

HUMAN RIGHTS COUNCIL - 50th SESSION

WEEK 2: 20 June – 24 June 2022

During the second week of the 50th session, the Council will continue the interactive dialogue with the Special Rapporteur on peaceful assembly under Agenda Item 3, and the interactive dialogue with the Special Rapporteur on leprosy will also take place. Other **thematic interactive dialogues** to be held with the Special Procedures mandate holders are on violence against women, health, judges and lawyers, trafficking, TNC's, summary executions, education, climate change, migrants, international solidarity, freedom of expression and extreme poverty. A panel discussion on **'Menstrual hygiene management, human rights and gender equality'**, and on **'Good governance in the promotion and protection of human rights during and after the COVID-19 pandemic'** are scheduled. Presentation of reports under Agenda Item 2 will also take place, with the report of the Secretary-General on the Situation of human rights in the Islamic Republic of Iran.

Panel discussions:

21 June (16h00): Panel discussion on **menstrual hygiene management, human rights and gender equality**.

22 June (10h00): Panel discussion on **good governance in the promotion and protection of human rights during and after the COVID-19 pandemic**. Opening statement by Ms. Michelle Bachelet, United Nations High Commissioner for Human Rights.

Item 3¹: Thematic reports

Written reports:

20 June: Interactive dialogue with the Special Rapporteur on **violence against women, its causes and consequences, Reem Alsalem**.

[A/HRC/50/26](#): The report highlights several causes, manifestations and consequences of **GBV against indigenous women and girls** and describes good practices and challenges with regard to their access to justice and support services. Indigenous women and girls face complex and intersectional forms of violence, linked to **patriarchal structures, racial and ethnic discrimination and socioeconomic status**. They are exposed to serious forms of GBV **by State and non-State actors**, including forced sterilization; trafficking and sexual violence in the context of displacement or migration; harmful traditional practices; and GBV in the context of conflict. Indigenous women and girls experience violence at the individual and collective levels, resulting in **limited access to justice for victims**, and **widespread impunity for perpetrators**. The Special Rapporteur recommends for States to ensure that their domestic legislation on GBV against women is **fully applicable to indigenous women and girls** and **sensitive** to their experiences. States must ensure that indigenous women are **appropriately consulted** and that their participation is sought in any legislative processes related to violence against them. States have a due diligence obligation to prevent, investigate and punish perpetrators, and to provide reparations for indigenous women and girls who are victims of gender-based violence, **addressing the endemic impunity** that prevails for crimes committed against them can also contribute to preventing further violence.

[A/HRC/50/26/Add.1](#): The report encloses the Special Rapporteur's visit to *Mongolia* from 29 November to 8 December 2021, examining gaps and challenges in fulfilling the obligations of the State to eliminate violence against women, its causes and consequences. Although **Mongolia has taken important steps** towards building legislative and institutional frameworks to tackle GBV against women and girls, **many challenges remain**. The report urges the Government to go **beyond the narrow understanding of GBV** against women that focuses almost exclusively on domestic violence and offer protection to groups of victims that remain invisible. Developing a **gender-sensitive approach to legislation and policies** is needed. The Government

¹ Agenda Item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.

should devise legislation that effectively tackles the issues of **workplace harassment, online violence** and **obstetric violence**.

20 June: Interactive dialogue with the Special Rapporteur on the right of everyone to the **enjoyment of the highest attainable standard of physical and mental health, Tlaleng Mofokeng**.

[A/HRC/50/28](#): The Report provides insight and information on **victims of violence**, emphasizing the violence experienced by **women, children and non-binary people**, conflict-related sexual violence and structural violence. The report proposes an **equality, intersectional, non-discriminatory and gender (non-binary) approach** that understands GBV as a phenomenon including matters of sexuality and violations against persons on the basis of their real or imputed sexual orientation, gender identity and sex characteristics. A non-binary approach to gender and GBV is well-rooted in IHRL. According to the report, an effective response to violence should look and take into consideration the nature of the harm caused by types of violence; the context (conflict, displacement); the location (rural, urban); personal characteristics of the survivor (sex, gender identity, disability, race, ethnicity, age); and the intersecting forms of discrimination that exacerbate the impact of violence on the survivors' enjoyment of the right to health. The Special Rapporteur also clarifies the **legal obligations** that arise under the right to health framework in addressing violence and reports on examples of responses, with a focus on good practices.

20-21 June: Interactive dialogue with the Special Rapporteur on the elimination of **discrimination against persons affected by leprosy and their family members², Alice Cruz**.

21 June: Interactive dialogue with the Special Rapporteur on the **independence of judges and lawyers, Diego García-Sayán**.

[A/HRC/50/36](#): The report addresses issues related to the protection of persons who practise law, noting with concern a **global increase in practices that undermine, limit, restrict and hinder** the practice of law. The Special Rapporteur identifies patterns of interference in and attacks on the legal profession, including interference in bar associations, legislation, physical and psychological abuse of lawyers and their families, defamation in the media and in social media, arbitrary disciplinary proceedings, and use of the judicial system and the police corps. The Special Rapporteur concludes with recommendations to member States on how to protect persons practising law stressing that it is their **duty to guarantee** that they can exercise their profession **without undue restrictions, limits, and attacks**. He urges public prosecutors to **closely monitor** situations and cases in which lawyers might be criminalised for performing their duties. Previous recommendations on bars and lawyers' associations and on the role of lawyers remain relevant, highlighting that only limited progress has been made since those reports were issued.

[A/HRC/50/36/Add.1](#): The Special Rapporteur undertook a country visit to the *Plurinational State of Bolivia*, from 15 to 22 February 2022, examining the **administration of justice**. He reported that the judiciary system is facing a huge **backlog of cases** in the ordinary courts and its coverage is essentially limited to urban areas. The Special Rapporteur also reported on the impact of corruption breeding a deep-seated **lack of confidence** in the administration of justice, in particular for victims of acts of GBV, femicide and serious human rights violations that occurred during the sociopolitical crisis of 2019/2020, still awaiting justice. He noted a consensus among all actors regarding the need for progress in the modernization, reform and democratization of the system of justice and stated that **a major national agreement to strengthen the system is possible**. The report provides **recommendations** to the Government, including making every effort to build and **rebuild trust** among all political and institutional actors and in justice; providing the judicial body with adequate economic resources; and ending the widespread **abuse of pre-trial detention**.

21-22 June: Interactive dialogue with the Special Rapporteur on **trafficking in persons, especially women and children, Siobhán Mullally**.

[A/HRC/50/33](#): The report examines the continuing prevalence of trafficking in persons in the agricultural sector, particularly for forced labour. It highlights the importance of mandatory human rights and environment **due diligence** measures to combat trafficking in persons achieving SDGs. **Seasonal and migrant workers** are provided with limited protection and **remain at risk** of exploitation. **Discrimination** on the

² Summary of the report can be found in our previous [Weekly overview](#).

grounds of race, ethnicity, migration status, gender and disability create conditions within which trafficking occurs with **impunity**. The growth of agribusiness and the power of corporations, combined with the rapid pace of climate change, have further exacerbated risks of trafficking in persons. **Child labour remains prevalent** within the sector, with risk of trafficking affecting both boys and girls. The report calls for urgent action from States to apply the principle of non-discrimination and recognize that comprehensive prevention of trafficking requires ensuring **just and favourable conditions of work**. Combating trafficking in persons in agriculture will contribute to reversing environmental degradation, loss of biodiversity and climate change, through **reform of agricultural working methods** and by ensuring land equality and security of tenure.

[A/HRC/50/33/Add.1](#): The Special Rapporteur undertook a country visit to *Tajikistan*, from 7 to 16 December 2021. She commends the efforts of the Government to **promote safe migration**, examining measures taken to prevent trafficking for forced labour and to protect the rights of migrant workers. The report identifies the need for urgent **action to address gender inequality** and to ensure that the rights of women migrant workers are effectively protected. She raised concerns about the **stigmatization of women** who are victims of trafficking for sexual exploitation. The Special Rapporteur commended Tajikistan on its **record of hosting Afghan refugees**, but she was concerned about the impact of recent **border closures** and the **suspension of registration of asylum seekers** from **Afghanistan**. The report includes recommendations to the Government on access to compensation, identification and protection of victims of trafficking, and on provision of assistance to victims. She further recommended that the international community, including the UN and humanitarian agencies, strengthen human rights programming to prevent trafficking in persons.

21 June: **Presentation** of the report of the Secretary-General on the situation of human rights in the **Islamic Republic of Iran**³ ([A/HRC/50/19](#)).

22 June: Interactive dialogue with the **Working Group** on the issue of human rights and **transnational corporations and other business enterprises**.

[A/HRC/50/40](#): The report focuses on how States, businesses, civil society and other actors addressed the COVID-19 pandemic and the accompanying business-related human rights abuse, stressing the importance of Governments and businesses to ensure **a people-centred approach** while combating crises. The report highlights several negative human rights impacts during the pandemic, including stalling recovery in the global labour market and physical and mental health impacts, with young people, older persons, refugees, migrant workers, workers with disabilities, minorities and indigenous peoples particularly affected. Many existing problems came to light, including **problematic public procurement practices** in purchasing personal protection equipment, and the lack of respect for workers' rights, especially in global supply chains. Some businesses contributed to the **deterioration of the situation** by responding to the increased demand by manufacturing medical supplies that did not conform to standards or by increasing the price disproportionately. The report reminds States of their **duty to protect against abuses by business enterprises**, by using **a smart mix of legal and policy measures**. Labour and employment laws and regulations to protect against harm by businesses must be enforced or developed. An adequate safety net must be provided, particularly for groups and individuals in vulnerable situations in the labour market. Business enterprises must conduct human rights **due diligence** and environmental and climate impact assessments. The report highlights the opportunity provided by global crises for Governments and businesses to **reshape economies** in a rights-respecting way.

[A/HRC/50/40/Add.1](#): The report describes the proceedings and conclusions of the **Sixth Regional Forum for Latin America and the Caribbean on Business and Human Rights**, held virtually from 4 to 6 October 2021 with the theme *"Building a regional road map for the next decade of business and human rights in Latin America and the Caribbean."* The multistakeholder Forum hosted 44 thematic sessions and had 2,850 registered participants from 50 countries. The Forum sought to stimulate discussions among key stakeholders of the region about challenges, opportunities and priorities, and to build a **regional road map** for the next decade of business and human rights and responsible business conduct agenda in the region, divided into five areas: 1) the Guiding Principles as a compass to address the region's challenges; 2) the State's duty to protect; 3) the corporate responsibility to respect human rights; 4) effective access to redress mechanisms; 5) and protection of and respect for the rights of vulnerable groups.

³ Presentation of country reports and oral updates under Agenda Item 2: Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General. A summary report will be provided separately.

[A/HRC/50/40/Add.2](#)⁴: The WG, represented by its **Chair, Mr. Surya Deva**, conducted a visit to Italy from 27 September to 6 October 2021, the first of its kind to a Western European country. Meetings were held with Governmental institutions, civil society, business enterprises and UN Agencies. Italy faces challenges in ensuring responsible business in terms of economic sectors based on modes of production including supply chains **characterized by unfair purchasing practices**. This, combined with the suppression and/or reduction in protection of workers' rights, make the supply of labour across borders acutely vulnerable to abuses. The report commends the Government for its efforts during COVID-19 in sector-specific protocols for prevention, protection, and recovery based on the data and risk matrix produced by the Ministry of Health. At the same time, systemic challenges must be addressed, especially regarding migrants and women workers disproportionately affected by pandemic-related job losses. The report concludes with several recommendations to the Government, business and industry associations, and civil society actors.

[A/HRC/50/40/Add.3](#): The document *"Tenth anniversary of the Guiding Principles on Business and Human Rights: a roadmap for the next decade of business and human rights – raising the ambition, increasing the pace"* complements the assessment of the first decade with forward-looking recommendations for the next one. The report highlights the **UNGPs**⁵ **as a foundational tool** for addressing major collective challenges. The WG has identified **eight action areas**, each identifying priority goals for what needs to happen and supporting actions to be taken by States and businesses as well as other key stakeholders: 1) UNGPs as a compass for meeting global challenges; 2) State duty to protect; 3) business responsibility to respect; 4) access to remedy; 5) more and better stakeholder engagement; 6) more and better leverage to drive faster change; 7) more and better tracking of progress; and 8) more and better international cooperation and implementation support.

[A/HRC/50/40/Add.4](#): The report *"Implementing the third pillar: lessons from transitional justice guidance by the Working Group"* analyses the implications of implementing the **four pillars of transitional justice** (truth, justice, reparation and guarantees of non-recurrence), and of transitional justice **mechanisms** for the field of business and human rights. It unpacks how Pillar III of the UNGPs should be operationalised in transitional states, and provides guidance on the role of relevant stakeholders in these contexts, including States, businesses, and civil society.

[A/HRC/50/40/Add.5](#)⁶: The Guiding Principles on Business and Human Rights and transitional justice, Addendum.

22 June: Interactive dialogue with the Special Rapporteur on **extrajudicial, summary or arbitrary executions, Morris Tidball-Binz**.

[A/HRC/50/34](#): The report focuses on forensic medicine, examining challenges faced by **medico-legal death investigation** systems and contemporary forensic professionals, including forensic doctors and ancillary specialists, in seeking to identify the cause and manner of potentially unlawful deaths. The report affirms that medico-legal death investigations, including forensic medicine, **require little investment** from States and the international community, and can achieve significant outcomes in justice and public health. States have a **duty** to investigate the potentially unlawful deaths. All deaths require some degree of investigation to verify whether they are potentially unlawful or not. Despite the vital role in **investigating deaths** and the contribution to **protecting life**, medico-legal death investigations often **suffer** from insufficient recognition, funding and resources from States and tend to be regarded as lacking priority when compared to related public services. Drawing on the experience of forensic doctors and professionals from all regions, the report offers examples of best practices in the area of medico-legal death investigations. In particular, the report lists the forensic medical services in **Costa Rica, Chile, Colombia, U.S., South Africa, Canada, Argentina, and Zambia**, which may serve as models. The Special Rapporteur formulates several **recommendations** to States, UN agencies, private donors, institutions and academia to strengthen the protection of the right to life.

23 June: Interactive dialogue with the Special Rapporteur on the right to **education, Koumbou Boly Barry**.

[A/HRC/50/32](#): The report addresses the opportunities and risks of the **increasing digitalization of education** and its impact on the right to education in light of the recent pandemic. Whilst being conscious of the risks it carries, the report emphasises that the digitalization of education should be used as **an empowering tool**

⁴ Advanced Unedited Version published on the OHCHR website on 7 June 2022 in English only.

⁵ The United Nations Guiding Principles on Business and Human Rights

⁶ Report unavailable on [OHCHR website](#) as of 20 June 2022.

aimed at bettering the implementation of the right to education **inclusively**. The report warns against **cyber bullying** and attacks on students, urging the implementation of norms in accordance with human rights safeguards, and highlights that inclusivity of all communities in the use of digital technologies should be further emphasised within decision-making. The need for **further research of the health impacts** of digital education on children and young people is called for. The report stresses that the digitalization of education should not increase **pre-existing inequalities** in accessing free, quality, public education, recommending States to ensure that the introduction of digital technologies does not introduce **hidden costs** for education. The report highlights several recommendations, including the necessity for the adoption of **child-specific privacy and data protection laws** to protect the best interests of children and adults in complex online environments, and efforts to ensure education receives adequate financing.

23 June: Interactive dialogue with the Special Rapporteur on the promotion and protection of human rights in the context of **climate change**, *Ian Fry*.

A/HRC/50/39⁷:

23 June: Interactive dialogue with the Special Rapporteur on the human rights of **migrants**, *Felipe González Morales*.

[A/HRC/50/31](#): The report contains a study on recent migration and border governance developments impacting on the **human rights of migrants**, and examples illustrating effective ways to prevent human rights violations at the borders. The Special Rapporteur analyses the regrettable trend of the legitimization of pushback practices through the introduction of legislation and government executive orders and discusses the application of safe third country concepts and readmission agreements at land borders and at sea. The report raises concern over the preventable **loss of life and human suffering** at international borders, both on land and at sea. However, the Special Rapporteur commended the immediate **assistance** provided by European countries, and especially neighbouring countries, in response to the sudden and unprecedented arrival of **refugees fleeing Ukraine**. The report provides recommendations, guidance, case laws and legal opinions to prevent and address human rights violations at the borders and to provide victims with effective access to justice and to ensure accountability. States should increase efforts to develop a human rights-based, gender-responsive, age- and child-sensitive approach to migration and border governance, and Member States should put an end to pushback practices, to suspend, cancel and revoke, as necessary, initiatives to legalise pushbacks, and to respectfully prohibit collective expulsion and uphold the principle of non-refoulement. Finally, the States are reminded of their duty to provide prompt, adequate and effective search and rescue services for migrants in distress on land and at sea.

23-24 June: Interactive dialogue with the Independent Expert on human rights and **international solidarity**, *Obiora Chinedu Okafor*.

[A/HRC/50/37](#): The report analyses if the enjoyment of the right of peoples and individuals to human rights-based international solidarity requires States to protect, respect, fulfil and implement their international human rights obligations **beyond their boundaries**. The report focuses on the pitfalls of certain ways to express international solidarity in the extraterritorial application of human rights norms, with specific attention to power imbalances between the global North and South. The report analyses the prospects for expressing international solidarity through the **extraterritorial application of human rights**, pointing towards best practices. **The Global Deal**, launched in 2016 by Sweden, is highlighted as a positive example of international solidarity, contributing to the improvement of the human rights conditions of workers around the world. However, the report considers the **limit** on the relationships among the conceptions and practices of extraterritoriality, human rights and international solidarity to their relevance on the regulation of global value chains, and on the imposition of UCMs. The report urges States and other actors to refrain from enacting domestic laws geared towards the regulation of global value chains of transnational corporations, and where unilateral extraterritorial laws are to be enacted, States should seek to provide for adequate and meaningful participation in the law-making and implementation process of the targeted and/or affected, individuals, communities and States.

⁷ Report unavailable on [OHCHR website](#) as of 20 June 2022.

24 June: Interactive dialogue with the Special Rapporteur on the **promotion and protection of the right to freedom of opinion and expression**, *Irene Khan*.

[A/HRC/50/29](#): The report highlights the societal relevance of independent, free and pluralistic news media and underscores the importance of journalism as a **public good**. The report states that violent attacks on journalists, including online GBV, legal harassment and targeted surveillance of journalists, censorship of and manipulation of regulatory authorities have at times been aggravated and augmented by digital technology. While IHRL provides protection for media freedom, applicable online and offline, the report highlights the problem being in compliance and implementation, rooted in a lack of political will. The report calls for a **holistic response**, including physical threats and the enabling environment sustaining them. Political will must be mobilized. The report recommends that States consult the civil society and journalists' organizations in developing **national action plans**, based on human rights obligations and tailored to online and offline issues. States should ensure that all attacks are investigated promptly, effectively, impartially and independently, and set up **prevention and protection** mechanisms. Finally, States should adopt legislation to prohibit, investigate and prosecute online violence against women.

[A/HRC/50/29/Add.1](#): The report describes the Special Rapporteur's visit to *Hungary* from 15 to 22 November 2021. Assessing the situation of **freedom of opinion and expression**, the report raises concern over attacks on media freedom, independence and pluralism during the past decade, highlighting the lack of independence of the regulatory authority, the **erosion of media pluralism** and threats to the right of journalists to access information. The Special Rapporteur recommends that relevant laws and policies are revised, ensuring the right to information from diverse sources, news and opinions, and to safeguard independent, free and pluralistic media. States should adopt a legal and policy framework through an inclusive multi-stakeholder process, and promote media independence and pluralism. States should introduce legislation and policies to **counter strategic lawsuits** against public participation to protect journalists from vexatious lawsuits, and repeal the provision in the Criminal Code relating to defamation as a criminal offence.

24 June: Interactive dialogue with the Special Rapporteur on **extreme poverty and human rights**, *Olivier De Schutter*.

[A/HRC/50/38](#): The report urges all States to address non-take-up as an urgent policy priority, a phenomenon which affects millions of people around the world. Tackling non-take-up must become a priority in the fight against poverty and social exclusion. In doing so, the Special Rapporteur underlines **four priorities** that Governments should adopt to **reduce non-take-up and to encourage people to be vaccinated** against COVID-19: 1) recast social protection not as a favour provided by benevolent governments, but as a human right; 2) develop effective communications campaigns, proactively reaching out to potential claimants and the most fragile groups, through a wide range of channels (including television, radio, megaphones, pamphlets and text messages) and in a greater number of languages; 3) improve the capacity of the administration, in particular for the establishment and updating of social registries; and 4) participation of people in poverty in the design, implementation and monitoring of social protection schemes would ensure that the obstacles they face to taking up social protection are adequately identified and addressed.

[A/HRC/50/38/Add.1](#): *visit to Lebanon*: the official visit took place from **1 to 12 November 2021**. The purpose of the visit was to assess the consistency between the Government's anti-poverty policies and its human rights obligations, offering recommendations to put an end to the process of impoverishment. **Several are the crises** in the Country. Along with the worst **economic and financial crises**, Lebanon is struggling to **recover from the damage** of the Beirut Port explosion in August 2020; it is dealing with the **impact of the coronavirus disease** pandemic on its population and health system; and it is straining to cope with the presence of **over 1 million refugees**. On top of that, the population feels abandoned by a **Government incapable of guaranteeing their rights or addressing their basic needs**. While the crises have impacted most, certain groups are particularly affected due to systemic conditions, such as women, children, Syrian and Palestinian refugees, migrant workers and persons with disabilities. The Special Rapporteur recommended the Government and other relevant stakeholders **to adopt measures in order to protect those who are most affected and to revise the effects of the compounded crisis**.

[A/HRC/50/38/Add.2](#): The report describes the Special Rapporteur's visit to Nepal from 29 November to 9 December 2021, focusing on the steps Nepal should take to guarantee the rights of people in poverty, including developing a clear and comprehensive **anti-poverty plan** with policies to combat discrimination, a decent job creation strategy, and a plan for accelerating the equitable distribution of land. The report highlights an **increase in wealth inequality** and **stalling gender equality progress**.

