouring states is particularly intolerable. Denouncing a military coup and acknowledging the subsequent alleged human rights violations is meaningless if no concrete action is taken to improve the human rights' situation in Myanmar.

Therefore, EAFORD and Geneva International Centre for Justice call on all states, especially ASEAN and those with significant economic ties to junta-controlled enterprises, to implement economic sanctions to the best of their ability, and to promote trade with civilian companies. Economically weakening the military, and strengthening the civilian parties is the responsibility of all states willing to commit to the return of democratic political institutions, and respect for human rights in Myanmar.

Thank you.

9. GICJ calls on the UN to urgently identify the Houthi militia as a terrorist organisation



[Click here to watch the video](#)

Item 4: Human rights situations that require the Council's attention

Joint statement with the Association Ma'onah for Human Rights and Immigration

Delivered by *Danya Al-Thani* / GICJ

Thank you, Mr. President,

Ma'onah and Geneva International Centre for Justice would like to first draw attention to the grave human rights violation in Yemen. Since the takeover of power by the Houthi militias, Yemeni people have been subjected to extrajudicial killings, gender-based violence, torture, and arbitrary arrest.

The thousands of Yemenis subjected to arrest, kidnap, or other forms of forced disappearance by Iranian-backed, Houthi militias, are denied access to the basic rights of a fair trial.

The methods used by the Houthi militias to control the population, include torture and murder of civilians as well as internet and media restrictions. On the 18th of September 2021, Houthis publicly executed 9 civilians in the Hodeidah governorate without access to fair judicial process. Civilians have also been forcibly displaced by the confiscation of lands in the Beit al-Faqih district with dozens arrested. To stop violations against the Yemeni people, the UN must urgently identify the Houthi militia as a terrorist organisation.

On another urgent matter, we express our deep concern about the ongoing human rights abuses in Iran and strongly condemn the disproportionate use of force against protesters. Iran must respect the right to freedom of expression, assembly, and association. We call on the international community, including this council, to take concrete steps to protect the protesters in Iran. Iran must be held accountable for all its violations.

Thank you.

10. States must support the Investigative Mechanisms and examine abuses in Iraq



[Click here to watch the video](#)

Item 4: Human rights situations that require the Council's attention

Joint statement with the Meezaan Center for Human Rights

Delivered by *Martin Browne* / GICJ

President,

Addressing some general concerns covering the mechanisms under Item 4.

Their operation needs reform only to the extent that they must be fully resourced in order to be effective in carrying out their agreed mandates as endorsed by states and civil society.

Resources are required due to the detail required for producing accurate substantive reports, establishing liability, helping accountability and achieving successful prosecutions of identified crimes.

Despite the expansion of these bodies' work - there are still countries outside of the specific mandates where there are serious, grave, and ongoing human rights concerns that require greater attention within this Council.

We should focus on precise steps to protect the rights of people in Iraq which have unfortunately been ignored in recent years. Yet people in Iraq are suffering from the effects of rampant enforced disappearances and the destabilising effects of sectarian violence. This has included unlawful killings, denial of basic services and the violent repression of peaceful protestors in 2019 and continuing to the events in Baghdad just 3 weeks ago.

States calling this body's processes "political" do not help the process of accountability to become less political by sitting on the sidelines and criticising without proposing alternative methods of achieving justice for victims around the world.

Meezaan Center for Human Rights and Geneva International Centre for Justice strongly urge all states to give real, practical, and effective support to the mechanisms as necessary to increase accountability for serious crimes and achieve justice for victims around the world.

Thank you.

11. GICJ calls for an Independent International Commission of Inquiry in Iraq



[Click here to watch the video](#)

Item 4: Human rights situations that require the Council's attention

Joint statement with International-Lawyers.org

Delivered by *Naji Haraj* / GICJ

Thank you,

We would like to remind the Council about the systematic and widespread human rights violations in Iraq. We have raised this issue many times before UN relevant bodies and are still of the firm belief that the situation requires special attention by this Council.

It is appalling that international crimes committed by the state and its affiliated Militias agents have gone without accountability. We have documented that since the 2003 illegal invasion and occupation of Iraq not a single perpetrator from those high-ranking officials has been brought to justice. The victims of those heinous crimes of aggression, war crimes, and crimes against humanity are entitled to the protections of international law and cannot be removed from our collective memory.

It is also appalling that the Iraqi government continues to evade calls for accountability for thousands of arbitrarily detained and disappeared persons by branding them as terrorists solely on the basis that they derive from certain ethnic regions in Iraq.

Human rights defenders in Iraq are subjected to abductions and assassinations merely for exercising their fundamental rights.

Therefore, International-Lawyers and Geneva International Centre for Justice repeat their calls to establish an international, independent Commission of inquiry to investigate all human rights violations in Iraq since 2003 in order to hold all perpetrators accountable.

Thank you.

12. The inclusion of indigenous people is essential in
multilateral decision making



[Click here to watch the video](#)

Item 3 & 5: Interactive dialogue with the Expert Mechanism on the Rights of Indigenous Peoples on its annual report

Joint statement with Meezaan Center for Human Rights

Delivered by *Isabelle Despicht* / GICJ

Thank you, President,

We thank the Expert Mechanism on the Rights of Indigenous People for its update and commend all progress made by states to elevate the rights of indigenous communities across the globe.

Indigenous people comprise 6% of the global population and are among the most marginalised societies. Often overlooked, their role in preserving and disseminating indigenous knowledge and culture is paramount to modern societies.

Indigenous communities continue to be discriminated against and are often unable to fend for themselves. Most notably, they are too frequently unable to access appropriate legal remedies when their rights have been violated.

Despite considerable advances, we regret that, as noted in their report, the Expert Mechanism only received input from two states on the study on Treaties, agreements and other constructive arrangements.

Meezaan Center and Geneva International Centre for Justice urgently call this Council for a renewed and concerted effort to include these groups in multilateral decision-making processes. States should make use of the mechanisms made available to them.

We further join the call of the Expert Mechanism for States to ensure prompt and effective investigations and, most importantly, to ensure accountability for crimes committed against these communities, guaranteeing the principle of non-repetition.

Thank you.

13. GICJ urges international community to end Israeli's impunity concerning collective punishments



[Click here to watch the video](#)

Item 7: General Debate of Human Rights Situation in Palestine and other Occupied Arab Territories

Joint statement with

International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD)

Delivered by *Loïc Dorthé* / GICJ

Thank you, president,

We wish to raise the grave situation of collective punishment by Israel against Palestinians, which is an exceptionally serious violation of the principles and rules of international law.

Since 1967, the Israeli army has been continuously demolishing Palestinian homes to deter individuals declared as so-called "terrorists" from repeating their actions. The army destroys to the ground hundreds of properties, houses, and buildings in which these people live with their families, including children.

By having their homes demolished, these Palestinians are being deprived of everything they own and thrown out onto the street. They are subjected to an obvious form of collective punishment, in clear violation of Article 33 of the Fourth Geneva Convention.

In addition, since May of this year, the restriction of access to certain areas, including occupied Jerusalem, has been extended to second-degree relatives of suspected terrorists. Let us be clear. It was already a violation of humanitarian law to punish parents and siblings who did not commit any crime, but in the face of the international community's lack of reaction, nothing prevented Israel from taking this additional step.

Finally, to prevent Israel from taking, again, an additional step, and violating further humanitarian law and human rights, EAFORD and Geneva International Centre for Justice call on the international community to put an end to the Israeli occupation, end impunity and bring justice to the Palestinian people.

I thank you.

14. Israeli "peaceful democracy" and its failure to apply to Palestinians



[Click here to watch the video](#)

General Debate Item 7: Human rights situation in Palestine and other Occupied Arab Territories

Joint statement with Meezaan Center for Human Rights

Delivered by *Farah Caïdi* / GICJ

Thank you,

Here we are 74 years later, gathered yet again, to denounce the suffering of the Palestinian people.

Israeli prime minister recalled before the General Assembly that Israel is a peaceful democracy. I would like to remind this Council that Israel is the State that has the most unsolved and ignored

resolutions in the UN history. The UN recognised democracy “as a form of government [that] is a universal benchmark for human rights protection”. How can Israeli authorities pretend to be a democracy, yet completely disregard resolutions that call it to abide by basic international standards of human rights?

An Israeli democracy that doesn't hesitate to violently repress civil society, as we clearly saw with the violent repression of the Palestinian NGOs, or to simply expel UN experts from its territory. In this regard, we are here today to express our support for every human rights defender.

Again, we condemn the lack of consistency of many States denouncing human rights. As we welcome the steps taken by the USA to denounce the ongoing atrocities committed in China against the Uyghurs, we can't help wondering: Does the conception of human rights violations change from one country to another? Isn't the forced eviction of people and the erasure of their culture a universal violation of International Law?

To comply with the democratic principle, Meezaan Center for Human Rights and Geneva International Centre for Justice urge the Human Rights Council and every State to finally act on the numerous UN resolutions in order to end the Israeli brutal policies and occupation.

Thank you.

15. GICJ calls for ending extrajudicial executions of Palestinians



[Click here to watch the video](#)

Item 7: General Debate of Human Rights Situation in Palestine and other Occupied Arab Territories

Joint statement with Association Ma'onah for Human Rights and Immigration

Delivered by *Saja Misherqi* / GICJ

Thank you,

Israeli occupation policies are getting more violent every day. Among them is the increase in extrajudicial executions by Israeli soldiers and illegal settlers.

A policy of impunity prevails for the perpetrators of these violations, with the International Community's neglect of The Palestinian People's legitimate rights.

Despite the prohibition by international law, the practice by the Israeli policies remains prevalent. In the past two years, more than 18 cases of extrajudicial execution were committed but none of the perpetrators have been brought to justice.

Lest we forget, the Palestinian Journalist Shireen Abu Aqleh who was killed this year in cold blood by an Israeli soldier while on duty.

Settler violence against Palestinians takes many forms, starting from but not limited to physical attacks, stabbings, shootings, as well as attacks on property.

One such violent attack was on 27 year old Palestinian engineer from Nablus, Ali Harb. Ali was stabbed to death by a settler who had stormed private land belonging to the Harb family with a group of settlers. The Israeli Military Prosecution acquitted the killer on the pretext of self-defense and the lack of sufficient evidence to convict him.

Therefore, Ma'ouna and Geneva International Center for Justice call on the international community to intervene immediately to prevent all forms of violence by Israeli soldiers and settlers against Palestinians.

I thank you.

16. Pervasive racial discrimination and inequality faced by
children of African descent



[Click here to watch the video](#)

**Item 9: Interactive dialogue with the Working Group of Experts on People of African
Descent**

Joint statement with

**International Organization for the Elimination of All Forms of Racial Discrimination
(EAFORD)**

Statement delivery by *Emily Bare* / GICJ

Thank you, vice-President:

We welcome the report by the Working Group of Experts on People of African Descent, especially as it relates to children. This issue is of great importance as it relates to future generations and humanity.

We agree with the report in that it is necessary to identify existing racialized challenges that come in various forms - including legal hurdles and other types of violations. In this regard, we note that the history of justifying and enabling colonial domination, together with neo-colonial dynamics, especially in law - must be addressed in various fields such as education, health, and development.

It is of utmost importance to also address invisible challenges and barriers such as mental slavery and child sexual slavery among others, as these are also negative results of the legacies of slavery and colonialism.

To this end, EAFORD and Geneva International Centre for Justice strongly believe that effective inclusion of victims and affected communities is paramount in discussions regarding accountability and redress. We encourage the inclusion of experts in civil, political, social, and cultural fields as noted in the DDPA - as well as the need for special measures to be incorporated to combat racial discrimination and inequality faced by children.

In conclusion, we would like to ask the Working Group, what measures and steps can civil society, together with member states and other stakeholders do to strengthen political will, moral courage, and State responsibility?

Thank you.

17. GICJ calls States to address past forms of racism and exclusion and their lasting consequences



[Click here to watch the video](#)

General Debate Item 9: Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Joint statement with

International Organization for Elimination of all Forms of Racial Discrimination (EAFORD)

Delivered by *Emily Bare* / GICJ

Thank you, Mr. President:

We are deeply concerned about the lack of commitment by States toward the elimination of all forms of racial discrimination and other intolerances.

Racism, racial discrimination, xenophobia, and related intolerance continue to plague humanity. Regrettably, the lack of political will to advance the global anti-racism and anti-discrimination agenda continues to hamper the effective combating of racism and its effects. This lack of political will fuels racist and xenophobic tendencies in many parts of the world.

Although the United States ratified the ICERD in 1994, it consistently fails to uphold its obligations. Recent data shows an increase in the death rates of people of African descent caused by police officers, in hate crimes against people of Asian descent since the outbreak of the Covid-19 pandemic, and in the rise of ideas of racial superiority.

Pervasive structural racism and systemic injustice in the United States continues to deny people their fundamental human rights, affecting generations of women, men, and children - stripping them of their humanity.

EAFORD and Geneva International Centre for Justice believe that the effective implementation of the Durban Declaration and Programme of Action into national legislation of each State is crucial. We urge States to address the complex legacy and lasting consequences of past forms of racism and exclusion, including colonial exploitation and enslavement.

Lastly, we commit ourselves to the ideal that diversity is a strength and not a threat to society.

Thank you.

18. States must reevaluate their laws regarding systematic racism and discrimination



[Click here to watch the video](#)

General Debate Item 9: Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Joint statement with the Association Ma'onah for Human Rights and Immigration

Delivered by *Rute Belachew* / GICJ

Thank you,

The Durban Declaration represented the international community's unequivocal commitment to combat racism and associated intolerance at the national and international levels. To do so, we

must first acknowledge the value of all human beings by identifying the harm inflicted by colonialism and white supremacy.

Discriminatory laws frequently target and uproot indigenous populations across the globe, such as the Maasai in Eastern Africa and First Nations people in North and South America. In the Occupied Palestinian Territories, persecution and house demolition have devastated families for decades. This contempt for Indigenous peoples is pervasive as the technological sector continues to receive governmental support despite their harmful extraction practices. Extractions of resources, like lithium and cobalt, destroy their ecosystems and harm their capacity to cultivate crops for sustenance until they are eventually displaced.

Furthermore, the alarming number of Indigenous women who continue to disappear in the United States and Canada demonstrate the harm caused by silence.

Ma'onah and Geneva International Centre for Justice call on nations to reevaluate laws that enable for the ongoing oppression of indigenous peoples. Lastly, we implore states to implement comprehensive legislative frameworks in accordance with the Declaration and Programme of Action to ensure that all institutions responsible for perpetuating cycles of systematic racism and discrimination end before it's too late.

Thank you.

19. GICJ urges states to not let the weight of their past
eclipse the future



[Click here to watch the video](#)

**General Debate Item 9: Racism, racial discrimination, xenophobia and related forms of
intolerance, follow-up to and implementation of the Durban Declaration and Programme
of Action**

Joint statement with Meezaan Center for Human Rights

Delivered by *Namrata Hazarika* / GICJ

Thank you, President

The role of the right to self-development in guaranteeing individual fundamental rights has been well covered throughout the council. This is why we wish to bring up how the Israeli occupation

of Palestine for over 55 years has normalised Israel's systematic discrimination based on nationality and ethnicity, denying Palestinians a chance at self-determination.

A recent example of such a practice stems from Israel's housing policies in east Jerusalem that discriminates against Palestinian people. The existence of "discriminatory zoning" and "planning regimes" in the region prevent Palestinians from attaining access to housing, water, and sanitation. Such zoning also inadvertently restricts educational and healthcare opportunities available to Palestinians. All amount to a decreased standard of living. This is a clear case of racial segregation feeding an apartheid regime.

Meezaan Center for Human Rights and Geneva International Centre for Justice (GICJ) reiterate that the DDPA identifies the plights of Palestinians as racial discrimination against those under foreign occupation. Yet the gap between the promise and implementation of non-discriminatory policies by States is alarming. The lack of accountability borne by States is one of the core reasons for the escalation of the plight of Palestinians. Without implementation of the DDPA into national legislations, systemic racism will continue to breed.

We are at a stage in history where a universal narrative condemning all manifestations of racism is critical. Hence, delegates, don't let the weight of your past eclipse the future.

Thank you.

20. International community must encourage systems of
transitional justice



[Click here to watch the video](#)

**Item 10: Enhanced ID on the report of HC and experts on the Democratic Republic of
Congo**

Joint statement with

**International Organization for the Elimination of All Forms of Racial Discrimination
(EAFORD)**

Delivered by *Rasika Gopalakrishnan* / GICJ

Thank you,

Since 2012, the army of M23 rebels in the Democratic Republic of Congo has continued to endanger and displace thousands of civilians across the country. Despite several attempts at

peaceful negotiations, the army has persisted in its attacks on the Armed Forces of the DRC, thereby leading to social, political, and economic instability in the region.

The team of international experts observed that several towns and provinces have passed into the hands of the Congolese Revolutionary Army, creating a hostile and dangerous environment for women, children, and other vulnerable communities. Such actions place the UN Peacekeepers as well as the civilians of the DRC in great danger. It was noted that the peacekeeping mission, MONUSCO, had to be evacuated due to concerns for their safety.

Although the country has taken both diplomatic and humanitarian steps to resolve this dispute, the team of independent experts strongly believes that an increase in cooperation between various stakeholders is required to put an end to this unrest. In their report, the team noted a correlation between the absence of the judicial system, on the one hand, and the proliferation of armed groups, on the other. Therefore, increased investment in the country's judicial system could go a long way in combating impunity. The Report further stresses the need to establish transitional justice systems in order to protect against the occurrence of future human rights abuses.

EAFORD and Geneva International Centre for Justice strongly urge the international community to support the mission of the Democratic Republic of Congo in establishing systems of transitional justice.

Thank you.

21. GICJ expresses concerns about violations of the
Rights of the Child in South Sudan



[Click here to watch the video](#)

Item 10: Technical Assistance and Capacity Building for South Sudan

Joint statement with

**International Organization for the Elimination of All Forms of Racial Discrimination
(EAFORD)**

Delivered by *Loïc Dorthé* / GICJ

Thank you, president

We thank the Office of the High Commissioner for Human Rights for the oral update, and we recognise the meaningful progress made towards the reconstitution of the Transitional National Legislative Assembly with the appointment of the first female speaker in the country's history.

We are deeply concerned however about the violence and incursions in South Sudan that have displaced over 44,000 civilians and killed 173 people in the last four months. The human rights situation in South Sudan is very alarming with grave violations and abuses reported against 124 children including acts of, abduction, sexual violence, murder, and forced recruitment into the army. EAFORD and Geneva International Centre for Justice call on the Government of South Sudan to uphold their obligations under the Convention on the Rights of the Child.

In addition, we are troubled by the Government's failure to establish a Hybrid Court for South Sudan. Holding credible trials and establishing mechanisms to ensure truth telling, reparations, and justice for the victims are essential in repairing the country's social fabric as well as bringing healing to the people.

We also note with concern how the continuous violence has led to increasingly high malnutrition rates among the South Sudanese. Humanitarian aid and assistance have been denied or restricted leaving the people in a hopeless situation. We call on this Council and the International community as a whole to take action to protect the people of South Sudan.

I thank you.

22. Effective transitional justice mechanisms as a means for peace in South Sudan



[Click here to watch the video](#)

Item 10: Interactive dialogue on the oral update of OHCHR on technical assistance and capacity-building for South Sudan

Joint statement with Meezaan Center for Human Rights

Delivered by *Isabelle Despicht* / GICJ

Thank you President,

We welcome the work of the Office of the High Commissioner, and the activities led by the Commission on Human Rights in South Sudan as a follow up of their report on sexual and gender based violence of March 2022.

We remain, however, deeply concerned about the appalling reports from victims.

Sexual and gender based violence, most often affects the most vulnerable groups. These outbreaks of violence, reveal a profound and ongoing systemic pattern of impunity, exposing the institutional weaknesses.

We welcome the UNDP's efforts to help educate vulnerable groups about their rights, as well as the awareness campaigns conducted for law enforcements and institutional staff.

Still, concrete measures are needed to enhance access to justice for the most vulnerable. In that view we highly encourage the implementation of UNDPs mobile courts in the most isolated areas.

We strongly support the stance that traumas and injustice, if left unattended, can only fuel further cycles of violence.

Sustainable peace cannot be reached without accountability, and no trauma can be healed without justice.

Meezaan Center and Geneva International Centre for Justice (GICJ) reiterate our strong support to the Commission.

We urge this Council to ensure an effective interim reparation mechanism for victims as well as the implementation of an inclusive and representative transitional justice system.

I thank you.

23. GICJ urges states to not use the pandemic as a means
to limit democracy



[Click here to watch the video](#)

Item 10: Interactive Dialogue with Special Rapporteur on Cambodia

Joint statement with the Association Ma'onah for Human Rights and Immigration

Delivered by *Namrata Hazarika* / GICJ

Thank you, President

We start by thanking the Special Rapporteur for his report and asserting that the right to development is tethered to freedom of expression and association. Yet, in the recent assessment of democratic pluralism in Cambodia, we find that both said components are compromised. Hence, we express concern about the human rights situation in the State.

The 2020 State of Emergency Law has restrained the power to declare an emergency and curbed civic liberties, in the hands of a few. Hence, legally silencing critics of government policy. This diminishes the scope for peaceful assembly and freedom of speech, corroborated by the rising threats and harassment towards journalists and human rights defenders and their subsequent arbitrary arrest and detention. All these factors contribute toward preventing the development of multiparty democracy in Cambodia.

The Covid-19 pandemic has further normalised said restrictions under the pretext of the 2021 Law on Preventive Measures against the Spread of COVID-19 and Other Severe and Dangerous Contagious Diseases. This law not only overrides the mobility rights of citizens but also impedes their right to privacy by allowing public disclosure of personal data of patients who contracted Covid.

Therefore, Ma'onah and Geneva International Centre for Justice support the Special Rapporteur's recommendation to suspend and reform the above-mentioned laws. Additionally, we wish to emphasise that the pandemic is not a means to limit democracy but rather it should bring about a time to advance it.

Thank you.

24. GICJ calls for additional measures to prevent the proliferation of foreign armed groups in CAR



[Click here to watch the video](#)

Item 10: ID on IE on Central African Republic

Joint statement with

**International Organization for the Elimination of All Forms of Racial Discrimination
(EAFORD)**

Delivered by *Loïc Dorthé* / GICJ

Thank you,

We welcome the report of the independent expert on human rights in the Central African Republic and the progress reached, including the abolition of the death penalty and the national action plan to combat child trafficking.

For many years, the population of the Central African Republic has lacked opportunities and the younger generations have been deprived of their future. Restoring stability and security seems to be the government's main objective. Despite its obvious importance, we are alarmed by the enormous costs that accompany it.

To achieve stability, the government collaborates with foreign armed groups, which are effective in the short term. However, this partnership undermines the CAR's long-term ability to act as a sovereign state. It is also affecting MINUSCA's work. Alleged crimes against humanity, violations of international humanitarian law, and the plundering of the country's resources by these armed groups cannot go unanswered.

To move towards reconciliation, an inclusive dialogue between communities must be promoted. The local elections, which have been postponed to January 2023, are therefore of utmost importance. They must be fair and genuine to allow the population to feel represented.

EAFORD and the Geneva International Centre for Justice, reiterate the call for independent experts to provide the required technical and financial support. We also call for further international measures to prevent the proliferation and limit the power of foreign armed groups, to achieve long-term peace, stability, and prosperity in the Central African Republic.

I thank you.

25. Yemen is in dire need of technical assistance to
counter the Houthi's violence



[Click here to watch the video](#)

General Debate Item 10: Technical Assistance and Capacity Building for Yemen

Joint statement with Association Ma'onah for Human Rights and Immigration

Delivered by *Rawan Hijazi* / GICJ

Thank you, President,

We thank the Commission for Human Rights for the technical assistance it provides to many countries, and we believe that Yemen remains in dire need of this assistance. Perhaps everyone knows that the human rights situation in Yemen is at its worst, as the violations of the Houthi militia against the Yemeni people continue. These violations include extrajudicial killings, crimes

of sexual and gender-based violence, mass arbitrary arrests, as well as torture, death sentences and restrictions on the freedom of journalists.

On the other hand, human rights organizations monitored more than 20 decisions and circulars issued by the militia between December 2017 and April 2022, to restrict and suppress the freedom and movement of women and their community activities. It even interfered in determining the type of clothing and personal necessities, as well as decisions that control birth control, and these decisions inflicted severe psychological and moral damage on women in Houthi-controlled areas.

Hence, the Maonah Association and the Geneva International Center for Justice stress the importance of technical assistance to organizations that defend women in Yemen. The Houthi group has persisted in suppressing women and inflicting the most severe penalties on every woman who demands rights, criticizes corruption, or refuses to submit to its extremist policies and ideas.

Thank you.

GICJ's Discussion Reports

After attending various Interactive Dialogues and Panel Discussions, GICJ drafted a total of 22 reports summarising the meetings and outcomes. 20 were drafted in English and can be found in that document. Two of them were written in Arabic. Click on the following links to read the [report on the Panel Discussion on the Right to Work in Connection with Climate Change Action](#), and the [report on the ID with COI on the Syrian Arab Republic](#).

1. Road to stability for Afghanistan



[Click here to read the full discussion report.](#)

By *Rute Belachew* / GICJ

The Taliban's pledges have yet to be realised, as Afghanistan continues to survive in a dire situation. On the 12th of September 2022, during the 51st Session of the Human Rights Council, the Special Rapporteur on the Condition of Human Rights in Afghanistan, Mr. Richard Benett presented his latest report. Mr. Benett presented a summary of his trip to Afghanistan and the developing situation of human rights in the country and his recommendations for improvement.

He criticised the denial of fundamental human rights to women and girls since the de facto government assumed control. Along with legislation that impedes gender equality, he stressed the prejudice encountered by women, girls, and ethnic minorities.

A considerable number of delegations voiced strong support for the Special Rapporteur's work. However, concerns were raised regarding the threats and retaliation that many female-led defenders, journalists, girls, and LGBTQI+ people suffer while fighting for their liberties. Member nations asked the Taliban to change its repressive policies against women and girls and to do the right thing for the Afghan people. They also urged the world community to continue its efforts to help those in need through humanitarian aid. Member states and the Special Rapporteur believe in including a gender perspective and a survivor-centred approach, as well as anonymising sources of information on alleged human rights violations where appropriate.

The status of the more than 4 million IDPs, particularly their capacity to seek asylum and seek treatment in neighbouring countries and elsewhere, requires immediate international assistance and will be discussed in greater detail in future reports. The Special Rapporteur will continue to report on the human rights situation in Afghanistan on a regular basis, including through public speeches and observations. He plans to conduct thematic investigations, collaborate with leading research organisations and universities, table conference room papers at the Human Rights Council, and engage with other United Nations human rights processes to keep Afghanistan's case at the top of the social and political rights agendas.

Geneva International Centre for Justice (GICJ) is concerned about the deterioration of the social and economic prosperity of Afghanistan after the takeover of the Taliban government. The de facto government has gone against their promises of providing equal opportunity to women and girls. However, we are disappointed at the continued discrimination faced by minorities in the country. We stress the importance of continuing dialogue to address this issue, and we urge States, the United Nations, the international community, and institutions to develop and implement policies aimed at protecting Afghans, specifically women and girls. We urge for immediate action to be taken to stop said violations and ask for mechanisms to continue supporting the Special Rapporteur and his team in continued dialogue with the de facto government.

2. The Fragility of Women's Rights in Afghanistan



[Click here to read the full discussion report.](#)

By *Danya Al-Thani* / GICJ

On the 12th of September 2022, the Human Rights Council held an enhanced interactive dialogue on the situation of the rights of women and girls in Afghanistan since the takeover of the Taliban. The meeting was held in response to the report of the Special Rapporteur on the Situation of Human Rights in Afghanistan, Mr Richard Bennett, which documents the situation of human rights in Afghanistan from 15th August 2021, when the Taliban took control of Kabul, until July 2022. The main focus of the report was the situation of women and girls, whose rights have rapidly deteriorated.

Since the establishment of an all-male, primarily Pashtun, government in Afghanistan, the Taliban has claimed that it is committed to protecting the rights of women and girls in the country according to Sharia law. However, women and girls have subsequently seen their rights diminish considerably. Such rules include the mandatory wearing of hijabs, a ban on colourful clothing, a requirement for women to stay at home unless it is necessary for them to leave, and rules restricting certain types of travel for women without the accompaniment of a male guardian.

An estimated 61% of women in Afghanistan have lost their businesses and jobs since the Taliban's return to power. Female lawyers have had their licence revoked, while many women have been sent home from their civil service roles. Approximately 850,000 girls have been excluded from secondary education, despite the Taliban's assurance that the suspension of girls' secondary education was only temporary. Marriage laws do not protect girls under the age of 15 from being married, leading to concerns for their protection.

The UN Assistant Secretary-General for Human Rights, Ms Ilze Brands Kehris, who provided the opening statement, expressed the need for concrete action to be taken by the international community to uphold human rights for women and girls in Afghanistan. Mr Bennett and the Ambassador of Afghanistan, Mr Nasir A. Andisha, called for the establishment of an Independent Investigative Mechanism to provide a method of redress for women and girls in Afghanistan.

Geneva International Centre for Justice (GICJ) urges the government of Afghanistan to effectively address the human rights violations highlighted during this interactive dialogue. We remain deeply concerned about the continued prevalence of violence and discrimination against women and girls in the state. We specifically call upon the Taliban to reverse the policies and practices that currently limit the human rights and freedoms of Afghan women and girls.

3. Protecting the Right to Safe Water and Sanitation in a Global Water Crisis



[Click here to read the full discussion report.](#)

By Isabella Sadur Sutherland / GICJ

On the 14th of September 2022, the Human Rights Council held an Interactive Dialogue with the Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation, Mr. Pedro Arrojo-Agudo. The Interactive Dialogue included a discussion of his report (A/HRC/51/24) on the status of the human right to water and sanitation with a focus on indigenous peoples worldwide.

The report highlighted specific issues of water and sanitation access for indigenous women and girls, the effects of land and water grabbing by state and private actors, and the violence faced by indigenous human rights defenders in preserving aquatic ecosystems. The Special Rapporteur's report also stressed the value of indigenous water and water management approaches in combating the global water crisis. The Special Rapporteur presented recommendations to protect indigenous peoples' right to water and sanitation, such as their free, prior, and informed consent for projects

affecting their territories, the participation of indigenous peoples, particularly women, in decision-making processes, and the realisation of the existence of indigenous peoples and their territories in law.

During the meeting, the Special Rapporteur noted and looked forward to the UN Water Conference on 22-24 March 2023 in New York and the Social Forum on Water and Sustainable Development on 3-4 November 2022 in Geneva.

Geneva International Centre for Justice (GICJ) calls for immediate action to realise the human rights of safe drinking water and sanitation for indigenous peoples worldwide. It is crucial that states and private actors cease land and water grabbing from indigenous peoples and act to repair the damage done by the contamination and drainage of water sources. GICJ urges states to respect the rights of indigenous peoples to consultation and the need for free, prior, and informed consent in order to protect the human rights to water and sanitation and to preserve aquatic ecosystems.

4. Contemporary Forms of Slavery Affecting Vulnerable Communities



[Click here to read the full discussion report.](#)

By Rasika Gopalakrishnan / GICJ

On the 15th of September 2022, the 8th meeting of the 51st Regular Session of the Human Rights Council considered the report of Mr Tomoya Obokata, Special Rapporteur on the Contemporary Forms of Slavery (A/HRC/51/26), during an interactive dialogue on the same topic.

Mr Tomoya Obokata opened the interactive dialogue by discussing the findings of his report on contemporary forms of slavery. Specifically, he spoke about his observations during his visit to Sri Lanka and suggested various steps which actors could take to achieve the UN's Sustainable Development Goals by the year 2030.

The Special Rapporteur highlighted the challenges that were faced by migrant workers who returned to Sri Lanka after going abroad – these included unequal wages, poor living conditions, sexual harassment, and a lack of social benefits. The Sri Lankan government has taken a few steps

to address these issues, such as increasing the minimum age of employment, as well as creating a “child-free” labour zone. However, the rapporteur feels that the government could benefit from implementing international covenants and policies which seek to promote and protect the rights of vulnerable communities from forced labour.

Geneva International Center for Justice (GICJ) condemns all forms of contemporary slavery and forced labour affecting ethnic, religious, and linguistic minorities around the world. These include practices such as chattel slavery, forced and bonded labour, child or forced marriage, domestic servitude, sexual slavery, and child labour. GICJ wholly supports the anti-slavery and anti-trafficking efforts of member states and calls on other actors to play a vital part in putting an end to such violent practices. Harmful practices such as debt bondage and unemployment could be addressed by offering affordable credit-lending mechanisms and creating more avenues for women to engage in vocational training. It is imperative that civil society play an important role in sensitising people on issues of forced labour, such that they may feel empowered to recognize and help themselves out of such work environments. GICJ also recognizes the gendered dimension of this issue and supports the implementation of specific schemes for protecting the rights of women and children. In some societies, since sex work is not considered a “dignified” profession, it is not considered legitimate work and hence is covered by the usual laws that govern labour. Therefore, GICJ urges states to expand the ambit of what is considered “legitimate work”, and wishes to accord equal if not more protection to those engaged in sex work. Further, GICJ urges businesses and private companies to promote the welfare and well-being of its workforce by guaranteeing a minimum wage, social security benefits, as well as a safe working environment amongst other things.

5. Transitional Justice Processes and the Failure to Uphold Fundamental Human Rights



[Click here to read the full discussion report.](#)

By *Emily Bare* / GICJ

Transitional justice is the process whereby judiciary and non-judiciary measures are taken to ensure a peaceful transition conducive to reconciliation following a period of social conflict.

The report of the Special Rapporteur on the promotion of truth, justice, reparations, and guarantees of non-recurrence focused on the role and responsibilities of non-State actors in transitional justice processes. The report highlights that non-State actors should play a central role in transitional justice processes and should be engaged from the early stages of conflict resolution. Additionally, non-State actors should support the investigation and prosecution of perpetrators of human rights violations and work to ensure that victims have access to justice and reparations. The report also recommends that States ensure that non-State actors have the capacity and resources necessary to

fulfil their responsibilities in transitional justice processes and take steps to protect these actors from intimidation or retaliation.

On the 16th of September of 2022, the Special Rapporteur, Mr. Fábian Salvioli, took the floor and presented his report to the stakeholders opening an interactive dialogue under item 3 of the agenda. In his opening statement, he reiterated several of the points made in the report. He addressed the obligations of truth, justice, and reparation regarding corporations and armed non-State actors specifically. He also discussed his country visits to Croatia and Bosnia and Herzegovina. The general attitude of the intervening delegations was one of commitment to transitional justice, providing special attention to capacity building and transitional justice mechanisms. The centrality of victims during the process was a recurrent theme, as was the need to take a holistic approach that considers all aspects and is inclusive of all parties involved.

Geneva International Centre for Justice (GICJ) welcomes Mr. Salvioli's insistence on including memory as the fifth pillar of transitional justice, an element that has been historically overlooked in processes across the world. We underscore the urgency of adopting an inclusive victim-centred approach to ensure reconciliation.

6. Use of Arbitrary Detention as a tool to crush dissent remains widespread



[Click here to read the full discussion report.](#)

By *Martin Browne* / GICJ

Arbitrary Detention is widespread, touching almost every country. The Working Group on Arbitrary Detention conducts reviews, deals with urgent requests and facilitates dialogue with state authorities to obtain information and the release of detainees.

In 2021-2022 the group restarted its country visits, promoted thematic reports on the use of detention in drug enforcement, and encouraged the adoption of principles on effective interviewing of detainees without resort to torture. The group adopted a total of 85 opinions concerning 175 persons in 42 countries, further 53 urgent appeals and 206 allegation letters were sent and the group noted the release of 15 people following its intervention. Despite these efforts there was a notable increase in reports of secret detentions, torture in detention areas and use of arbitrary arrests to crackdown on protestors.

The Vice-Chair, while highlighting examples of exemplary practice, noted that many states provide timely responses to the requests of the Working Group on Arbitrary Detention but not always a substantive response with sufficient information for detailed analysis to be carried out about the legitimacy of a detention. A number of states and NGOs deplored the relatively low rate of substantive engagement with the Group's requests for information and relief. A number of other countries criticised the group for not engaging in a more thorough filtering of communications being sent by political actors within their countries. The Vice-Chair strongly rebutted these arguments by highlighting the mechanism has no mandate to filter complaints based on the substance of the requests and that all reports of arbitrary detention are taken seriously, with states encouraged to provide more information to the group to help clarify the alleged situation.

Geneva International Centre for Justice (GICJ) deplores the use of arbitrary detention, which is a tool used by weak regimes with no respect for the rule of law. This abuse of multiple rights is exacerbated when detention is used to extract confessions using methods of torture. GICJ calls on all states to refrain from secret detentions that circumvent due process and disregards safeguards against arbitrary detention, against which there is an absolute prohibition. Access to effective remedy and reparation is vital for those detained unlawfully and states must carry out an ongoing review of the necessity of detention.

7. The Worldwide Persistence of Enforced Disappearance and its Effects



[Click here to read the full discussion report.](#)

By *Emily Bare* / GICJ

Enforced disappearance is considered to be the "arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."

On the 20th of September 2022, under Agenda Item 3 of the 51st Session of the Human Rights Council, the Chair Rapporteur of the Working Group on Enforced or Involuntary Disappearances (UNWGEID), Mr. Luciano Hazan, presented the UNWGEID's report. In his opening statement, he recognised that this year is the 30th anniversary of the Declaration on the Protection of All Persons from Enforced Disappearances. He noted that despite commitments and promises made by states to improve the issue, enforced disappearances continue and there are new trends that

cause new challenges. He also highlighted the UNWGEID's country visit to Cyprus from the 5th to the 12th of April 2022, holding it as a country of concern.

The report of the UNWGEID focused on the activities of the communications and cases examined by the UNWGEID from the 22nd of May 2021 to the 13th of May 2022. The report highlighted the transmission of new cases and urgent appeals of enforced disappearance to states. Further, it voiced the UNWGEID's continued concern regarding the lack of engagement and cooperation from several countries and observed that it has become increasingly difficult for it to receive positive replies to its requests for country visits.

Geneva International Centre for Justice (GICJ) welcomes the UNWGEID's recent report on enforced disappearances and condemns the systemic nature of this crime. GICJ participated in the interactive dialogue and delivered two joint oral statements during the interactive dialogue about enforced disappearances in Iraq. We stress the need for increased pressure to be placed upon governments to fulfil their obligations and develop and implement a comprehensive policy to address past abuses, including enforced disappearances. We urge the UN and international community to take concrete measures to prevent these human rights violations.

8. Scrutiny of Myanmar at the UN: Waiting for a Joined-Up Approach



[Click here to read the full discussion report](#)

By Martin Browne and Loïc Dorthé / GICJ

Since 2015, the Myanmar military has been accused of committing crimes against humanity, violating human rights, and breaking international law by using force against the Rohingya and other minorities in Myanmar.

In addition, the military led a coup to install the junta on the 1st of February 2021. Since that time, the army and the leaders that were installed have been accused of committing severe crimes against the population to suppress pro-democracy protests and prevent public dissent.

Between the 12th of September and the 7th of October 2022, the 51st session of the Human Rights Council featured three different Interactive Dialogues with various UN mechanisms scrutinising the human rights situation in Myanmar. In addition, an oral update was provided by the Acting

High Commissioner for Human Rights covering similar matters. This report presents these discussions and analysis including covering:

An Interactive Dialogue with the Head of the Independent Investigation Mechanism for Myanmar (IIMM), Mr Nicholas Koojiman, presented the 4th annual report, on efforts to collect, consolidate, preserve and analyse evidence of crimes committed in Myanmar since 2011.

An Interactive Dialogue with **the Special Rapporteur for Myanmar**, Mr Tom Andrews who presented a further oral update on his work reviewing the human rights situation across the whole country.

An Interactive Dialogue based on the **OHCHR's report** on the progress made and remaining challenges with regard to the recommendations of the formerly constituted Independent International Fact-Finding Mission on Myanmar (FFM).

Finally, an **oral update** was provided by the Acting High Commissioner for Human Rights, Ms. Nada Al-Nashif on the most recent urgent human rights concerns.

All the reports point to a degrading human rights situation in Myanmar. This is occurring alongside the growing capacity of the IIMM to collect and analyse information on crimes committed in the country. It is also in spite of previous efforts to use accountability mechanisms to deter human rights abuses and is testimony to the failure to implement the FFM's recommendation of various targeted measures to weaken the stranglehold of the Myanmar military. Making this point forcefully, the **OHCHR report** notes alarm at the untrammelled power of the junta that is unchecked by the international community's activity. It appears that too few economic sanctions have been imposed to date. As a consequence, there is still a free flow of arms and other sensitive equipment being sold to the junta, ensuring its leaders are able to exercise control over different parts of the country. The sale of arms and supplies to Myanmar clearly facilitates the commission of crimes against its people. Violations of human rights and humanitarian law continue to be perpetrated by the junta and people continue to suffer under its cruel rule. There appears to be no sign of international efforts to date having a deterrent effect on this course of criminal conduct.

The effectiveness of international mechanisms to deter rights violations, enhance diplomatic efforts and increase accountability for abuses must be analysed to identify what prevents a more beneficial outcome. The context of Myanmar undermines claims by the international community

that it takes all forms of human rights abuses seriously. Reviewing the work of UN human rights mechanisms often reveals frustrations about countries not providing basic support for refugees, investigators, and an underlying aim to optimise their benefit from regional political power struggles.

In order to finally take action against the junta and improve the human rights situation of the people of Myanmar, **Geneva International Centre for Justice (GICJ)** strongly supports the mandate of the IIMM, as the body most capable of delivering truth-seeking and documenting abuses to the highest standards to facilitate future prosecution of serious international crimes. GICJ calls on states to take responsibility and implement targeted, coordinated, and effective sanctions to deprive the military of its financial resources. We also call for the extension of humanitarian assistance to the people of Myanmar and to refugees who have fled to neighbouring countries. Finally, GICJ reiterates that no state should recognise the junta as the legitimate government of the country, and urges the return of peace, respect for human rights, democratic institutions, and freedom in order to ensure accountability and justice for the people of Myanmar.

9. Cycle of extreme violence and retribution continues in Ethiopia



[Click here to read the full discussion report.](#)

By Patricia Mutebi Jjuuko / GICJ

The International Commission of Human Rights Experts on Ethiopia submitted its first report to the Human Rights Council (HRC), which discusses violations committed in the country that amounts to war crimes and crimes against humanity during the 51st regular session. On 22nd September 2022, the 18th meeting of the 51st session of the Human Rights Council (HRC) held an Interactive Dialogue with the International Commission of Human Rights Experts on Ethiopia chaired by Ms Kaari Betty Murungi. This first report submitted pursuant to Human Rights Council resolution S-33/1, presents the initial findings of the International Commission of Human Rights Experts on Ethiopia. The report concludes that there are reasonable grounds to believe that violations, such as extrajudicial killings, rape, sexual violence, and starvation of the civilian population have been committed in Ethiopia since 3rd November 2020.

The government of Ethiopia reaffirmed to continue taking concrete measures to bring perpetrators of human rights violations to justice and will continue working with the OHCHR in Ethiopia and

other international partners. However, they highlighted that the report submitted by the Commission was of substandard quality and its allegations are unsubstantiated.

Geneva International Centre for Justice (GICJ) strongly condemns the human right violations occurring in Ethiopia against civilians. The government of Ethiopia must give the team of International experts unfettered and unhindered access to the interior of the country. GICJ calls on the international community and investigative teams to ensure that all perpetrators are held accountable for any crimes committed.

10. Intolerable Hardship - Syria's 11 Years of War



[Click here to read the full discussion report.](#)

By Sarah Tayara / GICJ

On 22nd September 2022 at the 51st Regular Session of the Human Rights Council, the Commission of Inquiry on Syria held an Interactive Dialogue to deliver an oral update on the human rights situation in Syria.

After more than a decade of conflict, the people of Syria are living in a human rights tragedy. With humanitarian needs at their peak, and escalating violence, food insecurity and donor fatigue, Syrians are staring into an abyss of unimaginable pain and suffering.

Mr Paulo Sergio Pinheiro, Chair of the Commission, noted that despite a general reduction in fighting, the war is far from over. He condemned the acts of all parties in the conflict and highlighted that hostilities are intensifying on several fronts. Armed conflict is only one aspect of the hardships that Syrian civilians are facing. More than 12 million people have been displaced from their homes since March 2011. At least 400,000 have been killed. 14.6 million Syrians are

dependent on humanitarian assistance. At least 150,000 are arbitrarily detained or forcibly disappeared at any one time, and 90% of the country is living below the poverty line.

In keeping with Syria's rejection of the Commission's mandate since its establishment in 2011, the Syrian delegate rejected the report, insisting that it is a platform aimed at shaming the Syrian government and smearing it with unfounded allegations. He reiterated that the report contained prefabricated accusations which propagated a politicised agenda against Syria, aimed at undermining its territorial integrity. The delegates of Iran and Russia concurred with Syria's statement and criticised the Commission's encroachment on Syria's sovereignty. Other delegations firmly condemned the ongoing violations committed against civilians by the Syrian authorities and other actors involved in the conflict.

Geneva International Centre for Justice (GICJ) welcomes the Commission's update and condemns the abuse and suffering the people of Syria have endured for so long. GICJ urges all parties in the conflict to immediately cease all acts of violence against civilians. We are particularly concerned by the rise in arbitrary detentions and the deliberate withholding of information from family members on the whereabouts of their loved ones. Additionally, we call for the immediate cessation of blanket internment of children in al-Hawl camp.

After a decade of the world observing the suffering of the Syrian people from a distance, it is imperative that states make a real commitment to strengthen mechanisms of accountability and hold all parties in the conflict accountable for infringing upon the basic human rights of Syrian people. Maintaining the status quo is no longer an option. The time has come to finally put the interests of the Syrian people above the agendas of the parties in the conflict.

11. Burundi Calls for the Termination of the Special Rapporteur's Mandate



[Click here to read the full discussion report.](#)

By Jamel Nampijja / GICJ

On the 23rd of September 2022, Mr Fortuné Gaetan Zongo, the Special Rapporteur on the situation of human rights in Burundi, delivered his report during the 19th Meeting of the 51st Regular Session of the Human Rights Council (A/HRC/51/44). The report highlighted the State's cooperation with international human rights mechanisms, human rights concerns, general progress achieved in these areas, as well as the economic and social well-being of the country.

Noted was the progress made in the fight against trafficking of human beings, institutionalising anti-trafficking training for law enforcement officers, and launching effective judicial procedures whereby several investigations and prosecutions have been pursued, and victims were receiving assistance.

The country concerned alleged that the State complied with its international obligations by promoting and protecting human rights. The social, political, economic, and human rights situations have been steadily improving since 2015. Several amendments in good governance, social justice, freedom of the press, civil and political rights, and national reconciliations, among others, have been initiated. As a result, Burundi requested the Human Rights Council to withdraw Burundi from its special mechanism agenda and end the mandate of the Special Rapporteur.

During the interactive dialogue, delegates, international organisations, and NGOs welcomed the report of the SR and commended him for his oral update. They applauded the government of Burundi for the extensive progress made, mainly through improved governance structures, promotion of human rights, and cooperation with the human rights mechanisms, particularly the increased participation in decisions at the international, regional, and sub-regional level. The delegates encouraged the government of Burundi to fully implement the recommendations made by the Commission of Inquiry, the Office of the United Nations High Commissioner for Human Rights, the African Union, and several competent regional institutions.

Several questions were raised regarding how the special rapporteur will assess the situation of civil society in Burundi. Questions asked included what plan of action the SR has for the months ahead, what priority areas would the SR like to focus on, and what the recommendations are for the international community to promote a meaningful improvement in the human rights situation in Burundi in the medium and long term. Some delegates wondered if the SR has already established frequent contacts with the Independent National Human Rights Commission and, if so, how the SR assesses this cooperation. Furthermore, delegates questioned how the government can better equip itself to avoid a surge of human rights violations during the pre-electoral period.

Several international organisations and NGOs expressed concern over human rights violations and abuses committed by the Imbonerakure youth group, who continue to commit abuses with complete impunity. These human rights violations include torture, killings, enforced disappearances, arbitrary arrests, and sexual violence with the complicity of the intelligence service in the police.

Geneva International Centre for Justice (GICJ) condemns all human rights violations and abuses in Burundi. We urge the State to take all necessary measures to conduct impartial and

effective investigations to identify those responsible for the violations of basic rights and hold perpetrators accountable.

12. Commission of Inquiry determines that war crimes have been committed in Ukraine



[Click here to read the full discussion report.](#)

By Conall Corrigan / GICJ

On the 23rd of September 2022, the 20th and 21st meeting of the 51st Regular Session of the Human Rights Council (HRC) provided an oral update from the UN Independent International Commission of Inquiry on Ukraine (COI) on its progress in investigating human rights abuses stemming from Russian aggression against Ukraine. In May 2022, the HRC passed resolution S-34/1 which requested the COI to address events that took place between February and March in the Ukrainian cities of Kyiv, Chernihiv, Kharkiv and Sumy as a result of Russian hostility. Mr Erik Møse, Chair of the COI, discussed the Commission's findings in areas such as the conduct of hostilities and the use of indiscriminate attacks, as well as violations against personal integrity including sexual and gender-based violence. Based on the evidence gathered by the COI, Mr Møse ultimately concluded that war crimes have been committed in Ukraine.

The Commission confirmed that it will continue to investigate violations of International Human Rights Law (IHRL) and International Humanitarian Law (IHL) in the four cities mentioned in resolution S-34/1 and will gradually devote more resources to its mandate issued in resolution 49/1 which is both thematically and geographically broader.

Geneva International Centre for Justice (GICJ) commends the efforts of the COI and reiterates its desire to ensure that its work is sufficiently funded and resourced. Although the Commission has been effective in uncovering gross violations of IHRL and IHL committed by Russian forces in Ukraine, it is imperative that its members are granted access to occupied regions of the country in order to adequately assess the widespread damage caused by the conflict.

13. Gender-Based Barriers that seek to Silence Women



[Click here to read the full discussion report.](#)

By *Lotte Eriksen Reitan* / GICJ

The effective exercise of the right to freedom of opinion and expression for women has been an important topic at the 51st Session of the Human Rights Council. On the 26th of September 2022, the annual discussion on the integration of a gender perspective throughout the work of the Human Rights Council and that of its mechanisms took place. The discussion revolved around existing gender-based barriers that attempt to silence and exclude women from the public sphere and create a chilling effect. The opening statement was given by the director of the Thematic Engagement Special Procedures and Right to Development Division. Ms. Peggy Hicks, followed by the panellist's Ms. Irene Khan, Ms. Julie Posetti, and Ms. Mitzi Jonelle Tan.

The panellists, State representatives, and NGOs pointed out that freedom of opinion and expression is the foundation of every democratic society and crucial for the enjoyment of other human rights. Unfortunately, women activists, politicians, journalists, and human rights defenders still face harassment, sexual violence, discrimination, abuse, threats, and intimidation that seeks to suppress

and mute their voices. Topics such as journalists' safety, climate change, online violence, and women's participation in politics were central subjects under the discussion.

GICJ welcomes the annual discussion and believes that the effective exercise of the right for freedom of opinion and expression, both offline and online, is essential for the enjoyment of other human rights. However, this remains a distant goal for many women and girls. GICJ calls for States to eliminate all existing discriminatory legislation against women to ensure that the freedom of opinion and expression are upheld in the fight for gender equality.

14. A Renewed Call for the Protection of Indigenous People



[Click here to read the full discussion report.](#)

By Rute Belachew, Aimara Pujadas Clavel, and Isabelle Despicht / GICJ

Indigenous People are still facing discrimination and land invasion. On the 28th of September 2022, the 51st Session of the Human Rights Council held three subsequent meetings on the rights of Indigenous People: a panel discussion, an interactive dialogue with the Expert Mechanism on Indigenous People, and an interactive dialogue with the Special Rapporteur on the Rights of Indigenous People.

The Council held the annual panel on Rights of Indigenous People, during which the impact of COVID-19 on social and economic recovery measures affecting indigenous peoples was examined, with a particular focus on food security. After the panel discussion, the representative of the Expert Mechanism on the Rights of Indigenous People presented his report and elaborated upon his study of treaties, agreements, and other constructive arrangements which had been previously conducted.

The subsequent interactive dialogue considered the report of the Special Rapporteur on the Rights of Indigenous Peoples, Francisco Cali Tzay, with a detailed interactive dialogue from member States and international non-governmental organisations. Mr. Cali Tzay commenced the interactive discussion by presenting the conclusions of his most recent report. The report focused on the impact of COVID-19 on Indigenous communities and their battle for survival as governments implement recovery plans that directly harm them.

Geneva International Centre for Justice (GICJ) reiterates that the lack of protection for Indigenous People and exploitation of their land leads to deforestation, violence, killings, lack of resources, extraction, food insecurity, pollution, and other worrying issues. The pandemic has had a differentiated and mostly disproportionate impact on Indigenous Peoples and their rights. GICJ urgently calls states to empower Indigenous women and girls, counting among the most vulnerable groups, as well as Indigenous leaders and activists, and ensure that their rights are protected and any incumbent issues addressed. Mechanisms to ensure and protect the ability for Indigenous women to develop, maintain, and transmit knowledge must be protected and respected in the scientific field.

15. Reprisals and intimidations against people cooperating with the United Nations are still increasing



[Click here to read the full discussion report](#)

By *Farah Caïdi* / GICJ

On the 29th of September, the Assistant Secretary-General for Human Rights, Ilze Brands Kehris, presented the annual report of the Secretary-General analysing the intimidations and reprisals suffered by people who cooperate with the United Nations.

The Assistant Secretary-General's mandate was created in 2016 by the Secretary-General after he expressed his deep concern of the increasing intimidations suffered by Human Rights Defenders. The report alerted and warned that reprisals are still an ongoing trend worldwide, exacerbated by COVID-19 measures.

Geneva International Centre for Justice (GICJ) acknowledges the importance of the Assistant Secretary-General's mandate. This mandate recognises how cooperation with civil society is vital for the different mechanisms to work efficiently. Civil society brings an insight of what is

happening on the ground. They are actors of change, alerting on evolving situations and pushing for relevant actions to be taken. Therefore, this mandate was created in response to an increase in the number and severity of reprisals worldwide.

GICJ especially supports the report's call to give special attention to women cooperating with the UN. Indeed, among the 350 cases included in the report, around 60 percent concern women victims. And among the cases not shared in the report, a large majority is also composed of women victims. We join the UN's vision that women have a crucial role in building and ensuring lasting peace and security globally. We urge States to stop hiding the repression of civil society behind laws that are supposed to ensure "national security". We demand that they address their shortcomings in protecting the freedom of expression, association, peaceful assembly, and the right to participate in public affairs.

16. Urgent concerns remain about the HR situation of persons of African Descent



[Click here to read the full discussion report.](#)

By Jamel Nampijja / GICJ

On the 3rd of October 2022, Ms Catherine Namakula, the Chairperson of the Working Group (WG) on people of African Descent, presented three reports during the 32nd Meeting of the 51st Regular Session of the Human Rights Council; the annual report (A/HRC/51/54), the WG's visits to Portugal (A/HRC/51/54/Add.2), and visit to Switzerland (A/HRC/51/54/Add.1).

The annual report focused on the theme "children of African descent" to discuss the global human rights situation of people of African descent. It provided an overview of the working group's 30th session held in New York from the 23rd to the 27th May 2022. The second and third reports provided updates on Portugal and Switzerland country visits. The WG met with the governments, national institutions, civil society organisations, people of African descent, human rights activists, lawyers, and academics. The reports explored the human rights situation for people of African descent and the challenges they faced, such as racism, discrimination. In addition, it includes

inequality faced by children of African descent in all areas of their lives. This entails development, education, health, family-regulation systems, administration of justice, law enforcement and redress for legacies of enslavement, colonialism, and racial segregation.

The 30th session held seven thematic panels with themes including "Safeguarding the health and well-being of children of African descent", "Intergenerational deprivation, and anti-Black racism: asset-building for the economic and financial freedom of children of African descent", "Repairing the world for the future of children of African descent" among others.

During the Interactive Dialogue, delegates and non-government organisations welcomed the working group's report. They shared the WG's concern about continuing incidents of racially motivated violence against people of African descent, including rampant gun violence, not only by police forces but by civilians, including supremacist, racist and neo-fascist groups and individuals. They called for comprehensive policy reform to address systemic racism to ensure that public services are child-friendly, responsive, and non-punitive. States were urged to strengthen national statistical systems for data disaggregation to form better policy responses that tackle racism, discrimination, and inequality. Representatives and civil society raised questions concerning a range of topics including, what tools are needed to end systematic and institutionalised discrimination, how States can ensure equality in promoting the protection of the human rights of people of African descent and how States can support participatory policy reviews at the national, regional, and international levels to understand the challenges better and inform actions toward racial justice in migration governance alongside migrants' expertise.

Geneva International Centre for Justice (GICJ) condemns the discrimination and violence against Africans and people of African descent, including the persistent police brutality and institutional and structural racism in some of the world's criminal justice systems. We are concerned by the glorification of the colonial legacy in Portugal and the persistent denial by Switzerland of its colonial participation via corporate and institutional practices. Therefore, we urge States to create and implement public policies and programs that protect and promote the human rights and general well-being of people of African descent, especially children. Likewise, we call on States to prioritise the provision of equitable access to education and environments free from discriminatory attitudes to combat racism and ensure the child's best interests.

17. Law Enforcement Obligations to Ensure Racial Justice



[Click here to read the full discussion report.](#)

By Martin Browne / GICJ

The International Independent Expert Mechanism to Advance Racial Justice and Equality in the context of Law Enforcement was established in 2021 as part of the High Commissioner's four-point agenda to end systemic racism and following a number of high profile and often deadly human rights violations by law enforcement officers against Africans and people of African descent.

The first report of the Mechanism was published in 2022. This report covered a wide-ranging area and was entitled "Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers through transformative change for racial justice and equality". The Acting High Commissioner, Nada Al-Nashif, presented the report starting with examples of best practice that had been identified through the Mechanism's first 12 months of operations. These examples indicated the promise of constructive changes for law enforcement officers to adopt a human rights approach to eliminating racial discrimination in areas of their work

but they were few in number and of limited geographic scope. Even where best-practice had been identified the evaluation of those local or national programmes had only just begun.

The overarching gaps in knowledge about the impact of human rights violations against people of African descent by law enforcement officers stemmed from the lack of consistent data about interactions and incidents that was disaggregated by race or ethnic origin. Accordingly, one of the Mechanism's strongest recommendations urged national action plans against racism to include guidelines on how to collect, analyse, and publish data disaggregated by race or ethnic origin.

A second focus concerned the types of racial profiling, types of excessive use of force, and other violations of international human rights law, during and after interactions with law enforcement officials. The Mechanism called on more states to engage with country visits as a vital step to allow it to help strengthen the capacity of states to respond and align better to international standards on investigations, accountability, and standards governing law enforcement and the use of force.

Finally, the Acting United Nations High Commissioner for Human Rights called on States to engage meaningfully with the Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement and take heed of the targeted recommendations that had been proposed through the Mechanism's work including through sustained funding, public recognition of the seriousness of the issues, protection and support for programmes in this area.

More countries need to join the fight against egregious police brutality. Without urgent action across different states, the international community will have to consider a new international instrument - a convention against police brutality, which would bring to light the ways that international human rights are violated by police forces.

Geneva International Centre for Justice (GICJ) strongly believes that states should listen and act upon the concerns raised by people of African descent, and take measures on the ground, including concrete measures to reverse cultures of denial, to dismantle systemic racism, to end impunity for violations by law enforcement officials, and to deliver reparatory justice.

18. The Rise of Hate Crimes Threatening Transitional Justice in the Democratic Republic of Congo



[Click here to read the full discussion report.](#)

By *Ardaya Syafhana* / GICJ

Pursuant to Resolution 48/20, the UN Human Rights Council (UNHRC) requested the UN High Commissioner of Human Rights (High Commissioner) and the team of international experts (Expert) to present a comprehensive report about related issues according to their mandate at the fifty-first session in the format of interactive dialogue. The High Commissioner was mandated to collect data and information concerning human rights violations in the territory of the Democratic Republic of the Congo (Congo), while the expert was limited to transitional justice in the Kasai Region.

Prior to the interactive dialogue, report A/HRC/51/60 and report A/HRC/51/60 were made available to the public. Report A/HRC/51/60, compiled by the Office of the High Commissioner (OHCHR), disclosed thousands of human rights cases in Congo, with almost half of them linked to state agents. Although there was a slight decrease in the number of cases, hate crimes and

sexual-based offences were still tormenting civilians in Congo. Special attention was given to the escalation of violence committed by numerous armed groups, even in the area declared as état de siège. The Expert also submitted report A/HRC/51/60 to follow up on the progress of transitional justice efforts in the Kasai Region before commencing its new mandate to cover the entire territory of Congo. Despite several programmes still progressing, the deficiency of the administration of justice and delays in the criminal justice system invited doubts about the future of transitional justice in Congo.

During the interactive dialogue, the UN High Commissioner was represented by Mr Christian Salazar Volkman. Mr Volkman called for stronger endeavours by the government without undermining the progress made, particularly for conflict resolution with non-state armed groups. Marie-Thérèse Keita-Bocoum also gave statements on behalf of the Head of the Experts, recounting the remarkable steps of transitional justice in Congo and advising the respected authorities to move forward in seizing all opportunities from within and the international community. Overall, delegates present during the dialogue condemned the violent campaign against civilians by armed groups and, to some extent, deplored responsible governmental authorities in related events. NGOs also requested that the same attention be paid to the cases related to the intimidation of human rights defenders and political opponents by the Congolese government. The dialogue concluded with a reaffirmation of the Congolese government's commitment to take the developments to the next level. The representative of Congo emphasised that they need all support available to achieve this.

Geneva International Centre for Justice (GICJ) welcomes the efforts made by the government of Congo to enhance the protection of human rights and transitional justice efforts, most notably in the area of legal reform. We note with deep concern that, despite this strong commitment, human rights violations and impunity still persist in the country. GICJ calls for the end of the impeding of the accountability process and invites the international community to consolidate their assistance to Congo.

19. South Sudan's Transitional Justice Process has been Delayed



[Click here to read the full discussion report.](#)

By *Natalia Venegas* / GICJ

South Sudan's transitional justice process has been delayed. On the 5th of October 2022, during the 51st Session of the Human Rights Council, the Council held an interactive dialogue on technical assistance and capacity building, where this issue was raised.

The Director of the Field Operations and Technical Cooperation Division at the Office of the High Commissioner for Human Rights, Mr. Christian Salazar Volkmann, presented a report on the updated human rights situation in South Sudan. This report outlined some of the key human rights challenges faced by South Sudan and explained some of the measures of assistance that have been provided. For instance, there were training sessions delivered regarding human rights law and international humanitarian law, conflict-related sexual violence and South Sudan's Police Force Act from 2009, as well as the rights of suspects during arrests and investigations. He also pointed

out that there has been a decrease in the number of individuals affected by violence compared to previous years. However, he said that the Office of the High Commissioner for Human Rights remains concerned by the pervasive high levels of local violence and increased conflict-related sexual violence.

Finally, he stated that the Office, among other parties, is implementing a joint project called “Building Peace Through Promoting Inclusive and Participatory Transitional Justice Processes and Mechanisms in South Sudan”. The project supports the creation of the Truth and Reconciliation Healing Commission, following chapter V of the Revitalized Agreement. It was accompanied by a Reparation Authority and the Hybrid Court. These mechanisms are in accordance with the recommendations given during the UPR of South Sudan and in conjunction with the assistance provided by the Office of the High Commissioner and relevant bodies. The Director said the Office of the High Commissioner recognises and commends the progress made by the Government of South Sudan.

On behalf of the country concerned, the representative of South Sudan indicated his government’s commitment to fully implementing the Revitalized Agreement but stated that there should be more time to implement the Revitalized Agreement. He stated that the graduation of more armed forces would strengthen the capacity for protecting and promoting human rights through enhancing accountability and putting an end to inter-communal violence in the country. To this end, the representative of South Sudan highlighted that the President has created a National Human Rights Council to conduct public awareness, advocacy, monitoring investigations, and provide advice to address human rights violations.

Other delegations present showed concern over the ongoing grave human rights violations in South Sudan, especially sexual violence during the conflict. They also called for the transitional justice mechanisms of the peace agreement to be fully established and adequately funded.

Geneva International Centre for Justice (GICJ) is concerned about the persistent violence, especially sexual violence. GICJ delivered two joint statements during this interactive dialogue to express these concerns. The Government of South Sudan must demonstrate its willingness to end human rights violations and bring perpetrators to justice. Transitional justice in South Sudan should not be postponed. It is paramount that all critical elements of the Revitalized Agreement be

implemented, including the Hybrid Court and the Commission. The Office of the High Commissioner and the international community must continue to provide technical support and capacity-building to South Sudan to consolidate its legal and security institutions.

20. OHCHR Report accuses Russia of Committing Numerous Human Rights Violations in Ukraine



[Click here to read the full discussion report.](#)

By Conall Corrigan / GICJ

Since the beginning of hostilities in Ukraine in February 2022, those affected by the conflict have endured unspeakable suffering and devastation. This is the view of Mr Christian Salazar Volkmann, Director of the Field Operations and Technical Cooperation Division at the Office of the High Commissioner for Human Rights, who noted that civilians continue to bear the brunt of the ongoing fighting resulting in the widespread denial of human rights in affected areas throughout Ukraine. On the 4th of October, Mr Volkmann presented the report from the Office of the High Commissioner (OHCHR) on the human rights situation in Ukraine between the 1st of February and the 31st of July 2022 during the 51st session of the Human Rights Council (HRC). During his oral update, Mr Volkmann noted that since the OHCHR last updated the Council in July it has increased its presence in Ukraine and conducted more than 1000 interviews with victims and witnesses of human rights violations. His report contains updates on numerous developments within Ukraine including the increasing use of forced deportation by Russian armed forces and

affiliated armed groups, the prevalence of conflict-related sexual violence, and the imposition of filtration camps on civilians.

Mr Volkmann reiterated that the OHCHR's commitment to monitoring the human rights situation in Ukraine is unwavering and that it will continue to report publicly and amplify the voices of victims to the HRC. He lambasted the Russian Federation for its purported annexation of the Ukrainian regions of Donetsk, Luhansk, Kherson and Zaporizhzhia which he stressed would risk imperilling a number of fundamental freedoms and creating obstacles to accessing basic services including healthcare and education. He concluded by appealing to the Council and the international community to do everything in its power to prevent the further escalation of the conflict.

Geneva International Centre for Justice (GICJ) reiterates its condemnation of the ongoing violations of international human rights law (IHRL) and international humanitarian law (IHL) in Ukraine stemming from Russia's unprovoked aggression. The attempted redrawing of legally recognised international borders by force must be unequivocally condemned by the international community. Such acts significantly impact the well-being of all persons on either side of the redrawn lines and create serious challenges to fulfilling an array of human rights norms. Members of the HRC must continue to exert pressure on the Russian Federation to end its aggression towards Ukraine and encourage all efforts at restoring peace.

Resolutions

1. Resolution to establish a debate on the situation of the Uyghurs in China was rejected: Will “Southern States” ever be leaders in the defence of Human Rights?

Date 2022-10-06 Time 14:42

A/HRC/51/L.6 - Debate on the situation of human rights in the Xinjiang Uyghur Autonomous Region, China									
ABST	ARGENTINA		YES	HONDURAS		YES	NETHERLANDS		
ABST	ARMENIA		ABST	INDIA		NO	PAKISTAN		
ABST	BENIN		NO	INDONESIA		YES	PARAGUAY		
NO	BOLIVIA (PLURINATIONAL STATE OF)		YES	JAPAN		YES	POLAND		
ABST	BRAZIL		NO	KAZAKHSTAN		NO	QATAR		
NO	CAMEROON		ABST	LIBYA		YES	REPUBLIC OF KOREA		
NO	CHINA		YES	LITHUANIA		NO	SENEGAL		
NO	COTE D'IVOIRE		YES	LUXEMBOURG		YES	SOMALIA		
NO	CUBA		ABST	MALAWI		NO	SUDAN		
YES	CZECHIA		ABST	MALAYSIA		ABST	UKRAINE		
NO	ERITREA		YES	MARSHALL ISLANDS		NO	UNITED ARAB EMIRATES		
YES	FINLAND		NO	MAURITANIA		YES	UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND		
YES	FRANCE		ABST	MEXICO		YES	UNITED STATES OF AMERICA		
NO	GABON		YES	MONTENEGRO		NO	UZBEKISTAN		
ABST	GAMBIA		NO	NAMIBIA		NO	VENEZUELA (BOLIVARIAN REPUBLIC OF)		
YES	GERMANY		NO	NEPAL					
	YES	17		ABST	11		NO	19	

By *Farah Caïdi* / GICJ

The United States of America, along with Norway, introduced a draft resolution to the Human Rights Council, calling for a debate to be held on the “situation of human rights in the Xinjiang Uyghur Autonomous Region”, following the release of the report of the same name last August. The vote on this long awaited resolution may have inspired some hope.

Its only flaw? It was introduced by the United States and only sponsored by western countries...

This has obviously caused China to denounce the politicisation of this draft resolution. On the 6th of October, before the vote, China recalled that it never recognised the report of the High Commissioner on human rights in Xinjiang. They reiterated that they consider the report a breach to their sovereignty and a “fabric of lies”, despite the numerous credible evidence brought to light for years now.

Special credits must be given to Muslim country members of the council. Not one voted in favour of the resolution. Indonesia, Qatar and Pakistan even took the floor to lamentably justify their vote against. Indonesia, in particular, declared how its country was at the forefront of defending its Muslim’s brothers and sisters’ best interests, only to vote against.

A point of consensus is that all Southern States agreed on denouncing the double standard of some States in the Human Rights Council, and the lack of real weight they have in the face of the double-standard’s games played by powerful nations, like the USA.

Geneva International Centre for justice (GICJ) would like to remind the States that, to be a leader, you need to take strong and courageous steps. This was the occasion for southern countries, especially Muslim countries, to bring a resolution to the table and build a coalition around them. GICJ has always condemned the lack of consistency in the US positions. However, this time, the US has the credit of having done something for Uyghur victims while Muslim countries have stayed silent.

2. The promotion of the rule of law and accountability for perpetrators is vital for the prevention human rights atrocities



By *Emily Bare* / GICJ

Accountability for human rights violations is crucial for upholding the rule of law and preventing impunity.

On the 6th of October 2022, Emily Bare of GICJ observed the discussion regarding the adoption of a draft resolution with a thematic focus on the role of prevention in the promotion and protection of human rights. This resolution focuses on the rule of law and accountability for human rights violations.

The ambassador of Ukraine, on behalf of 6 other submitted countries, stated that efforts by states and the international community are needed to enhance the rule of law and accountability for

human rights violations worldwide. She stated that, if adopted, this initiative will inspire further joint efforts from the Council to prevent human rights violations and combat impunity.

The ambassadors of Cuba, India, Venezuela, Paraguay, Lithuania, and China all voiced their opinions regarding the draft resolution, and the President of the Human Rights Council adopted the resolutions without a vote.

Geneva International Centre for Justice (GICJ) welcomes the efforts to increase accountability for human rights violations and promote the rule of law. We are pleased with the adoption of this resolution and will continue to advocate for greater accountability and rule of law through our work.

3. Resolution to strengthen the journalists' protection

accepted by consensus



By *Loïc Dorthé* / GICJ

Despite their crucial work in providing public access to information, journalists are increasingly targeted in an effort to silence their voices. The Human Rights Council adopted a resolution on 6 October 2022 to strengthen their protection and allow them to work in a safe and enabling environment. All 47 members accepted the resolution by consensus which required no vote.

Journalists are routinely killed, arbitrarily detained, and subject to online abuse and surveillance, for carrying out their work. To counter abuses increasingly perpetrated by governments, the Council adopted resolution H_HRC_51_L.14. It specifically highlights the work of journalists as paramount and urges states to implement concrete measures to this effect. This includes making efforts to address the misuse of national defamation laws against journalists, establishing prevention and protection mechanisms, and ensuring accountability.

All delegations participating in the final discussion welcomed the resolution. They recognised the importance of independent and diverse sources of media to ensure the fulfilment of the right to freedom of expression, to provide access to information, to ensure the proper functioning of democratic institutions, and to ensure respect for human rights norms. Ukraine particularly welcomed the resolution, explaining that since the outbreak of war, 46 journalists have been attacked by Russian forces. The representative reiterated the importance of their work in bringing out the truth about violations of humanitarian law.

Geneva International Centre for Justice (GICJ) welcomes the resolution to protect journalists and hopes that it will improve their working conditions. However, we recall that journalists and media outlets are still being targeted, and many areas of conflict remain inaccessible to journalists.

4. Taliban abuses again women and girls to be subject to greater scrutiny

Date 2022-10-07 Time 10:00

A/HRC/51/L.27 (as orally revised) - Situation of human rights in Afghanistan

YES	ARGENTINA	YES	HONDURAS	YES	NETHERLANDS	
YES	ARMENIA	YES	INDIA	NO	PAKISTAN	
YES	BENIN	ABST	INDONESIA	YES	PARAGUAY	
ABST	BOLIVIA (PLURINATIONAL STATE OF)	YES	JAPAN	YES	POLAND	
YES	BRAZIL	ABST	KAZAKHSTAN	ABST	QATAR	
ABST	CAMEROON	ABST	LIBYA	YES	REPUBLIC OF KOREA	
NO	CHINA	YES	LITHUANIA	ABST	SENEGAL	
YES	COTE D'IVOIRE	YES	LUXEMBOURG	ABST	SOMALIA	
ABST	CUBA	YES	MALAWI	ABST	SUDAN	
YES	CZECHIA	YES	MALAYSIA	YES	UKRAINE	
ABST	ERITREA	YES	MARSHALL ISLANDS	YES	UNITED ARAB EMIRATES	
YES	FINLAND	ABST	MAURITANIA	YES	UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	
YES	FRANCE	YES	MEXICO	YES	UNITED STATES OF AMERICA	
ABST	GABON	YES	MONTENEGRO	ABST	UZBEKISTAN	
YES	GAMBIA	YES	NAMIBIA	NO	VENEZUELA (BOLIVARIAN REPUBLIC OF)	
YES	GERMANY	ABST	NEPAL			
	YES	29	ABST	15	NO	3

By *Martin Browne* / GICJ

Taliban abuses that undermine women and girls enjoyment of fundamental rights was condemned by a resolution at the Human Rights Council's 51st Session. The Council agreed to extend the mandate of the Special Rapporteur on Afghanistan by a year, with a request to focus on the current situation facing women and girls in Afghanistan. 29 voted in favour, with only 3 countries, led by China voting against.

One notable comment underlined the need for further reports on Afghanistan as this is the only country in the world in which girls are formally prohibited from attending secondary school.

Moreover, countries called for humanitarian assistance to continue to be provided to Afghan people. Critically, the recognised representative of the Afghanistan government-in-exile supported the resolution but called for even stronger action to be taken by states and the creation of a dedicated accountability mechanism capable of documenting every crime and human rights violation.

Geneva International Centre for Justice (GICJ) supports the call for an Afghan-owned process for the establishment of a representative government. Until peace returns and the rights of women and girls are fully respected, all UN mechanisms should pay close attention to the situation in Afghanistan. Extending the mandate of the Special Rapporteur is the least that the international community can do to help those suffering from a deteriorating human rights situation.

5. Council adopts new resolution to “improve” the human rights’ situation in Syria

HRC 51th session

A/HRC/51/L.18 - Situation of human rights in the Syrian Arab Republic

3:00

YES	ARGENTINA	YES	HONDURAS	YES	NETHERLANDS
NO	ARMENIA	ABST	INDIA	ABST	PAKISTAN
YES	BENIN	ABST	INDONESIA	YES	PARAGUAY
NO	BOLIVIA (PLURINATIONAL STATE OF)	YES	JAPAN	YES	POLAND
ABST	BRAZIL	ABST	KAZAKHSTAN	YES	QATAR
ABST	CAMEROON	ABST	LIBYA	YES	REPUBLIC OF KOREA
NO	CHINA	YES	LITHUANIA	ABST	SENEGAL
YES	COTE d'IVOIRE	YES	LUXEMBOURG	ABST	SOMALIA
NO	CUBA	YES	MALAWI	ABST	SUDAN
YES	CZECHIA	ABST	MALAYSIA	YES	UKRAINE
NO	ERITREA	YES	MARSHALL ISLANDS	ABST	UNITED ARAB EMIRATES
YES	FINLAND	ABST	MAURITANIA	YES	UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
YES	FRANCE	YES	MEXICO	YES	UNITED STATES OF AMERICA
YES	GABON	YES	MONTENEGRO	ABST	UZBEKISTAN
YES	GAMBIA	ABST	NAMIBIA	NO	VENEZUELA (BOLIVARIAN REPUBLIC OF)
YES	GERMANY	ABST	NEPAL		

By Loïc Dorthé / GICJ

Eleven years have passed since the war in the Syrian Arab Republic began. Eleven years of conflict, violence, and violations of human rights and humanitarian law. The conflict is not new to the Human Rights Council, which adopted resolution A/HRC/51/L.18 on the 7th of October 2022 which was a new attempt to improve respect for human rights in Syria. However, this only reiterates past Council positions calling on Syria to respect its international obligations, without suggesting anything significant on top of that.

Delegations could be identifiable split between three groups. The 25 states who voted in favour were mainly European States. They stressed the importance of continuing to put pressure on the Syrian government to comply with its international obligations. The six states against the resolution, led by Syria itself, Russia, and China, emphasised their wish to respect the country's

sovereignty and the principle of non-interference. Finally, a third category such as Brazil, abstained.

After eleven years of unresolved problems and continuous human rights violations, **Geneva International Centre for Justice (GICJ)** is not satisfied with this resolution. After years of unresolved problems, it is clear that the Council lacks the resources and means to improve the situation in Syria, and this new resolution, which merely reiterates what has already been decided and agreed upon previously, will not change one iota of horrors that the Syrian people are suffering.

The only consolation in this respect is, quoting the British representative: "Syria is not forgotten" by the international community. Meanwhile, the Syrian people will continue to suffer and will certainly feel better knowing that the Human Rights Council has not forgotten them.

6. Joint resolution on terrorism and human rights by Mexico and Egypt



By Rute Belachew / GICJ

Filed by Mexico and Egypt, delegates encouraged the Special Rapporteur to focus on the protection of human rights while combating terrorism. On October 6, 2022, the Human Rights Council met to discuss Item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development. During this discussion the delegate of Mexico, Ms. Francisca E. Méndez Escobar, began with a statement about the need to combat terrorism and uphold human rights standards. Moreover, they appealed for increased consideration to be given to the negative impact of terrorism on the enjoyment of fundamental freedoms and to make recommendations to address this issue.

The Council emphasised that, in accordance with their obligations under international law, states must protect individuals within their jurisdiction from terrorist acts. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while combatting terrorism was invited by the Council to consider the detrimental impact of terrorism on the

enjoyment of human rights and fundamental freedoms and to offer suggestions in this respect. After that, without a vote, the resolution (A/HRC/51/L.42) was altered orally.

Geneva International Centre for Justice (GICJ) strongly condemns all acts of terrorism as unjustified and is deeply concerned about how they undermine respect for all human rights. We implore nations to do more to conform with international human rights, refugee, and humanitarian law.

7. “From rhetoric to reality” resolution to combat racial discrimination approved by the Human Rights Council

HRC 51st session

3:00

A/HRC/51/L.28/Rev.1 - From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

YES	ARGENTINA	YES	HONDURAS	NO	NETHERLANDS
YES	ARMENIA	YES	INDIA	YES	PAKISTAN
YES	BENIN	YES	INDONESIA	YES	PARAGUAY
YES	BOLIVIA (PLURINATIONAL STATE OF)	ABST	JAPAN	NO	POLAND
YES	BRAZIL	YES	KAZAKHSTAN	YES	QATAR
YES	CAMEROON	YES	LIBYA	ABST	REPUBLIC OF KOREA
YES	CHINA	ABST	LITHUANIA	YES	SENEGAL
YES	COTE d'IVOIRE	ABST	LUXEMBOURG	YES	SOMALIA
YES	CUBA	YES	MALAWI	YES	SUDAN
NO	CZECHIA	YES	MALAYSIA	NO	UKRAINE
YES	ERITREA	ABST	MARSHALL ISLANDS	YES	UNITED ARAB EMIRATES
ABST	FINLAND	YES	MAURITANIA	NO	UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
NO	FRANCE	YES	MEXICO	NO	UNITED STATES OF AMERICA
YES	GABON	NO	MONTENEGRO	YES	UZBEKISTAN
YES	GAMBIA	YES	NAMIBIA	YES	VENEZUELA (BOLIVARIAN REPUBLIC OF)
NO	GERMANY	YES	NEPAL		

YES	32	ABST	6	NO	9
-----	----	------	---	----	---

By Loïc Dorthé / GICJ

The African Group presented a new resolution to the HRC51 to urge States to implement concrete measures to combat racial discrimination in accordance with the Durban Declaration and Plan of Action (DDPA). On 7 October 2022, the Council voted in favour of resolution A/HRC/51/L.28/Rev.1 by 32 votes to 9.

No European state voted in favour of the resolution, which provoked criticism by other nations. They complained that Western states were responsible for the slave trade and other crimes against humanity, as well as showing the least enthusiasm for fighting racial discrimination. European states justified their vote by lamenting that this resolution is not based on the International Convention on the Elimination of All Forms of Racial Discrimination. Instead, it uses the DDPA, which, according to the EU states and the USA, lacks concrete evaluation mechanisms for its

results. All nevertheless reiterated their willingness and determination to combat racial discrimination.

Côte d'Ivoire, Namibia, and other countries welcomed the new resolution to combat racial discrimination, xenophobia and other intolerances. They see it as one of the main priorities of the UN's goal and explain that this resolution will push states to move from words to concrete actions. The resolution is expected to have a budgetary impact of USD 77,000.

As a human rights advocate, **Geneva International Centre for Justice (GICJ)** welcomes the adoption of this resolution to strengthen international mechanisms to combat racial discrimination. We note the challenges it entails but remain determined that more must be done to combat racial discrimination, xenophobia, and other intolerances, and therefore consider this resolution as a step forward towards more equity and justice.

8. Resolution requires the OHCHR to submit a report on the development of transitional justice processes worldwide



By *Farah Caïdi* / GICJ

A resolution introduced by Switzerland, Argentina and Morocco on human rights and transitional justice was adopted by consensus by the Human Rights Council, on the 7th of October. The main request of the States is for the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a report on “lessons learned and good practices of transitional justice in the context of sustaining peace and of sustainable development.” This report will have to be presented at the 58th session of the Human Rights Council, in 2025. The last report on the matter by the OHCHR was released in 2022.

The core group behind this present resolution emphasised the need to give a greater place to mental health and psychological support services for victims during transitional justice processes. These services have to be implemented as early as possible where atrocities are committed. The resolution insisted also on the essential role of women and youth in peacebuilding efforts as well

as in the prevention of future conflicts and atrocities. It reiterated the importance of a gender-sensitive human rights training for the actors involved in the transitional justice processes.

Geneva International Centre for Justice (GICJ) welcomes the adoption of this resolution and supports the important role of transitional justice in promoting truth, justice and reparation for the victims of atrocities. We encourage a comprehensive approach that can be successful only if the different actors overseeing the issues of development, security and human rights work collectively.

9. With the rejection of its 2 amendments, Resolution L12 on Arbitrary Detention stands strong



By *Namrata Hazarika* / GICJ

To respect and promote the right to legal assistance, the council adopted resolution L.12 on arbitrary detention without a vote. This resolution, proposed by France and co-sponsored by 55 states, stands for and promotes the rights of individuals who have been arrested and/or detained without impartiality. In accordance with Article 14 of the International Covenant on Civil and Political Rights (ICCPR), this resolution advocates for the right of any individual accused of any kind of criminal activity to have professional legal support and representation.

Objections came in the form of 2 amendments, L.43 and L.44, put forward by the Russian Delegation regarding the “Right to Legal Assistance” not being enshrined in international law. Both amendments were rejected. Regarding L.43, 3 states (China, Eritrea and Qatar) voted for it, 27 states voted against it, and 14 abstained. For L.44, only one state (China) voted for it, 26 voted against, and 20 abstained.

With the rejection of the two amendments, the resolution was passed without a vote.

Geneva International Centre for Justice (GICJ) is pleased with the adoption of this resolution and will continue to advocate against arbitrary detentions that hinder the enjoyment of fundamental human rights.

Conclusion and Reflections

The 51st Session of the Human Rights Council covered many key topics relating to human rights. Together with partner organisations, GICJ successfully participated in the session by delivering a total of 25 oral statements and producing 22 discussion reports.

Altogether, GICJ shed light on several human rights issues by addressing numerous forms of violence and degrading or inhuman treatment, emphasising the importance of an independent judicial system, reiterating the key principles of fairness and non-discrimination, advocating for the respect of the rule of law, promoting intercultural awareness, and fighting impunity.

We are especially disappointed by the Council's failure to open a debate on the human rights situation in the Chinese Xinjiang Autonomous Region (XUAR, East Turkestan). The growing evidence of human rights breaches suffered by the Muslim minority, including the Uyghurs, is irrefutable and the international community must not remain silent on this issue. We recall that alleged crimes were not only revealed by NGOs, but by the United Nations itself through the last report from former Human Rights High Commissioner Michel Bachelet in August 2022. This failure is a clear sign of some states' unwillingness to confront the People's Republic of China on its international obligations in fear of economic sanctions. Such a situation is an obvious area where the UN must find a solution to improve its capability of defending human rights worldwide.

The continuous debate surrounding the Myanmar case was also an important matter of the HRC51. While GICJ recognises the efforts made by some states, we are still disappointed by the inaction of others, including certain neighbouring states, who have failed to take measures against the military junta. The human rights record of the Tatmadaw has been appalling since its seizure of power in 2021. The alleged crimes committed by the military junta are numerous and include the mass arbitrary detention of political opponents, use of torture and gender violence including sexual rape, and extreme discrimination against certain minorities including elements of Genocide against the Rohingyas. GICJ hopes that the ASEAN, which showed their determination to improve the Myanmar situation with regional coordination, will succeed in assembling all neighbouring states in an effort to bring back peace, stability, and respect for human rights within Myanmar. In the

meantime, it is the responsibility of all states to cease economic affairs with the military and to impose a strict arms embargo on the country to avoid further human rights violations.

The brutal repression of peaceful demonstrators in Iran who are seeking more freedom was a sensitive topic during HRC51. The international community was quick to denounce the misdeeds of the government, which is accused of alleged human rights crimes against its own people. This includes arbitrary mass detention, the use of torture and gender-based violence, as well as the widespread repression of the freedom of assembly and expression. The Human Rights Council could find agreement with a resolution opening a special session of the instabilities in Iran. While this act is a first step, GICJ is concerned that the government's grip on the country is not reducing, while alleged crimes continue to be committed.

Six months after the Russian invasion of Ukraine, the human rights situation in the region is of particular concern. Total territorial invasions have a huge impact on civilians who too often must bear the burden of the war. The alleged crimes committed by soldiers, including deliberate attacks on civilians, use of civilians as human shields, attack on civilian infrastructures such as schools, hospitals and civilian homes, and gender-based violence including rape must be investigated. We especially condemn the lack of safe passages that must be insured by all armies during wartime. Finally, with the upcoming winter, GICJ is further concerned that the effect on civilians is going to increase in the coming months. We urge the international community to contribute to resolving this war rapidly and call for a withdrawal of all Russian troops within Ukrainian territory. However, with the Russian Federation being one of the five permanent members of the UN Security Council, we fear that a concrete solution will be hard to achieve in the upcoming months, increasing the damages of war on civilians.

Finally, the human rights situation in Afghanistan was seen as particularly concerning. While the international community continues to condemn the practice of the Taliban, who reconquered the country in the summer of 2021, their decisions and practices have contributed to a worsening of the country's human rights situation. GICJ is particularly concerned that the Human Rights Council has failed to tackle numerous instances of human rights breaches in Afghanistan, particularly the Taliban's clear will to erase women and girls from society. With schools, universities, and most of the working sectors being prohibited to women, the urgency of the

situation cannot be more dramatic. We urge the international community to increase their involvement in this issue and implement all measures at their disposal to ensure human rights for all Afghan people.

These are only some of the numerous issues tackled by the Human Rights Council. We reiterate the importance of highlighting, debating, and improving the situation of those whose human rights are violated. It is the right of every human being to benefit from such basic rights, and such international mechanisms are fundamental to achieving this goal. It is nevertheless important to reiterate that it necessitates the need for political cooperation, negotiations, goodwill, and sometimes more drastic measures to achieve them. We call on the entire international community to contribute to the full and effective functioning of these highly important mechanisms.

Geneva International Centre for Justice

Independent, non-profit, non-governmental organisation

GICJ is an independent, non-profit, 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 with NGOs

GICJ maintains a partnership with various NGOs, lawyers and a vast civil society network around the Globe. Through these channels, GICJ is able to receive documentation and evidence of human rights violations and abuses as they occur there. 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

Independent, non-profit, non-governmental organisation



Address:

Rte de Ferney 150, 1211 Genève

Facebook:

Geneva4Justice

Phone No.:

+41 (0) 22 788 1971

Instagram:

Geneva4Justice

Email:

info@gicj.org

Twitter:

Geneva4Justice

www.gicj.org