



HUMAN RIGHTS COUNCIL - 48th SESSION

Item 5: Interactive dialogue with the Human Rights Council Advisory Committee

30 September 2021

Reports of the Human Rights Council Advisory Committee presented during the Interactive dialogue:

- *Reports of the HRC Advisory Committee on its twenty-fifth and twenty-sixth sessions ([A/HRC/48/71](#))*
- *Current levels of representation of women in human rights organs and mechanisms: ensuring gender balance ([A/HRC/47/51](#));*
- *Possible impacts, opportunities and challenges of new and emerging digital technologies with regard to the promotion and protection of human rights ([A/HRC/47/52](#));*
- *Moving towards racial equality: study of the Advisory Committee on appropriate ways and means of assessing the situation ([A/HRC/47/72](#));*
- *Negative effects of terrorism on the enjoyment of human rights ([A/HRC/48/66](#)).*

Opening statement by Mr. Ajai Malhotra, President of the Advisory Committee: report on current levels of representation of women in human rights organs and mechanisms provides an analysis of the current situation regarding gender representation in UN human rights organs and mechanisms. It concludes that women remain underrepresented in treaty bodies, among special procedure mandate holders, and in the Advisory Committee. **Report on emerging digital technologies** examines challenges of technologies to human rights, such as excessive datafication; poor cybersecurity; dissemination of false information; spread of hate speech; disempowerment of populations lacking digital access; mass surveillance; overreaching Internet regulation, etc.; and concludes that the gaps in the existing human rights framework can be tackled by adopting a three-pillar approach: a holistic understanding of technology, a holistic approach to human rights and holistic governance. **Study on ways and means of assessing the situation regarding racial equality in the world:** provides an overview of international instruments on racial equality, such as the Durban Declaration and Programme of Action and its follow-up; underlines gaps and challenges in tackling the structural and systemic racism and racial discrimination; makes recommendations for action both at the international and national levels. **Report on negative effects of terrorism** focuses on the negative effects of terrorism on the enjoyment of economic, social and cultural human rights, addresses the lack of an international definition of terrorism and underscores the importance of adopting a comprehensive convention on international terrorism, containing a definition of terrorism; outlines the current state of play regarding the recognition of the rights of victims of terrorism. **Challenges:** the Advisory Committee has not received a new mandate from the Council since 2020. The Committee has submitted four research proposals for the Council's consideration: "Pandemics and human rights: lessons for the future", "Protection of academic freedom and free flow of research: lessons learned from the pandemic", "Climate protection technologies and human rights", "Practices negatively affecting the human rights of migrants". Two of the draft resolutions tabled at this Council session - on Racism and on Climate Change - incorporate mandates for the Advisory Committee.

Interactive dialogue

Delegations that took the floor during the Interactive Dialogue (20 statements):

Republic of Korea (on behalf of the core group of the resolution on "New and emerging digital technologies and human rights": Austria, Brazil, Denmark, Morocco, Korea, Singapore), **European Union, Brazil** (on behalf of Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, Uruguay), **Israel, Spain, Egypt, Mexico, South Africa, Venezuela, Cuba, Russia, Morocco, Sri Lanka, India, Namibia, China, Libya, Panama, Armenia, Syria**

Republic of Korea (on behalf of a group of countries): in light of the [HRC Resolution 47/23](#) the OHCHR is to convene two expert consultations in cooperation with various stakeholders with the aim of translating human rights norms into practical standards. **EU:** coordination and interaction between the UN bodies to provide States with technical support and expertise for anti-discrimination policies should be strengthened; appreciated efforts to draft a balanced report on the negative effects of terrorism. **Brazil:** what suggestions the Council might consider to support the Advisory Committee mandate as a "think tank"? **Israel:** until the international community recognizes Hamas as the terrorist organization, and Iran as its main supporter and



financer, there will be no remedy for the Israeli victims. **Spain:** supported the recommendation (para 68) of the [High Commissioner's report](#) on women and girls in conflict and post-conflict situations. **Egypt:** the report on the negative effects of terrorism requires more explanation of the repercussions of terrorism on human rights; the proposal for "new and emerging technologies in the military and human rights field" should be limited to the civilian field only. **Mexico:** some parts of the report on negative effects of terrorism merit further review, such as responsibilities of non-state actors, conditioning of compliance with human rights obligations to economic circumstances. **South Africa:** *how will states, that are still reluctant to collect and analyse disaggregated data which contributes to revealing inequalities among different groups, be able to tackle the vestiges of systemic racism and racial inequality?* **Venezuela:** need to more effectively combat racist and xenophobic manifestations; will continue to denounce the rise of sophisticated forms of State terrorism, through the financing of non-state actors. **Russia:** in the report on terrorism the authors went beyond the mandate (tried to formulate a definition of the term "terrorism", shifted the focus to the human rights impact of counter-terrorism measures, whitewashing terrorists); the idea of considering climate issues through the prism of technologies requires specialized expertise. **Morocco:** States should redouble their efforts to tackle the conditions conducive to the spread of terrorism and violent extremism. **Sri Lanka:** supported the principle of equitable geographical representation in the staff of the OHCHR; concerned by the prevalence of "voluntary funding" in the work of the OHCHR. **India:** launched the Ayushman Bharat Digital Mission which seeks to provide a unique digital health ID to Indian citizens. **Namibia:** efforts towards racial equality must begin with acknowledging the existence of racism and racial inequality in societies, structures, and systems. **China:** welcomed reports on racism and terrorism; there is a lot to do in terms of fighting against racism, xenophobia, and intolerance. **Libya:** the UN should increase technical support for countries that suffer from terrorism. **Panama:** interested in research proposals on technologies for climate protection, and on emerging technologies in the military field. **Armenia:** welcomed the report on terrorism. **Syria:** asked international community not to finance terrorism.

NGOs that took the floor during the Interactive Dialogue (10):

International Movement Against All Forms of Discrimination and Racism (IMADR), Institute for NGO Research, Maat for Peace, Development and Human Rights Association, China Foundation for Human Rights Development, Integrated Youth Empowerment - Common Initiative Group (I.Y.E. – C.I.G.), International Commission of Jurists (ICJ) (*Joint Statement with Article 19*), China Society for Human Rights Studies (CSHRS), Association pour la défense des droits de l'homme et des revendications démocratiques/culturelles du peuple Azerbaïdjanais-Iran – "ARC", International Council of Russian Compatriots (ICRC), iuventum e.V.

IMADR: the need of full implementation of ICEDR and regular reporting to CERD. **Institute for NGO Research:** the lack of listing some Palestinian groups as terroristic and financial support of NGOs directly linked to these groups. **Maat for Peace, Development and Human Rights Association:** asked to explore situations where water is used as a weapon in conflicts (e.g., Turkey against Syria). **China Foundation for Human Rights Development:** lack of universal definition of terrorism creates double standards that are used by many countries. **I.Y.E. – C.I.G.:** concerns about human rights situation in the Northern-Eastern states of India. **ICJ:** the lack of precise definition of terrorism creates many issues; welcomed initiative to provide a guidance on human rights of victims of terrorism. **CSHRS:** some countries disregard migrants' rights, especially amid COVID-19 pandemic. **"ARC":** *how to best hold states accountable for poor governance when it comes to equality especially with regards to intersectional discrimination of ethnic groups?* **iuventum e.V.:** report on digital technologies could have covered more COVID-19 related issues.

Concluding remarks of Mr. Ajai Malhotra, President of the Advisory Committee: thanked *Spain* for the reference on women and girls in conflict and post-conflict, would be happy to provide with the assessment; *on Egypt's comment:* proposal for the study on impact of technologies is one of three topics for reflection, the Committee is ready to fulfil the mandate; *on Russia's comment:* the Committee is indeed need specialized knowledge, reports should be science-based and the Committee does have specialised science knowledge. Many HRC country resolutions mandate to be prepared by the OHCHR are not submitted due to the lack of resources, studies and reports by the Advisory Committee do not have any resource implications, it is collective and effective pro bono work.