

## HUMAN RIGHTS COUNCIL – 53rd SESSION

### Overview of Week 1 (19 – 23 June 2023)

During the **first week** of the 53rd session, the UN Human Rights Council will begin with the consideration of reports and oral updates under **Agenda Item 2<sup>1</sup>** and **Agenda Item 3<sup>2</sup>**. Under Item 2, the following country situations will be addressed: **Afghanistan, Sudan, Eritrea, and Occupied Palestinian Territory, including East Jerusalem, and in Israel**. The High Commissioner will provide an oral update on the situation of human rights in **Nicaragua, the Islamic Republic of Iran, and Sri Lanka**. Under Item 3, the Council will discuss several thematic reports, such as discrimination against women, health, violation against women, freedom of expression, and leprosy. Additionally, the Council will hold a panel discussion on Human Rights Violations Against Rohingya and Other Minorities in Myanmar.



#### Panel discussions

21 June: Panel Discussion on Human Rights Violations Against Rohingya and Other Minorities in Myanmar.

#### Agenda Item 2: Presentation of Reports and Interactive Dialogues



19 June: Annual report of the United Nations High Commissioner for Human Rights, **Volker Türk**.

**A/HRC/53/17**: The report contained an overview of the work of the Office of the United Nations High Commissioner for Human Rights (OHCHR) from July 2022 to March 2023. The human rights challenges facing the world today **are immense and interconnected**. The climate crisis cannot be ignored. The international community cannot be concerned about the **ongoing conflict, violence, and humanitarian crises**, such as in Afghanistan, Haiti, Myanmar, the Sudan, the Syrian Arab Republic, and Ukraine, which have caused untold casualties, suffering, and displacement, nor can it neglect the need for social justice and human dignity, which are essential for peace and development. Pushback on **women's rights and gender equality** has been on the rise and is affecting all spheres of women's lives. There has also been an increase in attacks on the rights of lesbian, gay, bisexual, transgender, and intersex persons. 2023 makes the **seventy-fifth anniversary of the adoption of the Universal Declaration of Human Rights** and the **thirtieth anniversary of the adoption of the Vienna Declaration and Programme of Action**. The report concluded that the Office has continued to assess and evaluate its work, intending to achieve results that positively impact the human rights of all people everywhere, and deeply appreciates the support of States.

19 June: Enhanced interactive dialogue with the Special Rapporteur on the situation of human rights in **Afghanistan** and the Working Group on discrimination against women and girls, on a report on the situation of women and girls in Afghanistan.

**A/HRC/53/21<sup>3</sup>**: The report described the **widespread and systematic discrimination to which women and girls in Afghanistan are subjected**, particularly since the fall of the Islamic Republic of Afghanistan on 15 August 2021. The Working Group and the Special Rapporteur also highlighted the **resilience and strength of**

<sup>1</sup> 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.

<sup>2</sup> Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.

<sup>3</sup> As of 16 June, only English Advance Unedited Version is available.

**Afghan women** in the face of such repressive conditions. Since 2021, in Afghanistan, every aspect of their lives is being restricted under the guise of morality and through the instrumentalization of religion. The discriminatory and restrictive environment, the climate of fear, and the lack of accountability for the wide range of violations make it impossible for women and girls to exercise their rights. This constitutes **gender persecution and an institutionalized framework of gender apartheid**. The report outlined **recommendations to the deface authorities as well as to States and the UN**. In particular, the international community should remain engaged in the situation in Afghanistan and take concrete steps to support accountability for serious human rights violations. The de facto authorities should ensure compliance of Afghanistan with its international human rights obligations; ensure equal representation and meaningful participation of women and girls, from all religious and ethnic groups, in all decision-making processes affecting their lives; and remove all restrictions and barriers to women's rights, including repealing the imposition and enforcement of compulsory dress codes and Maharam, both generally and specifically concerning employment, education and freedom of movement.

*19 June:* Enhanced Interactive Dialogue on a comprehensive report on the situation of human rights in **Sudan**, with the High Commissioner, the designated Expert on Human Rights in Sudan, and other stakeholders.

[A/HRC/53/19](#): The report presented a comprehensive report on the **situation of human rights in Sudan** during 2022-2023. The coup of October 2021 resulted in a marked deterioration in the human rights situation and stalled legal and institutional reforms. The political framework agreement of 5 December 2022 was a first, important step towards the restoration of civilian rule and the resumption of the transition to democracy. Despite commitments by the authorities to stop the excessive use of force against demonstrations and while the number of casualties has decreased, instances of killings of and injuries to protesters have continued, along with the use of firearms, in breach of international human rights law. The report listed **recommendations to Sudanese authorities and the international community**. In particular, the Government should make public the progress made by the committees investigating allegations of human rights violations since the coup; and conduct independent, impartial, prompt, thorough, and effective investigations into all allegations of attacks, harassment, and intimidation of human rights defenders, journalists, media outlets and civil society organizations, and bring all perpetrators to justice. The international community should support initiatives aimed at a durable political solution, to restore a civilian-led government centered on human rights and accountability.

*19 June:* Interactive Dialogue with the Special Rapporteur on the situation of human rights in **Eritrea**, **Mohamed Abdelsalam Babiker**.

[A/HRC/53/20](#): The report described the **human rights situation in Eritrea**, with a focus on the indefinite national/military service and its impact on the economic, social, and cultural rights of Eritreans, on the state of the rule of law and the administration of justice, and violations of civil and political rights, including prolonged and arbitrary detentions and enforced disappearances. The report highlighted the situation of the **Eritrean Afar Indigenous communities** who continue to be subjected to discrimination, persecution, and interference in their traditional means of livelihood. Persisting challenges in the protection of **Eritrean refugees and asylum-seekers** in the region and beyond are reported. The report concluded with **recommendations** to the Government of Eritrea and the international community. The Government of Eritrea should put an immediate end to human rights violations documented by the Special Rapporteur and the Commission of Inquiry on human rights in Eritrea, including the ongoing violations highlighted in the present report; and engage constructively with the mandate of the Special Rapporteur, as well as with other human rights mechanisms and organizations; among others. The international organizations and Member States should keep Eritrea under scrutiny until consistent, verified, and tangible improvements have been made about the human rights situation; and ensure that human rights issues remain at the core of all engagement with the country, and include human rights guarantees in the negotiation of development cooperation projects and investment in Eritrea.

*20 June:* Interactive Dialogue with the Commission of Inquiry on the **Occupied Palestinian Territory, including East Jerusalem and in Israel**.

[A/HRC/53/22](#): The report examined **attacks, restrictions, and harassment of civil society actors by all duty bearers**: Israel, the State of Palestine, and the de facto authorities in Gaza. In particular, the violation of the human rights to freedom of association, expression and opinion, as well as the right to peaceful assembly has been reported. The Commission also found that a number of economic, social and cultural rights are also being violated, including the human rights to take part or participate in cultural life, adequate housing, health, and work. **Women human rights defenders** remain at the forefront of social change and as a result, face significant and distinct risks in both the public and private sphere. The report also contained **recommendations** to all duty bearers: the Government of Israel should immediately cease, without undue delay, actions that may amount to war crimes, including the unlawful deportation or transfer of protected persons from occupied territory, and permit such persons to return to their lawful residence; immediately cease practices that may amount to torture or ill-treatment. The Government of the State of Palestine and the de facto authorities in Gaza should take all measures necessary to ensure that women human rights defenders are enabled to participate equally in the promotion and protection of human rights; and hold perpetrators accountable for human rights violations committed by State and non-State actors against civil society. States Members of the UN call on the States of Palestine to hold general elections. The Commission recommended that the Office of the Prosecutor of the ICC-CPI prioritize the investigation into the situation in OPT.

*21 June: Presentation of report on the Islamic Republic of Iran and oral updates on Sri Lanka and Nicaragua*

### Agenda Item 3: Presentation of Reports and Interactive Dialogues

*21 June: Interactive Dialogue with the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, **Victor Madrigal-Borloz**, with a focus on freedom of religion or belief, and freedom from violence and discrimination based on sexual orientation and gender identity.*

[A/HRC/53/37](#)<sup>4</sup>: The report examined the **intersection** between freedom of thought, conscience and religion, or belief and protection from violence and discrimination based on sexual orientation and gender identity. Embracing spirituality and faith is a path that must be available to all, including all persons with diverse sexual orientations and gender identities. At the same time, LGBT people are regarded as sinners and second-class citizens who should be scorned and abused. The report **recommended to the States** carry out necessary analysis and reform to ensure that legislation and public policy comply with human rights standards, including the principle of non-discrimination; and to ensure that any law or public policy relating to the frameworks of religious exemptions or conscientious objection is compatible with international human rights standards and does not negate the access of LGBT and other gender diverse persons to fundamental rights, services and goods, including health, education, employment, housing and political participation. **It also recommended faith-based leaders, including persons who are LGBT or otherwise gender diverse and persons who are not** to recognize that sexual orientation and gender identity are diverse around the world and that gender manifests differently in many cultural and social structures and practices, including that many cultures recognize more genders than the male-female binary; and to condemn incitement to violence and discrimination against LGBT and other gender diverse persons.

*21 June: Interactive Dialogue with the Working Group on discrimination against women and girls, focusing on gendered inequalities of poverty: feminist and human rights-based approaches.*

[A/HRC/53/39](#): The report focused on **poverty and socioeconomic inequality** as outcomes of systemic failures that violate multiple human rights of women and girls. Poverty is more than the outcome of a lack of income or wealth. It is the result of a blatant systemic failure leading to a vicious cycle of exclusion and discrimination that violates the civil, cultural, economic, environmental, political and social rights of both present and future generations. Poverty is a gendered phenomenon that is deeply imbricated with other forms of inequality and

<sup>4</sup> As of 14 June, only English Advance Unedited Version is available.



discrimination. Women's and girls' experiences of poverty intersect with their race, ethnicity, migratory status, age, disability, religion, geographical location, sexual orientation, and gender identity to produce distinct forms of discrimination and inequality that vary over time and from place to place. In its **recommendations to States, and to international organizations and corporations**, the Working Group insisted upon the urgency of reframing poverty and inequality within and between countries as issues of global concern that necessitate integrated responses informed by intersectional feminist and human rights-based approaches.

[A/HRC/53/39/Add.1](#): Visit to **Kyrgyzstan from 4 to 15 April 2022**. The Working Group assessed the situation of women's and girls' human rights, noting achievements, challenges, and pathways to progress. The assessment is made in the context of the State's current legal, institutional and policy framework for promoting gender equality and the participation and empowerment of women in family, economic, social, political, and public life, paying particular attention to women who experience intersecting forms of discrimination. Kyrgyzstan has an immense opportunity to harness the potential of women. The Working Group also makes **recommendations for further progress in eliminating discrimination and promoting gender equality**, concerning legal, policy and institutional frameworks; to public and political life; economic and social life; family and cultural life; to gender-based violence; and health.

[A/HRC/53/39/Add.2](#)<sup>5</sup>: Visit to **Maldives from 11 to 22 September 2022**.

22 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**, focusing on digital innovation, technologies, and the right to health.

[A/HRC/53/65](#): The Special Rapporteur analyzed the impact of digital innovation and technologies on the right to health, including on the availability, accessibility, acceptability, and quality of facilities, goods and services. She also focused on **digital innovation and technologies and the right to sexual and reproductive health**, as well as on the impact of digital technologies on privacy and the use of data.

Digital technologies can perpetuate racism, sexism, ableism, or discrimination based on sexual orientation or gender identity, among others. She reaffirmed the principles of non-discrimination, equality, participation, accountability, reparations, and privacy. She recalled the need to promote digital inclusion, access to affordable and reliable connectivity, and the underlying need to address digital literacy and the gender digital divide. The Special Rapporteur also sought to clarify the legal obligations that arise under the right to health framework, recalling that the same **rights that are protected offline must be protected in online spaces**. She also reminded States and private actors of the obligations in this context of the rapid growth of technological innovation and the right to health. She also focused on good practices, including **digital health governance and participation recommendations**.

22 June: Interactive Dialogue with the Special Rapporteur on violence against women and girls, its causes, and consequences, **Reem Alsalem**: custody, violence against women, and violence against children.

[A/HRC/53/36](#): The report addressed the link between custody cases, violence against women and violence against children, with a focus on the abuse of the term "**parental alienation**". The SR also defined the above-mentioned term: the concept was coined by Richard Gardner, who claimed that children alleging sexual abuse during high-conflict divorces suffer from "parental alienation syndrome" caused by mothers who have led their children to believe that they have been abused by their fathers and to raise allegations of abuse against them. Gardner's theory has been criticized for its lack of empirical basis, for its problematic assertions about sexual abuse, and for recasting abuse claims as false tools for alienation. **In 2020 it was removed from the International Classification of Diseases by the World Health Organization**. Nevertheless, it has gained considerable traction and has been widely used to negate allegations of domestic and sexual abuse within family court systems on a global scale. The SR **offered recommendations for States and other stakeholders on how to address the situation**. In particular, States legislate to prohibit the use of parental alienation or related pseudo-concepts in family law cases and the use of so-called experts in parental alienation and related pseudo-concepts; States should comply with their responsibilities and positive obligations under international

<sup>5</sup> As of 16 June, the link does not work.

human rights law by establishing regular monitoring mechanisms to oversee the effectiveness of family justice systems for victims of domestic abuse; and states should ensure mandatory training of the judiciary and other justice system professionals on gender bias, the dynamics of domestic violence and the relationship between allegations of domestic abuse and parental alienation and related pseudo concepts.

[A/HRC/53/36/Add.1](#)<sup>6</sup>: Visit to **Türkiye from 18 to 27 July 2022**. The report examined the gaps and challenges in fulfilling the obligations of the State to eliminate violence against women and girls, its causes, and consequences. The report also provided recommendations to prevent and combat violence against women and girls in the country. In particular, the Special Rapporteur proposed relevant **measures** to update the National Action Plan; strengthen specialized judicial units; encourage women to report incidents of gender-based violence; and guarantee the access of women and girls to sexual and reproductive health services, including safe abortion, among others.

[A/HRC/53/36/Add.2](#): Visit to **Libya from 14 to 21 December 2022**. The report assessed the situation of human rights and violence against women and girls, identifying gaps and challenges and recommending measures for preventing and combating violence against women and girls in the country. While cognizant of the complex political context and the multifaceted realities facing women and girls in Libya, the purpose of the visit by the Special Rapporteur was to examine the **systemic causes of gender-based violence** against Libyan and non-Libyan women and girls in the country and to express her solidarity with the survivors of all forms of violence and with the plethora of different stakeholders who support them. Based on the findings reported, the report set out **several recommendations** to end violence against women and girls, including the adoption of laws, national action plans, and the judiciary to bring to justice the perpetrators of violations or abuses.

23 June: Interactive Dialogue with the Special Rapporteur, **Irene Khan**, on the promotion and protection of the right to freedom of opinion and expression on sustainable development and freedom of expression: why voice matters.

[A/HRC/53/25](#): The report explored the **linkages between the right to freedom of expression, including the right to information, and sustainable development**. While recognizing important progress made in normative standards for access to information, the Special Rapporteur highlighted that more is needed to ensure that the voices of those most disadvantaged in society are heard. She argued that only when both access to information and the effective participation of youth, Indigenous communities, the media, human rights defenders, civil society actors, and others are fulfilled will the promise to leave no one behind be realized. The report listed several **recommendations for States**. In particular, they should protect those on the frontlines of the struggle for sustainable development, including disadvantaged communities, human rights defenders, and journalists; and they must investigate and prosecute effectively, impartially, independently, and promptly all those who threaten, harass, attack or kill human rights defenders, journalists, and activists. States should also strengthen freedom of expression and the right to information online and offline, in line with international human rights standards.

23 June: Interactive Dialogue with the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members, focusing on progress and remaining challenges in eliminating discrimination against persons affected by leprosy and their family members, **Alice Cruz**.

[A/HRC/53/30](#): The report examined the progress made and the challenges remaining in eliminating leprosy-related discrimination. National legal frameworks and policies designed to implement international human rights law and, more particularly, provisions on non-discrimination should expressly recognize persons affected by leprosy and their family members as individuals entitled to protection under those same legal frameworks and policies, and all necessary steps should be taken to integrate leprosy into related strategies. The SR affirmed that colonialism and its corollaries form the core of many of the stigmatizing beliefs about leprosy, they are also relevant to an understanding of the current social determinants of leprosy and other neglected tropical diseases in many countries of the Global South. To **eliminate all forms of discrimination** against persons affected by leprosy and their family members, the Special Rapporteur provided a **comprehensive list of recommendations for States and other relevant stakeholders** to overcome challenges. States should review, amend, repeal, or abolish all laws, regulations, ordinances, resolutions, and policies that discriminate against persons affected by leprosy; prohibit discrimination on the grounds of leprosy and extend such prohibition to the private and public spheres.

[A/HRC/53/30/Add.1](#): Visit to **Angola**.

<sup>6</sup> As of 15 June, only English Advance Unedited Version is available.

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