

HUMAN RIGHTS COUNCIL - 49th SESSION

WEEK 5: 28 March - 3 April 2022

During the **fifth and final week of the 49th session**, the Council will continue the General debate under **Agenda Item 8** and will hold a General debate under **Agenda Item 9 and 10**.



Under **Item 10**, technical assistance and capacity-building, the Council will consider reports on **Democratic Republic of the Congo, South Sudan, Cambodia, Libya, Ukraine, Mali and the Central African Republic**. The Council will also hold a Panel debate on **Racial Discrimination**.

Finally, during the last two days (31 March – 1 April 2022) of the 49th session the Council will take action on 34 draft proposals.

General Debates

(28 March 2022) **General debate on Agenda Item 8** (continued): Follow-up and implementation of the Vienna Declaration and Programme of Action.

(28 March 2022) **General debate on Agenda Item 9**: Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action.

(30 March 2022) **General debate on Agenda Item 10**: Technical assistance and capacity-building.

Panel Debates

(28 March 2022) 10:00-12:00h: Debate in commemoration of the **International Day for the Elimination of Racial Discrimination**.

Item 10: Technical Assistance and Capacity-Building

(29 March 2022) Oral updates of the **team of international experts** on the situation in **Kasai** and of the **High Commissioner** on the situation of human rights in the **Democratic Republic of Congo**. *(Followed by an enhanced interactive dialogue)*

(29 March 2022) Oral update of the **Special Rapporteur** on the situation of human rights in **Cambodia, Vitit Muntarbhorn**. *(Followed by an interactive dialogue)*

(29 March 2022) [Report](#) of the **High Commissioner** on technical assistance and capacity-building for **South Sudan**. *(Followed by an interactive dialogue)*

[A/HRC/49/91](#): The report covers the period from January to December 2021. Meaningful progress towards the full implementation of the **Revitalized Agreement** included the reconstitution of the Transitional National Legislative Assembly, with the appointment of the first female speaker in the country's history, and the launch of the technical committee on the establishment of the Commission for Truth, Reconciliation and Healing. However, the report states that the human rights situation **remains alarming**, characterized by killings, sexual violence, arbitrary arrest and detention, abduction, looting and destruction of civilian property, and threats to and restrictions on the rights to freedom of association, assembly and expression. In 2021, the Human Rights Division documented 3,414 civilian casualties directly affected by violence. At least 1,907 civilians were killed, 842 wounded, 471 abducted and 194 subject to conflict-related sexual violence. Violence and climate change related emergencies continue to cause **mass displacements**, disproportionately exposing women and girls to violations. Localized violence perpetrated by community-based militias and civil defense groups

threatens to destabilize the country further. A pervasive **climate of impunity** and a lack of accountability for serious human rights violations and abuses, particularly for high-ranking officials, continues to persist.

The report outlines several recommendations for the Government of South Sudan, including to intensify efforts to **address the causes of violence and to protect civilians**, hold perpetrators accountable and ensure that victims have access to redress; **disband and disarm** all armed groups and militias; halt **extrajudicial executions** and ensure these practices are investigated; take concrete and effective measures to implement chapter V of the Revitalized Agreement; take steps to prosecute **sexual and gender-based crimes** and to improve **access to justice**, promoting and mainstreaming human rights through legislation, procedures and actions; take steps to bring alleged perpetrators of past and current human rights violations to justice; and continue to **work closely with local leaders** to attain peaceful resolutions to localized conflicts fuelling inter-ethnic violence, **bringing to account** high-ranking politicians and commanders.

(29 March 2022) Report of the **Independent Expert** on the situation of human rights in **Mali, Alioune Tine**. An interactive dialogue will be held in the presence of the Independent Expert and representatives of the Transitional Government of Mali, to assess the changes in the situation of human rights in the country, with a particular focus on the issue of space for civil society and human rights defenders.

[A/HRC/49/94](#)¹: The report covers the period from 25 March to 31 December 2021. While the first three quarters of 2021 had been marked by a continuous deterioration of the security situation, a slight improvement was noted during the last quarter of 2021. The report however highlights that serious challenges remain and the multidimensional crisis continues to worsen. At the political level, this is illustrated by the **two coups d'état** that the country experienced in less than a year and the delays in the implementation of the Agreement for Peace and Reconciliation. The report voices concern over the **rapid spread of violence** in the country threatening the very survival of the State, and the consequences of destabilization not being limited to the geographical borders of the country or the Sahel region. The deterioration of the security situation has exceeded a critical threshold, with the failure of institutions or their total absence accentuating the threat of attacks against civilians by **violent extremist groups**. More than 90% of the rural population lives in a **conflict zone** or fears that the conflict will spread to their locality. In several localities, the Support Group for Islam and Muslims, the Islamic State in the Greater Sahara and other similar groups are forming "**a state within a state**", exploiting mineral resources, levying taxes and taxes, and "ensure" security, justice and basic social services.

The report gives several recommendations for the authorities, including to support actors working to promote and protect human rights; support **local initiatives and dynamics of peace**, conflict prevention, mediation and resolution, dialogue and reconciliation, including through the use of traditional peace-building or peace-building mechanisms; demonstrate will to **fight against impunity** through concrete actions; actively engage in the implementation of the relevant recommendations accepted during the 2018 UPR, including to ensure all perpetrators of violations and abuses are held accountable, to end violations of human rights and IHL committed by the **defence and security forces**, to ensure **access to justice** for the victims of violations and abuses, to **prevent acts of violence against women**, in particular sexual violence, and to investigate such acts and to punish the perpetrators, among others. The report continues that the current responses to insecurity in Mali are no longer appropriate and urges the international community to **rethink**, in cooperation with Mali and all stakeholders, including the UN, the AU and ECOWAS, the response to the multidimensional crisis in terms of security and politics, adopting more appropriate measures to help the Malian authorities restore security, including integrated strategies guaranteeing the security and fundamental human rights of civilians; to provide Mali with the **logistical and financial resources** and the assistance necessary to help gradually restore the presence and authority of the State and **basic social services**; and to fund the humanitarian response plan adequately; among others. The report concludes in recommendations to MINUSMA, the International Criminal Court, and the Security Council.

(30 March 2022) A high-level interactive dialogue on technical assistance and capacity-building in the field of human rights in the **Central African Republic**, with the participation of the **Independent Expert**

¹ Advanced Edited Version is only available in French on the [OHCHR webpage](#) as of 17 March 2022.

and representatives of the Government of the Central African Republic, the United Nations, the African Union, the Truth, Justice, Reparation and Reconciliation Commission and civil society.

(30 March 2022) Report² of the **fact-finding mission on Libya**. *(Followed by an interactive dialogue)*

(30 March 2022) Oral update of the **High Commissioner** on the findings of the **periodic report of the OHCHR** on the situation of human rights in **Ukraine**. *(Followed by an interactive dialogue)*

Other reports and oral updates to be presented under Agenda Item 10 (30 March 2022):

- Annual report³ of the **Chair of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation** in the Field of Human Rights on the Board's work.
- Report of the **OHCHR** to evaluate the activities of the **Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States** in the Work of the Human Rights Council in meeting its training and capacity-building mandate.

[A/HRC/49/92](#): The report provides an update on the **programmes and activities of the Trust Fund** since its establishment by the Council in its resolution 19/26 and offers recommendations to improve them. Since 2014, the Trust Fund has been instrumental in ensuring the increasing participation, engagement, and contribution of LDCs and SIDS in the work of the HRC and its mechanisms. The decision to convene a high-level panel on universality on the 10th anniversary of the Trust Fund at the forty-ninth session of the Council was supported by a record number of 160 Member States. The Trust Fund has made significant contributions; 91 per cent of beneficiaries attended a regular session of the Council and visited the UN for the first time; more than 80 per cent of beneficiaries have continued to work for their respective Governments and several have been posted in Geneva and New York. The Trust Fund is a **vital entry point** for the technical cooperation activities of OHCHR, enhancing the knowledge and capacity of governmental officials who are primarily responsible for promoting and protecting human rights in their respective countries. The report highlights the importance of **voluntary financial contributions** and continuing commitment of key stakeholders and partners, stating that much remains to be done to achieve universality at every session of the Council to ensure that no one is left behind.

The report contains a series of recommendations drawn from the feedback and experiences of the beneficiaries. Acknowledging the need to **avoid a "one size fits all" approach** and to consider regional specificities, the report recommends strengthening current activities, including the e-learning course, induction course for beneficiary delegates, the fellowship programme, future regional workshops, and the capacity of LDCs and SIDS without or with a small permanent mission in Geneva. The report encourages the Trust Fund to explore ways to **support delegates** LDCs and SIDS that are members of the HRC and based in European embassies, and to **facilitating their participation** in special sessions and/or important intersessional activities. It also recommends that LDCs and SIDS that are members of the HRC receive support to participate in each of the Council's regular sessions during their first year of membership. Other recommendations to the Trust Fund include providing technical support to participate in online training sessions, support participation in the work of the Third Committee in New York, undertake training at the national level through a training of trainers on the HRC and its mechanisms, with the participation of interested former beneficiaries of the Trust Fund. Beneficiaries suggested that OHCHR, through the Trust Fund, organize an **annual meeting** with existing and potential donor countries to keep them informed of its achievements and challenges.

- Report of the High Commissioner on the situation of human rights in **Afghanistan** and technical assistance achievements in the field of human rights.

[A/HRC/49/90](#): The report describes the **situation of human rights in Afghanistan** during the period from 1 December 2020 to 30 November 2021. It includes an overview of the work, including technical assistance, conducted by the Human Rights Service of the UN Assistance Mission in Afghanistan (UNAMA) in cooperation

² On 28 March, this report was unavailable on the [OHCHR website](#).

³ On 28 March, this report was unavailable on the [OHCHR website](#).

with OHCHR. The report focuses on five principal areas of work of the UN Assistance Mission's Human Rights Service: 1) protection of civilians in armed conflict; 2) children and armed conflict; 3) elimination of violence against women and the promotion of women's rights; 4) prevention of torture and promotion of respect for procedural safeguards; and 5) civic space and the integration of human rights into peace and reconciliation processes. For most of 2021, Afghanistan remained one of the deadliest countries in the world for civilians. In 2021, at least 8,300 civilian casualties, with at least 2,400 killed and 5,900 injured were documented, **women and children representing nearly half of all civilian casualties**, reaching record levels. Although widespread fighting generally ceased after 15 August 2021, civilians in Afghanistan **remain at risk of harm** due to ISIL-K attacks, and leftover improvised explosive devices and explosive remnants of war, which disproportionately affect children. **Increased poverty levels** have exacerbated the situation particularly impacting **child protection issues**, including recruitment and use by armed groups and child and/or forced marriage. Access to education, particularly for **girls**, and issues related to **equal access** to health care for both boys and girls are of concern due to the **gender segregation rules** imposed by the de facto authorities. **Ill-treatment and torture** continue to be prevalent to different degrees in various institutions, with widespread lack of respect for procedural safeguards. Civil society actors, including human rights defenders, journalists and media workers, as well as staff of the Afghanistan Independent Human Rights Commission which has ceased to function, continue to be **increasingly targeted** and face threats, intimidation and harassment.

The report places several recommendations to the de facto authorities, including to engage with UNAMA and OHCHR regarding incidents of alleged human rights abuses and violations of international law; prioritize **clearance of explosive remnants of war** and **mine risk education** efforts; ensure **awareness of child protection concerns**, considering to allocate resources for **special child protection officials**; ensure that there are no unofficial and/or private places of **detention** and that no detainees are held incommunicado; ensure that law and policy reforms are not discriminatory towards women and girls and endure sustained efforts to prevent, punish and eradicate all forms of violence against women and girls. The report concludes in recommendations to the international community, including to **facilitate financial measures** and assistance to support urgent **humanitarian needs and basic services**; support efforts aimed at the protection of women and girls from violence, including by providing the resources necessary for psychosocial and legal aid services; and support programmes for mine risk education and clearance of explosive remnants of war in Afghanistan.

- Annual oral presentation of the **High Commissioner** on the overview of and successes, best practices and challenges in technical assistance and capacity-building efforts, particularly those provided by OHCHR and relevant United Nations agencies.

Decisions and Conclusions

34 draft proposals have been submitted by 28 March 2022, including on the following topics:

- **Country resolutions:**
 - Situation of human rights in the **Democratic People's Republic of Korea** (*submitted by France on behalf of the European Union*);
 - Situation of human rights in the **Islamic Republic of Iran** (*submitted by Iceland, North Macedonia, Republic of Moldova, United Kingdom of Great Britain and Northern Ireland*);
 - Situation of human rights in **Myanmar** (*submitted by France on behalf of the European Union*);
 - Situation of human rights in the **Syrian Arab Republic** (*submitted by United Kingdom, France, Germany, Italy, Jordan, Kuwait, Netherlands, Qatar, Turkey, U.S.*);
 - Situation of human rights in **Belarus** in the run-up to the 2020 presidential election and in its aftermath (*submitted by France on behalf of the European Union*);
 - Advancing Human Rights in **South Sudan** (*submitted by United Kingdom, Albania, Norway, U.S.*);
 - Promotion and protection of human rights in **Nicaragua** (*submitted by Ecuador, Brazil, Canada, Chile, Colombia, Costa Rica, Paraguay, Peru*);
- **Country resolutions: technical assistance and capacity building:**
 - for **Mali** (*submitted by Côte d'Ivoire on behalf of the Group of African States*);
 - for **South Sudan** (*submitted by Côte d'Ivoire on behalf of the Group of African States*);
- **Thematic resolutions:**
 - **Freedom of religion or belief** (*submitted by France on behalf of the European Union*);

- Strengthening the **Voluntary Technical Assistance Trust Fund** to Support the Participation of LDS/SIDS in the Work of the Human Rights Council (*submitted by Mauritius, Barbados, Burkina Faso, Djibouti, Maldives, Marshall Islands, Morocco, Netherlands, Norway, Senegal, Singapore, Switzerland, Turkey*);
- **Combating intolerance**, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on **religion or belief** (*submitted by Pakistan on behalf of the Organization of Islamic Cooperation*);
- The negative impact of **unilateral coercive measures** on the enjoyment of human rights (*submitted by Azerbaijan on behalf of the Movement of Non-Aligned Countries*);
- **Cultural rights** and the protection of cultural heritage (*submitted by Cyprus, Argentina, Ethiopia, Greece, Iraq, Ireland, Italy, Mali, Poland, Serbia, Switzerland*);
- Recognizing the **contribution of human rights defenders**, including women human rights defenders, in conflict and post-conflict situations, to the enjoyment and realization of human rights (*submitted by Norway*);
- Commemoration of the thirty-fifth anniversary of the **Declaration on the Right to Development** (*submitted by Azerbaijan on behalf of the Movement of Non-Aligned Countries*);
- Prevention of genocide (*submitted by Armenia*);
- Mandate of the **Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism** (*submitted by Mexico*);
- Right to work (*submitted by Egypt, Greece, Indonesia, Mexico, Romania*);
- Right of the **Palestinian people** to self-determination (*submitted by Pakistan on behalf of the Organization of Islamic Cooperation, except Albania*);
- The role of states in **countering the negative impact of disinformation** on the enjoyment and realization of human rights (*submitted by Ukraine, Japan, Latvia, Lithuania, Poland, United Kingdom, U.S.*);
- Ensuring **equitable, affordable, timely and universal access for all countries to vaccines** in response to the coronavirus disease (COVID-19) pandemic (*submitted by Ecuador, Azerbaijan (on behalf of the Movement of Non-Aligned Countries)*);
- **Adequate housing** as a component of the right to an adequate standard of living, and the right to non-discrimination in this context (*submitted by Germany, Brazil, Finland, Namibia*).

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