

## HR47: NGO joint end of session statement

### ORAL VERSION

This is a joint statement.<sup>1</sup> While we welcome the focus of the **civil society space resolution**, we deplore the removal of **general debates** in June and call for their reinstatement including with NGO **video statements**.

COVID-19 has exacerbated existential threats to civil society and demonstrated the importance of bridging digital divides. We welcome the focus of the resolution on the **Internet**, and that the resolution on **digital technologies** places a stronger focus on human rights impacts and approach to new technologies.

We also welcome the resolution on **menstrual hygiene management** as the first step in addressing deep-rooted stigma and discrimination. However, we are concerned by the increasing number of amendments and attempts to weaken the resolutions on **HIV and AIDS, violence against women and girls, and preventable maternal mortality and morbidity**. We deplore the instrumentalising of women's rights and sexual and reproductive health and rights.

We welcome the historic consensus resolution mandating an independent mechanism on **racial justice**, a testament to the resilience of victims, their families, and defenders globally. We deplore efforts by some Western States, particularly former colonial powers, to weaken the text and urge them to now cooperate fully with the mechanism to dismantle systemic racism, end impunity for racialized State violence, ensure accountability and reparations, and address root causes, especially the legacies of enslavement, colonialism, and the transatlantic trade in enslaved Africans..

We welcome the Council's scrutiny on **Belarus, Eritrea, Ethiopia, Israeli settlements, Myanmar, Nicaragua, Syria and Venezuela**. However, the Council has once again **failed to respond meaningfully to grave human rights violations**, including in **Algeria, China, Colombia, and the Philippines**.

On **migrants**, we deplore the failure of the Council to respond meaningfully to the severity and global scale of violations at international borders including connected to pushbacks. Expressions of deep concern in interactive dialogues must be translated into action on independent monitoring and accountability.

On **arms transfers**, the Council should be concerned with *all* negative human rights impacts of arms transfers, without focusing only on those stemming from diversion and unregulated or illicit trade.

We are disappointed that the resolution on human rights and **climate change** fails to establish a new Special Rapporteur. It is a matter of urgent priority for the Council to establish it this year.

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<sup>1</sup> American Civil Liberties Union, Association for Progressive Communications, Cairo Institute for Human Rights Studies, Center for Reproductive Rights, Child Rights Connect, CIVICUS: World Alliance for Citizen Participation, Commonwealth Human Rights Initiative, Conectas Direitos Humanos, Egyptian Initiative for Personal Rights, FIDH, Franciscans International, Human Rights House Foundation, International Bar Association's Human Rights Institute, International Commission of Jurists, International Lesbian and Gay Association, International Service for Human Rights, US Human Rights Network

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### WRITTEN VERSION

**CIVIL SOCIETY PARTICIPATION:** We deplore the systemic underfunding of the UN human rights system and the drive for so-called efficiency, including the cancellation of **general debates** in June, which are a vital part of the agenda by which NGOs can address the Council without restrictions. We call for the reinstatement of general debates at all sessions, with the option of civil society participation through video statements. We welcome the focus of the **civil society space resolution** on the critical role played by civil society in the COVID-19 response, and the existential threats to civil society engendered or exacerbated by the pandemic. For the resolution to fulfil its goal, States must now take action to address these threats; while we welcome the broad support indicated by a consensus text, this cannot come at the cost of initiatives that will protect and support civil society.

**HUMAN RIGHTS ONLINE:** We welcome a resolution on the promotion, protection and enjoyment of human rights on the **Internet** and its thematic focus on bridging digital divides, an issue which has become ever-important during the COVID-19 pandemic. We urge all States to implement the resolution by taking concrete measures to enhance Internet accessibility and affordability and by ceasing Internet shutdowns and other disruptions, such as website blocking and filtering and network throttling. In future iterations of the text, we encourage the core group to go further in mentioning concrete examples that could be explored by States in adopting alternative models for expanding accessibility, such as the sharing of infrastructure and community networks. We welcome the resolution on new and emerging **digital technologies** and human rights, which aims to promote a greater role for human rights in technical standard-setting processes for new and emerging digital technologies, and in the policies of States and businesses. While aspects of the resolution risk perpetuating “technology solutionism”, we welcome that it places a stronger focus on the human rights impacts of new and emerging digital technologies since the previous version of the resolution, such as introducing new language reiterating the importance of respecting and promoting human rights in the conception, design, use, development, further deployment and impact assessments of such technologies.

**GENDER EQUALITY AND NON-DISCRIMINATION:** We are concerned by the increasing number of amendments and attempts to weaken the texts. We are particularly concerned by the continued resistance of many States to previously adopted texts and States’ willful misinterpretation of key concepts related in resolutions on human rights in the context of **HIV and AIDS, accelerating efforts to eliminate all forms of violence against women and girls: preventing and responding to all forms of violence against women and girls with disabilities and preventable maternal mortality and morbidity and human rights on maternal morbidities**. We deplore the instrumentalising of women’s rights and sexual and reproductive health and rights. We encourage States to center the rights of people most affected and adopt strong texts on these resolutions. We welcome the resolution on **menstrual hygiene management, human rights and gender equality** as the first step in addressing deep-rooted stigma and discrimination. We urge all States to address the root causes for the discrimination and stigma on menstruation and its impact.

**RACIAL JUSTICE AND EQUALITY:** The High Commissioner’s [report](#) highlighted the long-overdue need to confront legacies of slavery, the transatlantic trade in enslaved Africans and colonialism and to seek reparatory justice. We welcome the historic consensus decision, led by the Africa Group, to adopt a resolution mandating an independent international expert mechanism to address **systemic racism and promote racial justice and equality for Africans and people of African descent**. The adoption of this resolution is testament to the resilience, bravery and commitment of victims, their families, their representatives and anti-racism defenders globally. We deplore efforts by some Western States, particularly former colonial powers, to weaken the text and urge them to now cooperate fully with the mechanism to dismantle systemic racism, ensure accountability and reparations for past and present gross human rights violations against Black people, end impunity for racialized State violence and address the root causes, especially the legacies of enslavement, colonialism, and the transatlantic trade in enslaved Africans.

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**MIGRANTS RIGHTS:** Whilst we welcome the return of a **resolution on human rights of migrants**, we deplore the continued failure of the Council to respond meaningfully to the severity and global scale of human rights violations at international borders including connected to pushbacks. International borders are not and must not be treated as places outside of international human rights law. Migrants are not and must not be treated as people outside of international human rights law. Expressions of deep concern in interactive dialogues must be translated into action on independent monitoring and accountability.

**ARMS TRANSFERS AND HUMAN RIGHTS:** We welcome the **resolution on the impact of arms transfers** on human rights and its focus on children and youth. However, we note with concern the resistance of the Council to meaningfully focus on legal arms transfers beyond those diverted, unregulated or illicitly transferred. The Council should be concerned with all negative human rights impacts of arms transfers, without focusing only on those stemming from diversion and unregulated or illicit trade.

**CLIMATE CHANGE:** We are disappointed that the **resolution on human rights and climate change** fails to establish a new Special Rapporteur. However, we welcome the increasing cross regional support for a new mandate. It is a matter of urgent priority for the Council to establish it this year.

### COUNTRY SPECIFIC SITUATIONS

**ALGERIA:** While special procedures, the OHCHR and multiple States have recognized the intensifying Algerian authorities' crackdown on freedom of association and expression, the Council failed to act to protect Algerians striving to advance human rights and democracy.

**BELARUS:** We welcome the renewal of the mandate of the UN Special Rapporteur on Belarus. Given the ongoing human rights crisis in Belarus, the mandate complements the OHCHR Examination in ensuring continuous monitoring of the situation, and the mandate remains an accessible and safe channel for Belarusian civil society to deliver diverse and up-to-date information from within the country.

**CHINA:** The Council has once again failed to respond meaningfully to grave human rights violations committed by Chinese authorities. We reiterate our call on the High Commissioner and member States to take decisive action toward accountability.

**COLOMBIA:** We are disappointed that few States made mention of the use of excessive force against protestors in a context of serious human rights violations, including systemic racism, and urge greater resolve in support of the right to freedom of peaceful assembly in the country and globally.

**ETHIOPIA:** The resolution on Ethiopia's Tigray region, albeit modest in its scope and language, ensures much-needed international scrutiny and public discussions on one of Africa's worst human rights crises. We urge the Ethiopian government to engage ahead of HRC48.

**ERITREA:** We welcome the extension of the mandate of the Special Rapporteur on Eritrea, as scrutiny for violations committed at home and in Tigray is vital.

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**NICARAGUA:** We warmly welcome the joint statement delivered by Canada on behalf of 59 States, on harassment and detention of journalists, human rights defenders, and presidential pre-candidates, urging Nicaragua to engage with the international community and take meaningful steps for free and fair elections. States should closely monitor the implementation of resolution 46/2, and send a strong collective message to Nicaragua at the 48th session of the Council, as the Council should ‘urgently consider all measures within its power’ to strengthen human rights protection in the country.

**PALESTINE:** We welcome the Special Rapporteur’s report that “Israeli settlements are the engine of this forever occupation, and amount to a war crime,” emphasizing that settler colonialism infringes on “the right of the indigenous population [...] to be free from racial and ethnic discrimination and apartheid.” We also reiterate his recommendation to the High Commissioner “to regularly update the database of businesses involved in settlements, in accordance with Human Rights Council resolution 31/36.”

**THE PHILIPPINES:** While acknowledging the signing of the Joint Human Rights Programme with the UN OHCHR, the Government of the Philippines fails to address the long-standing issues on law enforcement and accountability institutions, including in the context of war on drugs. We continue to urge the Council to launch the long-overdue independent and transparent investigation on the on-going human rights violations.

**SYRIA:** We welcome mounting recognition for the need to establish a mechanism to reveal the fate and whereabouts of the missing in Syria, including by UN member states during the interactive dialogue on Syria, and the adoption of the resolution on Syria addressing the issue of the missing and emphasizing the centrality of victim participation, building on the momentum created by the [Syrian Charter for Truth and Justice](#).

**VENEZUELA:** In the context of the recent arbitrary detention of 3 defenders from NGO Fundaredes, we welcome the denunciation by several States of persistent restrictions on civil society and again for visits of Special Rapporteurs to be accepted and accelerated.