



HUMAN RIGHTS COUNCIL - 48th SESSION

Overview of Week 1 (13 - 17 September 2021)

During the **first week** of the 48th session, the UN Human Rights Council will focus on the consideration of reports and oral updates under **Agenda Item 2¹** and **Agenda Item 3²**. The following country situations will be addressed under Item 2: **Afghanistan, Venezuela, Nicaragua, Sri Lanka, Myanmar, Yemen, and Tigray region of Ethiopia**. Under Item 3, a number of thematic reports will be presented by the High Commissioner and her Office as well as by the Special Procedures mandate holders, including on topics such as **slavery, transitional justice, water and sanitation, unilateral coercive measures, rights of women and girls in conflict and post-conflict situations, and the right to development**, among others. The Council will equally hold a panel discussion on universal coercive measures, and a general debate on the High Commissioner's oral update.



Panel Discussions

(16 Sep 2021, 10 am - 12 pm). **Biennial panel discussion on unilateral coercive measures (UCMs) and human rights.** Theme: *Unilateral sanctions: jurisdiction and extraterritoriality.*



Agenda Item 2: Interactive Dialogues following the reports on Country situations

PRESENTATIONS

(13 Sep 2021³) **Oral update** by the United Nations High Commissioner on Human Rights, *Ms. Michelle Bachelet*.

(13 Sep 2021) Report⁴ of the High Commissioner for Human Rights on the **situation of human rights and technical assistance in the Bolivarian Republic of Venezuela**.

(13 Sep 2021) Oral update by the High Commissioner on **the situation of human rights in Afghanistan**.

(13 Sep 2021) Oral update by the High Commissioner on **promotion and protection of human rights in Nicaragua**.

(13 Sep 2021) Oral update by the Office of the High Commissioner on **promoting reconciliation, accountability and human rights in Sri Lanka**.

PRESENTATIONS FOLLOWED BY INTERACTIVE DIALOGUE



(13 Sep 2021) Report of Independent Investigative Mechanism for **Myanmar**.

The report highlights that, in less than two years, the Independent Investigative Mechanism **set up foundational and core infrastructure**, and established a secure and sophisticated electronically stored **information management system**. To date, the Mechanism has **collected over 1.3 million information items** from a broad range of sources and in a variety of formats. The Mechanism will continue to intensify its engagements and bolster its operations to make it possible to bring to justice the perpetrators of the most serious international crimes in Myanmar.

¹ Item 2: Annual report of the UN High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

² Item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.

³ Dates may be subject to change. Please, consult <https://hrc48thsession2021.sched.com/> for the latest updates on the schedule.

⁴ As of 13 September 2021, this report is only available in English Advance unedited version and in Unofficial Spanish version, both of which are not accessible.



(13 Sep 2021) Oral update by the High Commissioner on the **situation of human rights in the Tigray region of Ethiopia** and on progress made in the context of the joint investigation undertaken by the OHCHR and the Ethiopian Human Rights Commission (followed by enhanced interactive dialogue).


(14 Sep 2021) Report⁵ of Group of Eminent International and Regional Experts on **Yemen**.

General Debates

(15-16 September 2021) **General Debate on the High Commissioner's oral updates (Agenda Item 2)**.

79 NGOs were registered in the List of Speakers as of 8 September 2021.


Agenda Item 3: Presentation of Reports and Interactive Dialogues

 (15 Sep 2021) Report of the Special Rapporteur on the **human rights to safe drinking water and sanitation, Mr. Pedro Arrojo Agudo (Spain)**. The first report submitted by the current mandate holder, focuses on the Special Rapporteur **plan and vision for the first three years of his mandate, from 2020 to 2023**.

Building on the work by previous mandate holders, the Special Rapporteur aims to clarify:

- the link between the human rights to water and sanitation and the recovery of aquatic ecosystems;
- how to promote democratic water governance from a human rights approach in different contexts.


In the report, the Special Rapporteur also addresses the **root causes of Global Water Crisis** which lie at the confluence of such structural flaws as unsustainability and poverty. Further, he discusses **3 factors that aggravate and deepen this global crisis**: climate change, COVID-19, and degrading democratic governance.

 (15 Sep 2021) Report of the Special Rapporteur on the **negative impact of unilateral coercive measures (UCMs) on the enjoyment of human rights, Ms. Alena Douhan (Belarus)**, addresses **notion, types and qualification of UCMs**.

The Special Rapporteur referred to **absence of a universally recognized definition** of unilateral coercive measures and absence of clear definition even of the general notion of "sanctions" in international law. The report lists some of the **types of unilateral sanctions** as applied by the *United Kingdom, Switzerland, European Union and United States*. The report also contains a section of the extraterritorial effects of unilateral sanctions, cybersanctions, a discussion on legal status of unilateral sanctions, and a qualification of unilateral coercive measures, based on key elements proposed by States, NGOs and academics.

The Special Rapporteur will also present to the Council two **reports on country visits**:

- Visit to Qatar (1 – 12 November 2020): assessment of the impact of unilateral sanctions imposed on Qatar by Bahrain, Egypt, Saudi Arabia and the United Arab Emirates. The report welcomes the easing of restrictive measures and the resumption of diplomatic relations following Al-Ula declaration (January 2021).
- Visit to Venezuela⁶.

 (16 Sep 2021) Report of the Special Rapporteur on the **promotion of truth, justice, reparation and guarantees of non-recurrence, Mr. Fabián Salvioli (Argentina)**, focuses on **accountability** with a view to the prosecution and punishment of gross violations of human rights and serious violations of international humanitarian law in the context of transitional justice processes.

⁵ *idem*: As of 13 September 2021, this report is not yet available on the [OHCHR website](#).

⁶ *idem*: As of 13 September 2021, this report is not yet available on the [OHCHR website](#).



In his report, the Special Rapporteur examines the scope of the **legal obligation to prosecute and punish violations**, and refers to constraints and **challenges to ensuring accountability**, illustrating them with examples of practices in countries such as *Albania, Argentina, Cambodia, Chad, Chile, Colombia, Gambia, Guatemala, India, Ireland, Kenya, Lebanon, Liberia, Libya, Maldives, Myanmar, Peru, Rwanda, El Salvador, Senegal, Sierra Leone, South Africa, Sudan, Tunisia, Turkey, Uganda, United Kingdom, United States*.

He also refers to **good practices and lessons learned**, based on experience of *Albania, Argentina, Colombia, Ireland, Guatemala, Liberia, Maldives, Nepal, Peru, Rwanda, El Salvador, Tunisia, Ukraine, Uganda*, among others. The report concludes with **21 concrete recommendations** on how to improve accountability for gross violations of human rights and serious violations of international humanitarian law.

The Special Rapporteur will also present to the Council **two follow-up reports**:

- official [visits to Tunisia, Uruguay and Spain](#), conducted by former Special Rapporteur, Mr. Pablo de Greiff:
 - **Tunisia**: Some progress had been made, since the last visit in 2012, to bring coherence to the transitional justice system, notably under Organic Law No. 53. However, significant legislative gaps and procedural obstacles still stand in the way of effective and meaningful criminal accountability for gross human rights violations, the effective provision of reparation to victims, and the establishment of guarantees of non-recurrence.
 - **Uruguay**: Since the country visit in 2013, promising reforms have been adopted in the various areas of transitional justice. Key recommendations have, regrettably, not been implemented. Targeted recommendations were provided for the remaining challenges.
 - **Spain**: many of the challenges examined in the report in 2014 have regrettably persisted. Victims of the Civil War and Francisco Franco's regime and their families have continued to be denied of their rights to truth, justice, full reparation, memory and guarantees of non-recurrence.
- official [visits to Burundi, the United Kingdom of Great Britain and Northern Ireland and Sri Lanka](#).
 - **Burundi**: Turbulent events have taken place in the country since the visit in 2014. The lack of progress on most key aspects, compounded by actions and omissions of the Government, have accelerated the erosion of accountability and the rule of law.
 - **United Kingdom**: The Special Rapporteur regrets the insufficient implementation of the recommendations contained in the country visit report (2015-2016) and the current reported plans to obstruct conflict-related accountability and related investigative powers under a "legacy package".
 - **Sri Lanka**: The insufficient progress made regarding truth-seeking and implementation of the recommendations made by former mandate-holder (2017). Blatant regression in the areas of accountability, memorialization and guarantees of non-recurrence. No truth commission has been established to date.

The Special Rapporteur welcomed the inputs provided by the Governments of *Uruguay, Spain, and the United Kingdom* and expressed concern about the insufficient progress in the implementation of the recommendations addressed to the reviewed States.



(16 Sep 2021) [Report](#) of the **Expert Mechanism on the Right to Development**.

In **less than one year of its existence**, the Expert Mechanism held 19 informal intersessional meetings and 3 formal sessions; adopted one thematic study and a joint statement on COVID-19 and vaccine nationalism.

The Expert Mechanism adopted **two recommendations for consideration and approval** by the Council at:

(a) to enable the Expert Mechanism to webcast its public sessions and to authorize the use of international sign interpretation and realtime captioning in English;

(b) to expand the participation of civil society organizations in sessions of the Mechanism by allowing it to extend invitations to non-governmental organizations without consultative status with the ECOSOC.

The members of the Expert Mechanism are Koen De Feyter (Belgium), Armando Antonio De Negri Filho (Brazil), Bonny Ibhawoh (Nigeria), Mihir Kanade (India) and Klentiana Mahmutaj, *Chair-Rapporteur* (Albania).



(17 Sep 2021) [Report](#) of the Special Rapporteur on **contemporary forms of slavery, including its causes and consequences**, **Mr. Tomoya Obokata (Japan)** addresses the **nexus between displacement and contemporary forms of slavery**.

The report **touches upon topics** such as state obligations under international human rights law and labour law to protect displaced persons from contemporary forms of slavery; vulnerabilities of displaced persons to contemporary forms of slavery, exacerbated by poverty, discrimination, migration status, informality of employment, camp settings, exposure to criminal groups, traffickers and people smugglers, and increased risk in situations of crisis. The report also addresses **manifestations of contemporary forms of slavery affecting displaced persons**, such as forced labour, domestic servitude, forced marriage, and sexual slavery. The report specifically focuses on manifestations of contemporary forms of slavery affecting **displaced children**, including worst forms of child labour.

The Special Rapporteur had planned to visit *Mauritania* in June and *Sri Lanka* in August 2021. Both visits had to be postponed due to the COVID-19 pandemic.



(17 Sep 2021) [Report](#)⁷ of the High Commissioner on the current state of play of the **mainstreaming of the human rights of women and girls in conflict and post-conflict situations**.

The report covers the period **from 2015 to 2021**. It was prepared based on a desk review of at least **120 relevant Human Rights Council resolutions**, as well as reports and recommendations of its mechanisms related to the human rights of women and girls in conflict and post-conflict situations, in particular:

- at least **500 relevant Universal Periodic Review recommendations** issued during the third cycle.
- at least **18 thematic and country-specific reports by the Special Procedures**,
- human rights **investigative bodies**, and the Human Rights Council **Advisory Committee**.

The report is also informed by submissions from 12 Member States, including *Argentina, Australia, Georgia, Guatemala, Honduras, Iraq, Ireland, Lebanon, Qatar, Spain, Ukraine*, as well as 12 civil society organizations and United Nations entities.



(17 Sep 2021) [Report](#) of the Special Rapporteur on **the right to development**, **Mr. Saad Alfarargi (Egypt)** focuses on **climate action at the national level**.

A number of countries contributed to open call for submissions, providing examples of ways in which they **integrate the right to development into national climate action**. These countries *include Azerbaijan, Romania, Ukraine, Bahrain, Brunei, Lebanon, Maldives, Saudi Arabia, Sri Lanka, Thailand, Bolivia, Chile, Ecuador, Mexico, Italy, Kenya, Namibia, Togo*. The Special Rapporteur provided **his conclusions and recommendations** which include, inter alia, the need for effective collection of data, the need for independent assessments of transboundary policies and projects, and making environmental safeguards enforceable, while also specifically focus on meaningful participation of the rights-holders and accountability mechanisms in cases of violations.

⁷ Agenda items 2 and 3.