



# HUMAN RIGHTS COUNCIL - 48<sup>th</sup> SESSION

## Overview of Week 4 (4-8 October 2021)

During the final **fourth week** of the 48<sup>th</sup> session, the Council will continue consideration of thematic and country reports under Agenda Item 9 and Agenda Item 10. Under item 9, **Racism, racial discrimination, xenophobia and related forms of intolerance**, the Council will consider reports by the Working Group on African Descent and the Special Rapporteur on racism. Under item 10, **technical assistance and capacity building**, the Council will consider reports on Cambodia, Central African Republic, Democratic Republic of the Congo, Georgia, Libya, Philippines, Somalia, South Sudan, Sudan, Ukraine, and Yemen. The Council will also hold **General Debates** under Agenda Item 8, Agenda Item 9, and Agenda Item 10. Finally, the Council will take action on **26 draft proposals**, will elect the Advisory Committee members and appoint the Special Procedure mandate holders for vacant roles.



### General Debates

(4 Oct 2021) **General debate on Agenda Item 8:** Follow-up to and implementation of the Vienna Declaration and Programme of Action.

(5 Oct 2021) **General debate on Agenda Item 9:** Racism, racial discrimination, xenophobia and related forms of intolerance: follow up to and implementation of the Durban Declaration and Programme of Action.

(7 Oct 2021) **General debate on Agenda Item 10:** Technical assistance and capacity-building.

### Presentation of Thematic Reports followed by Interactive Dialogues

#### **Agenda Item 9: Racism, racial discrimination, xenophobia and related forms of intolerance: follow up to and implementation of the Durban Declaration and Programme of Action.**



(04 Oct 2021) **Report** of the **Working Group of Experts on People of African Descent** focuses on **environmental justice, the climate crisis and people of African descent.**

The report presents the conclusions and recommendations of the 28<sup>th</sup> session of the Working Group, held on 24-26 March 2021, which comprised three panels: (1) Environmental racism: Earth, wind, fire and water; (2) Race and the climate crisis: preparedness and response, and (3) Environmental racism, the climate crisis and reparatory justice. The Working Group provides guidance on how to effectively address environmental injustice, racial disparities, unequal protection and the unique impact of the climate crisis and environmental racism on people of African descent. The report also notes that all country visits of the Working Group were postponed due to COVID-19, and all meetings were held virtually.



(04 Oct 2021) **Report** of the **Special Rapporteur on contemporary forms of racism**, racial discrimination, xenophobia and related intolerance, **Ms. E. Tendayi Achiume** (Zambia), focuses on **racial and xenophobic discrimination and the use of digital technologies in border and immigration enforcement.**

The report complements the Special Rapporteur's prior report on human rights analysis of racial discrimination and emerging digital technologies, and highlights how digital technologies are being deployed to advance the xenophobic and racially discriminatory treatment and exclusion of **migrants, refugees, and stateless persons**. Discrimination and exclusion may occur in the absence of explicit animus, as a result of the pursuit of bureaucratic and humanitarian efficiency. The report specifically addresses **direct and indirect discrimination**, including through online platforms, racial profiling, mandatory biometric data collection, digital identification systems, and exclusion from basic services, language recognition, mobile data extraction and social media intelligence. It also addresses **discriminatory structures**, such as surveillance humanitarianism and surveillance asylum, technological experimentation, border externalization and immigration surveillance. The report concludes with recommendations to all stakeholders, including Member States, non-state actors, IOM and UNHCR.



(04 Oct 2021) [Report](#) of the **Special Rapporteur on contemporary forms of racism**, racial discrimination, xenophobia and related intolerance, **Ms. E. Tendayi Achiume** (Zambia), on **combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance**.

In the report, initially mandated for the 47<sup>th</sup> session and pursuant to General Assembly resolution 75/169, the Special Rapporteur summarizes information received from **Albania, Argentina, Armenia, Brazil, Burundi, Croatia, Cuba, Cyprus, Dominican Republic, Ecuador, Germany, Greece, Hungary, Iraq, Israel, Italy, Kyrgyzstan, Malta, Mexico, Namibia, Netherlands, Niger, Norway, Qatar, Republic of Moldova, Russian Federation, Senegal, Serbia, Spain and Sweden**, as well as from the **European Union** and two NGOs. The Special Rapporteur specifically notes that this is a summary of **submissions on law and policy in place to combat Nazism and neo-Nazism**, but not an analysis or evaluation of these laws or policies. She also underscores that providing the summaries does not constitute her endorsement of the content of the submissions.

### Agenda Item 10: Technical assistance and capacity-building



(5 Oct 2021) Oral presentation by the **UN High Commissioner for Human Rights** on the findings of the periodic reports of OHCHR on **the situation of human rights in Ukraine**: cooperation with and assistance to Ukraine in the field of human rights.



(05 Oct 2021) [Report](#) of the **UN High Commissioner for Human Rights** on human rights situation and the activities of the UN Joint Human Rights Office in the **Democratic Republic of the Congo**. (*followed by an enhanced interactive dialogue*)

The report provides an overview of the human rights situation in the Democratic Republic of the Congo between 1 June 2020 and 31 May 2021. It is based on information gathered and cases of violations and abuses documented by the UN Joint Human Rights Office in the DRC and the activities conducted by the OHCHR through the Joint Office. The report specifically focuses on topics such as fundamental freedoms and democratic space, protection of civilians in conflict areas, sexual violence, and efforts to combat impunity. The report concludes that the overall number of human rights violations and abuses documented by the Joint Office decreased by 3% compared to the preceding reporting period, but their gravity and consequences for the population remain worrisome. Nearly 46% of these violations were committed by State officials.



(05 Oct 2021) [Report](#) of the **team of international experts on situation in Kasai**. (*followed by an enhanced interactive dialogue*)

The report covers the period from October 2020 to September 2021, and comes against the background of the COVID-19 pandemic, the withdrawal of the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) from Kasai and Kasai Central provinces and a volatile political climate. The socioeconomic and security situation is characterized by successive intercommunal clashes, runaway rates of urban crime, food insecurity and a deplorable humanitarian situation. The team of international experts noted a lack of meaningful progress in the processing of cases brought against perpetrators of serious violations of human rights and IHL committed during the crisis linked to the Kamuina Nsapu militia. There is an urgent need to deploy additional human resources and step up the recruitment of new military judges. The team urges the Government to redouble efforts to secure the release of other women enslaved by Bana Mura militiamen and to arrest all their alleged enslavers. The team also welcomes the Government's decision to decentralize the transitional justice process in the DRC, as well as the symbolic request for forgiveness addressed to victims.



(6 Oct 2021) Oral update by the **UN High Commissioner for Human Rights** on the progress made in the provisions described in resolution 46/29 of the Human Rights Council on technical assistance and capacity-building for **South Sudan**, with the participation of representatives of the African Union. (*followed by an enhanced interactive dialogue*)



(06 Oct 2021) [Report](#) of the **Special Rapporteur** on the situation of human rights in **Cambodia**, **Mr. Vitit Muntarbhorn** (Thailand).



The first report by the new mandate holder focuses on the topic of “recollections, progression and dimensions”, linking the past, present and future. The report reflects on the impact of the COVID-19 pandemic; democratic space and civil and political rights; economic, social and cultural rights; the special concerns of various groups; land and environment; civil society; overcrowding in prisons; mass trials; accountability and remedies; and engagement and cooperation.

[Comments by the State](#) (Cambodia): assistance or cooperation must always be driven by the needs of the relevant State and be aligned to its national objectives and priorities. The primacy of the role of the State as the human rights duty bearer should be in this process. The assistance and support provided by the Special Rapporteur to the government and people of Cambodia in the promotion and protection of human rights is much appreciated. However, the Government of Cambodia is dismayed by the countless accusation in this report without any evidence base, which is mostly made and provided by the opposition and their alliance. Overall, the report focuses on issues raised by illegal group or some NGOs that work in favor of foreign movement against the Royal Government of Cambodia. The source of information mostly quoted/cited from websites and personal social media, without detailed consultation with international institutions and development partners, who work with the government to solve major problems and challenges



(06 Oct 2021) [Report](#) of the **Office of the UN High Commissioner for Human Rights** on the situation of human rights in the **Sudan**.

In its resolution 45/25, the Human Rights Council ended the mandate of the Independent Expert on the situation of human rights in the Sudan and requested the UN High Commissioner for Human Rights to prepare a written report, assessing the progress made and the remaining challenges, including the work of the UN country office and its fields presences. The present report covers the period from October 2020 to 30 June 2021, and is based on information received through the direct engagement of the OHCHR in the Sudan with the Government of the Sudan and other national stakeholders, including civil society organizations working in the Sudan. The report focuses on the main human rights trends and patterns, including protection of civilians; legal reforms; human rights instruments and mechanisms, civic space; harassment of journalists, human rights defenders and artists; women’s human rights; economic, social and cultural rights, as well as accountability and transitional justice.



(06 Oct 2021) [Report](#) of the **Independent Expert** on the situation of human rights in **Somalia, Ms. Isha Dyfan** (Sierra Leone).

The report covers the period from 1 July 2020 to 30 June 2021. Owing to the COVID-19 pandemic, the Independent Expert was unable to visit the country in April 2021 as initially agreed with the Government. The signing of the agreement between the Federal Government of Somalia and the federal member states on 27 May 2021 is a welcome development. In the report, the Independent Expert has made several recommendations, including on the need to: (a) review cases and release journalists, media workers and human rights defenders arbitrarily arrested and unlawfully detained during the performance of their duties; (b) complete the enactment of long-standing bills and conduct transparent appointments to human rights institutions to protect women and children’s rights; and (c) finalize the constitutional review process.



(07 Oct 2021) [Report](#)<sup>1</sup> of the **Independent Expert** on the situation of human rights in the **Central African Republic, Mr. Yao Agbetse** (Togo).

This report covers the period from July 2020 to June 2021, during which the Independent Expert was unable to visit the Central African Republic due to the health restriction measures taken in the context of COVID -19. The report addresses the persistence of the politico-military crisis, and its effect on organization of presidential and legislative elections and reconquest of occupied territories; situation of human rights and international humanitarian law; children’s rights; conflict-related sexual violence and gender-based violence, including that committed by UN personnel; fight against impunity and transitional justice, among other topics.



(07 Oct 2021) Report<sup>2</sup> of the **Independent Fact-Finding Mission** on **Libya**.

**Other Reports and oral updates to be presented under Agenda Item 10** (not followed by the IDs):

<sup>1</sup> As of 4 October 2021, advanced unedited version of the report is only available in French.

<sup>2</sup> As of 4 October 2021, this report was unavailable on the [OHCHR website](#).



- Technical cooperation and capacity-building for the promotion and protection of human rights in the **Philippines** – oral update of the **High Commissioner**.
- Cooperation with **Georgia** – [report](#) of the **High Commissioner**.
- Technical assistance and capacity-building for **Yemen** – report<sup>3</sup> of the **High Commissioner**.
- Advisory services and technical assistance for **Cambodia** – [report](#) of the Secretary-General.

### Decisions and Conclusions

**26 draft proposals have been submitted by 4 October 2021, including on topics such as:**

- **Country resolutions:**
  - Situation of human rights in the **Syrian Arab Republic** (submitted by United Kingdom, France, Germany, Italy, Jordan, Kuwait, Netherlands, Qatar, Turkey, United States);
  - Situation of human rights in **Yemen** (Netherlands, Belgium, Canada, Ireland, Luxembourg);
  - Situation of Human Rights in **Burundi** (Slovenia on behalf of the European Union);
  - Situation of human rights in **Afghanistan** (Slovenia on behalf of the European Union)
- **Country resolutions: technical assistance and capacity building:**
  - for **Central African Republic** (Cameroon, on behalf of the Group of African States);
  - for the **Democratic Republic of the Congo** (Cameroon, on behalf of the Group of African States);
  - for **Yemen** (Egypt on behalf of the Group of Arab States);
  - for **Somalia** (United Kingdom, Somalia);
  - for **Cambodia** (Japan);
  - for **Libya** (Cameroon, on behalf of the Group of African States);
- **Thematic resolutions:**
  - Concrete action against **racism, racial discrimination, xenophobia and related intolerance** (Cameroon, on behalf of the Group of African States);
  - **Equal participation in political and public affairs** (Czech Republic, Botswana, Indonesia, Netherlands, Peru);
  - Human rights of **older persons** (Argentina, Brazil, Slovenia);
  - **Child, early and forced marriage** in times of crisis, including COVID-19 (Netherlands, Argentina, Canada, Honduras, Italy, Montenegro, Poland, Sierra Leone, Switzerland, Thailand, UK, Uruguay);
  - Negative impact of the legacies of **colonialism** on the enjoyment of human rights (China, Sri Lanka, Bolivarian Republic of Venezuela);
  - **Right to privacy in the digital age** (Germany, Austria, Brazil, Liechtenstein, Mexico);
  - The use of **mercenaries** as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (Cuba);
  - Promotion of a democratic and equitable **international order** (Cuba);
  - **Death penalty** (Switzerland, Belgium, Benin, Costa Rica, France, Mexico, Mongolia, Moldova);
  - The **right to development** (Azerbaijan on behalf of the Movement of Non-Aligned Countries);
  - Enhancement of **technical cooperation and capacity-building** in the field of human rights (Thailand, Brazil, Honduras, Indonesia, Morocco, Norway, Qatar, Singapore, Turkey);
  - **Cooperation with the United Nations**, its representatives and mechanisms in the field of human rights (Uruguay, Fiji, Ghana, Hungary, Ireland);
  - Human rights and **indigenous peoples** (Mexico, Guatemala);
  - The human right to a **safe, clean, healthy and sustainable environment** (Costa Rica, Maldives, Morocco, Slovenia, Switzerland);
  - Human rights implications of the **COVID-19 pandemic on young people** (Uzbekistan, Côte d'Ivoire, Egypt, El Salvador, Greece, Italy, Morocco, Philippines, Portugal, Moldova, Tunisia);
  - Mandate of the **Special Rapporteur on the promotion and protection of human rights in the context of climate change** (Marshall Islands, Bahamas, EU, Fiji, Panama, Paraguay, Sudan).

The Geneva Centre's summaries of selected meetings are [available here](#).

<sup>3</sup> As of 4 October 2021, this report was unavailable on the [OHCHR website](#).