



44th SESSION OF THE HUMAN RIGHTS COUNCIL

Item 2: Presentation of reports of Secretary-General and High Commissioner for Human Rights

2 July 2020

In this summary:

- Oral update on the human rights situation in **Nicaragua**
- Presentation of a report of the High Commissioner on **Venezuela**
- Interim report by the Secretary-General on the situation of human rights in **Ukraine**
(all three delivered by **Ms Michelle Bachelet**, United Nations High Commissioner for Human Rights)
- Concerned country statements

Note that pursuant to the Presidential Statement (A/HRC/PRST/OS/13/1), there will be no General Debates during the 44th session of the Human Rights Council. The debates on these reports presented by the High Commissioner will take place during the 45th session of the Council.

Oral update on the human rights situation in Nicaragua¹

- Since the last oral update in February, persistent violations of human rights continued against those perceived by the government as “**opponents**”, including human rights defenders, journalists, social leaders and former political detainees. In March – June 2020, OHCHR documented **43 complaints of alleged human rights violations** (house arrests without a warrant, arbitrary arrests, threats, intimidation and harassment) by police or pro-government elements against people perceived as “opponents”.
- The right to **peaceful assembly** continues to be systematically curtailed.
- Still **no investigations** or criminal proceedings against those responsible for serious human rights violations that have occurred in the past 2 years, partly as a result of the Amnesty Law.
- Persistent impunity and lack of legal and institutional reforms.
- Attacks with **fire arms** and violent incidents in several regions left people dead or injured.
- Welcomes the **release of 4515 inmates** under special measures.
- However, none of the **86 political prisoners** benefitted from these measures.
- The **Covid-19** health crisis resulted in greater restrictions in the civic and democratic space.
 - Official discourse stigmatizes people who criticize the official state response.
 - At least 16 doctors have been fired for criticizing the official response.
 - The pandemic has increased violence against women and femicide.
 - Little transparency and lack of clarity about the Covid-19 cases.
- Since 2018, the government has cancelled the legal registration of 10 **civil society organizations**.
- The pandemic could aggravate the **economic situation**.
- Call on the government to be more open in a dialogue with civil society, and to **cooperate** with the UN and Interamerican system. OHCHR reiterates the readiness to provide **technical assistance**.

Reply of Nicaragua (Country Concerned)

- *Nicaragua is living tragic times due to the **Covid-19** pandemic: loss of human rights and economic impacts.*
- *The efforts of National Reconciliation Unity Government to **protect** its population, particularly, the most disadvantaged.*
- *A set of **preventive measures** have been adopted: massive information campaigns, and the organization of hospitals and health centres.*
- *For the Nicaraguan government it is vital to have the respect for the principles of **independence, sovereignty and non-interference**.*

¹ The report (unavailable on Extranet as of 3 July 2020) has been prepared pursuant to Council’s Resolution 43/2.



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- *It is easy to speak about human rights, but it is **difficult to implement** them in reality, particularly the economic, social and cultural rights, right to health, education, drinking water, housing, electric energy, the rights of women, children, combatting extreme poverty. Since 2007, the Government intends to make these rights a reality. Health is a fundamental right – Nicaragua invests in **health sector**.*
- *Nicaragua also has to combat **misinformation** campaigns and fake news.*
- *In spite of the unfair **coercive unilateral measures** taken against Nicaragua, the country has not stopped seeking to achieve the highest level of effectiveness in political, economic and social **democracy**.*
- *No human rights are real without **democratization of wealth**. This democratization will be achieved by implementing public policies aimed at protecting health, life and the well-being of Nicaraguans.*
- *Democracy means that the **rights to education** must become effective from the very outset.*
- *Nicaragua exercises the democracy on a daily basis with a massive participation and major role of people in a number of activities.*
- *Universal coercive measures and sanctions that are imposed are illegal acts which seriously harm human rights, violating the principles of international law and the UN Charter.*

Presentation of a report of the High Commissioner on Venezuela²

- Appreciate the **increased access of the OHCHR** to Venezuela and the increased cooperation.
- Appreciate the establishment of and the cooperation with the **Inter-institutional Coordination Committee** to fulfil technical assistance and provide information on the individual cases of the people deprived of their liberty.
- People in Venezuela continue to suffer grave violations of **economic and social rights** due to low salaries, high food prices, persistent deficiencies, lack of public services and precarious access to health care.
- The crisis has been exacerbated by the **increase in the sectoral sanctions** and the Covid-19 pandemic.
- Welcomes the **agreement** between the government and part of the opposition to join forces with the Pan-American health organization to tackle the pandemic.
- OHCHR continues to document **restrictions to the civic and democratic space** with the violations of freedom of expression and the right to information, and the widespread detentions.
- Recognizes the **decrease in homicide rates** in 2019, but remains concerned about the high number of deaths of the young people by the security forces.
- Concerned about the pattern of **arbitrary detentions** and violations of due-process guarantees, allegations of torture and enforced disappearances during the initial days of detention.
- Recognizes the **drop of the level of violence in the detention centres**, but there continue to be challenges in access to food, water and sanitation.
- Regrets that the political actors failed to reach a negotiated solution to resolve the profound political crisis. Recent decisions by the Supreme Court of justice reduced the possibilities of creating conditions for the **credible election processes**.
- Reiterates the call for **inclusive political negotiation** based on human rights and the restitution of the political rights. OHCHR remains available to contribute to these efforts.

² Report [A/HRC/44/20](#) "Outcomes of the investigation into allegations of possible human right violations of the human rights to life, liberty and physical and moral integrity in the Bolivarian Republic of Venezuela" prepared pursuant to Council's Resolution 42/4



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Reply of Bolivarian Republic of Venezuela (Country Concerned)

- *The United States imposed **new unilateral coercive measures** against Venezuela.*
- *Continuation of the **abduction of Venezuelan assets** abroad.*
- *Ships from kindred countries continue to transfer the necessary fuel to Venezuela, whose production has been affected by the illegal sanctions.*
- *Venezuela has confirmed the **visit to the country of the Special Rapporteur** on the negative impact of the unilateral coercive measures, Ms Douhan, from 3-14 August 2020.*
- *Social investment in Venezuela continues through the local supply and production committees more than 6 million families have received food distribution. 3.1 million decent houses were built.*
- *In Venezuela health care programmes, education, sport and culture are **free of charge**, including for migrants and refugees.*
- *In combatting **Covid-19** a free of charge mechanism was implemented for mass individualized testing.*
- *The Government regrets that the report includes information coming from **unreliable sources** which have not been cross-checked by the OHCHR representatives in the country.*
- *Venezuela has provided all facilities to the OHCHR for the discharge of its mandate. Despite that the report fuels up the agenda of aggression and leaves out the important progress achieved by the country.*
- *Venezuela is a sovereign country moving towards a social justice and peace with full exercise of all human rights. Venezuela reiterates its willingness to continue the relation of cooperation and technical assistance with the OHCHR on the basis of respect of the principles of international law established in the UN Charter.*

Interim report³ by the Secretary-General on the situation of human rights in Ukraine

- The report covers the period from 1 July to 31 December 2019. **Human rights violations** involving torture, ill-treatment perpetrated by law-enforcement agencies continued in Crimea
- In all documented cases no perpetrator was held accountable.
- **Inadequate conditions of detention** in Crimea which could amount to inhuman or degrading conditions.
- The ongoing **criminalization of freedom of expression** on social media is concerning.
- Journalists, media workers, civil society groups (particularly, Crimean Tatars) face obstacles in their work.
- The report provides several examples where, in violation of humanitarian law, the Russian Federation failed to uphold its obligation as the occupying power in Crimea.
- **Transfers of detainees** from the occupied territories to the territory of occupying power continue to violate the prohibitions of individual or mass forcible transfers.
- The Russian Federation continues to imply its criminal legislation in Crimea.
- Russian Federation³ also carries out its **military conscription campaign** in Crimea in violation of international humanitarian law.
- The report **reminds the government of Ukraine** to use all available means to ensure respect for the enjoyment of human rights in Crimea.
- Reiterates the concerns with obstacles faced by people in Crimea while trying to access banking services, or register death or birth in Ukraine outside the Crimea.
- OHCHR will continue to monitor to situation in Crimea and **stands ready to engage** with the Russian Federation and with Ukraine.

Reply of Ukraine (Country Concerned) – *Ukraine did not take the floor.*

³ Report [A/HRC/44/21](#) "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine", prepared pursuant to General Assembly's Resolution 74/168