

## HUMAN RIGHTS COUNCIL – 54th SESSION

### Overview of Week 2 (18 - 22 September 2023)

During the **second week** of the 54th session, the UN Human Rights Council will continue with the consideration of reports and oral updates under **Agenda Item 3<sup>1</sup> and Agenda Item 4<sup>2</sup>**. The Council will discuss issues related to arbitrary detention, slavery, international order, enforced disappearance, mercenaries, and the Right to Development, among others. Concerning country-specific topics, the Council will debate over the situations of human rights in Burundi, the Russian Federation, the Syrian Arab Republic, Ethiopia, and Belarus. During this week the Council will hold the Presentation of reports and oral updates. Briefing by ECOSOC President and Chair of PBC presentation of SG/HC thematic reports, reports of the Working Group on the Right of the Development and the Working Group of the Private Military Security companies, followed by the **General Debate under Agenda Item 3**.



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



18 September: Interactive dialogue with the **Working Group on Arbitrary Detention**.

[A/HRC/54/51](#): The report examines the **following thematic issues**: (a) arbitrary detention and laws on spreading disinformation; (b) arbitrary detention and the coronavirus disease (COVID-19) pandemic; and (c) deprivation of liberty of environmental human rights defenders. In its **recommendations**, the Working Group reiterated its call to States to continue to increase their cooperation. It also urged States to refrain from using anti-disinformation legislation or vaguely worded or overly broad laws to prosecute individuals for the dissemination of information in the course of their work; not to arbitrarily detain individuals in the implementation of public health emergency measures; and to protect and empower environmental human rights defenders to participate in activities related to the protection and promotion of environmental human rights. The Working Group further urged States to provide adequate and predictable human resources in order to allow it to fulfil its mandate in an effective and sustainable manner.

[A/HRC/54/51/Add.1](#): **Visit to Botswana from 4 to 15 July 2022**. The Working Group identified positive developments. The Working Group also observed challenges in the criminal justice system, such as the excessive length of pretrial detention, the severity of punishments that chiefs may impose, the lack of legal assistance in criminal cases other than capital punishment, undue delays in criminal proceedings and the use of mandatory and disproportionate sentencing. Among other **recommendations**, the Working Group encouraged Botswana to become a party to several human rights instruments, transpose into domestic law all instruments that it is or will become a party to and implement specific practices that offer greater protection against arbitrary detention. The Working Group recommended also that the Government take measures to build upon its positive initiatives to address the arbitrary deprivation of liberty, in the context of national security and in the context of psychosocial disability and drug rehabilitation.

[A/HRC/54/51/Add.2](#): **Visit to Mongolia from 3 to 14 October 2022**. The Working Group identified positive developments, including the 2020 revision of the Law on the National Human Rights Commission of Mongolia and the corresponding advancement of the mandate of the Commission; the designation of the national preventive mechanism; the adoption of the Law of Mongolia on the Legal Status of Human Rights Defenders; and the adoption of several amnesty laws. However, in the criminal justice system, the WG identified several challenges. Some legislative provisions were found to be not fully aligned with the requirements of international law in the area of the prohibition of the arbitrary deprivation of liberty. Finally, among other recommendations, the Working Group encouraged Mongolia to adopt specific practices that offer greater protection against arbitrary detention; ensure that immigration detention facilities are located in different

<sup>1</sup> Promotion and protection of all human rights, civil, political, economic, social, and cultural rights, including the right to development.

<sup>2</sup> Human rights situations that require the Council's attention.

premises from the criminal justice facilities; and to ensure that children detained in general pretrial detention facilities are provided with educational activities.

*18 September:* Interactive dialogue with the Special Rapporteur on **contemporary forms of slavery**, including its causes and consequences, **Tomoya Obokata**, focusing on homelessness as a cause and consequence of contemporary forms of slavery.

[A/HRC/54/30](#): The report analysed homelessness as a consequence of contemporary forms of slavery and identified challenges in protecting persons experiencing homelessness from contemporary forms of slavery. Persons experiencing homelessness, including children and young people in street situations, are recruited and exploited in a variety of economic sectors, not only by criminal actors but also by family members, friends, and employers. Sexual exploitation also remains a serious concern. The Special Rapporteur highlighted a variety of initiatives to tackle homelessness and contemporary forms of slavery and set out practical recommendations to States, civil society organizations, public and private housing providers and businesses and employers. The important role of civil society and charity organizations should be acknowledged, as they have been instrumental in filling protection gaps left by States. In particular, the SR recommended States to enhance the understanding of the linkage between homelessness and contemporary forms of slavery, in addition to promoting awareness-raising and training among relevant public service providers and law enforcement officials, and collect and update data on the linkage regularly; properly identify trafficked and exploited persons experiencing homelessness as victims of contemporary forms of slavery and extend protection without discrimination; and to develop and implement short-, medium- and long-term rights-based approaches to preventing and eliminating homelessness, including its causes and consequences, and in so doing, adopt a broad and inclusive notion of homelessness in order to widen the scope of protection, among others.

[A/HRC/54/30/Add.1](#): **Visit to Costa Rica from 16 to 2 November 2022.** The Special Rapporteur examined the labor conditions in various sectors of the economy, including agriculture and the tourism industry. Acknowledging the progress achieved in preventing and addressing child labour, the SR **did not find** systematic or widespread instances of contemporary forms of slavery in the country. The Special Rapporteur highlighted persisting shortcomings in ending contemporary forms of slavery in Costa Rica and concluded with recommendations to assist the Government and other stakeholders in addressing the remaining challenges. In particular, the Government should strengthen the enforcement of legislative frameworks on contemporary forms of slavery and labour relations and promote multi-agency intelligence-led law enforcement in order to enhance the investigation and prosecution of perpetrators of contemporary forms of slavery, including employers; businesses and employers should ensure decent work for all workers, without discrimination.

[A/HRC/54/30/Add.2](#): **Visit to Mauritania from 4 to 13 May 2022,** to assess the progress made by Mauritania in eliminating slavery. The Special Rapporteur recognized the significant progress that Mauritania has made in strengthening its legal and institutional framework to prevent and address slavery. However, he observed that descent-based slavery persists in certain parts of the country alongside contemporary forms of slavery, and highlighted several areas in which currently and formerly enslaved persons and their descendants suffer social, economic, and political exclusion. It is crucial that the country's robust legislation to combat slavery be fully and effectively implemented, with real consequences for perpetrators and tangible reparations to victims of slavery. The fight against traditional slavery should not obscure the need to address contemporary forms of slavery and trafficking in persons, which also persist in Mauritania and affect vulnerable nationals as well as migrants. To build on the country's achievements and address these challenges, the Special Rapporteur **recommended measures to complement and strengthen** the implementation of existing anti-slavery legislation, address contemporary forms of slavery and eradicate discrimination against victims of slavery. In particular, the Government should continue awareness-raising efforts for victims and local officials, in particular in rural areas, regarding anti-slavery legislation and complaint mechanisms; establish dedicated units on slavery within the judicial police and public prosecution service, with fully trained and specialized staff; and, ensure equal access to quality education for all Mauritanian.

*18 September:* Interactive dialogue with the Independent Expert on the promotion of a **democratic and equitable international order**, **Livingstone Sewanyana**. Youth's representation and participation in international governing bodies: challenges and opportunities.

A/HRC/54/28<sup>3</sup>: In the report, the Independent Expert focused on the opportunities and challenges faced by youth in participating and engaging in intergovernmental forums. He explored promising practices and the need for young people to be involved internationally, both in terms of engagement in the public sphere in decision-making processes and in the civic space as young human rights defenders. Involving youth in decision-making processes enables them to demand accountability and concrete actions from their governments to address the issues that directly impact them, such as youth unemployment and youth economic empowerment. The Independent Expert also made recommendations to address those challenges, in particular concerning the economic, social, and political empowerment of youth, promoting the role of youth in local and international decision-making structures and processes, and adopting laws and strategies that enhance the presence and participation of youth in various areas that affect their future.

[A/HRC/54/28/Add.1](#): **Visit to Georgia from 26 April to 5 May 2023**. The report assessed the situation in the country and its efforts, good practices, achievements and improvements. It also assessed the challenges to be overcome in maintaining peace and security from a national and regional perspective. The assessment covered the fight against corruption; measures taken to guarantee freedom of assembly, of expression, and of the media; cooperation with civil society; the independence of the judiciary; and the cooperation of the Government of Georgia at the international level. Despite the considerable efforts to maintain and implement the rule of law through regional and international cooperation, some challenges remain, namely in relation to the climate of distrust between civil society organizations and the national authorities. The Independent Expert noted that freedom of assembly, of expression, and of the media should be guaranteed. The Independent Expert made recommendations aimed at enhancing progress in promoting democracy and the rule of law and achieving an equitable international order.

*19 September:* Interactive dialogue with the **Working Group on Enforced or Involuntary Disappearances**.

[A/HRC/54/22](#): The report contained information on the activities of cases examined by the Working Group. The Working Group reiterated the expression of its solidarity and admiration for the relatives of disappeared persons, the organizations that support them, human rights defenders, and lawyers who, despite the difficulties and the hostile and dangerous environment in which they often operate, continue their struggle for truth, justice, reparations, memory, and non-repetition. The Working Group continued to receive reports regarding countries where the deteriorated security and political situations have favored the perpetration of enforced disappearances. The families of disappeared persons and organizations supporting them have too often not been able to lodge complaints or have access to proper remedies, including effective search activities and independent investigations. Finally, the Working Group invited States to implement the recommendations contained in the report, also strengthening the coordination and cooperation between different stakeholders to forge alliances to detect risks concerning new technologies and enforced disappearances, devise mitigation strategies and effective measures to overcome the obstacles identified and promote tools to support those directly affected, including human rights defenders and relatives of disappeared persons. It called on all stakeholders concerned to regularly engage and cooperate with it and report on the negative impacts of new technologies in the enjoyment of human rights.

[A/HRC/54/22/Add.1](#): **Visit to Uruguay, from 7 to 14 July 2022**. The Working Group mainly focused on the enforced disappearances that took place between 1968 and 1985 and the corresponding obligations of the State. It also received information on disappearances occurring at the present time, particularly those involving persons belonging to especially vulnerable groups (children, adolescents, and women). The purpose of the visit was to obtain first-hand information on the human rights situation in the country, in the area of enforced disappearance, with a view to identifying the progress made in applying international standards in this area and ensuring the enjoyment of the rights to truth, justice, reparation, and memory, as well as the main challenges currently facing the country, including with regard to prevention. In conclusion, the Working Group recommended the Government to recognize the rights of all victims of enforced disappearance,

<sup>3</sup> As of 17 September, only English advance edited version is available.

including their relatives; to raise awareness, among civil society and State officials, of the phenomenon of enforced disappearance, existing reporting mechanisms, and the corresponding obligations; and, to guarantee access to justice for victims so that they can participate actively in the proceedings.

[A/HRC/54/22/Add.2](#): **Visit to Honduras, from 20 to 29 March 2023**. Recognizing the commitment made by the authorities and their statements, the Working Group acknowledged the existing gaps and challenges in the area of human rights and the measures needed to address them. Victims are lacking in trust in view of the climate of systemic and long-standing impunity for human rights violations. The Working Group noted that the lack of progress results from a combination of the inadequate legislative framework, the weakness of institutions and the lack of coordination, capacities and resources, combined with a climate of insecurity, collusion and corruption. Honduras must assume its responsibilities and leadership role and redouble its efforts to guarantee the rights of victims of enforced disappearance in the areas of truth, justice, reparation and memory. The Working Group set out a series of recommendations on issues ranging from prevention, investigation, punishment and reparation for the harm suffered by victims of enforced disappearance to the protection of groups in situations of particular vulnerability, such as Indigenous Peoples, migrants and persons living in poverty.

A/HRC/54/22/Add.3: Comments by Uganda.

A/HRC/54/22/Add.4: Comments by Honduras.

[A/HRC/54/22/Add.5](#): The report examined how **new technologies** are being used against relatives of disappeared persons, their representatives and human rights defenders; can be effectively applied to facilitate the search for disappeared persons; and can be used to obtain and secure evidence of the commission of enforced disappearance. On the one hand, new technologies, and in particular ICT, are frequently used to facilitate or conceal the commission of enforced disappearance, to hinder the work of human rights defenders and relatives of disappeared persons, and to intimidate or harass them. The Working Group was especially concerned at the use of Internet shutdowns and targeted connectivity disruptions; spyware programmes; targeted and mass surveillance, including gait and facial-recognition; cyberattacks and Governmentsponsored troll factories; and the specious use of technology-related legislation to suppress dissent and target human rights defenders and relatives of disappeared persons. Traditional approaches and techniques to documenting, monitoring and reporting should not be abandoned and cannot be entirely replaced by digital material and new technologies. **Complementarity between these strategies** should be pursued and actively promoted and traditional human-centred processes must be fomented and strengthened accordingly. The Working Group made several recommendations to States, corporations, civil society organizations, national human rights institutions, academic institutions, donors, international courts and other human rights mechanisms and the Office of the United Nations High Commissioner for Human Rights in order to explore these possibilities and to strengthen their capacities, as well as to adopt measures to include new technologies in search activities and criminal investigations. States are also under an obligation to cooperate and afford one another the greatest measure of assistance in these domains.

*19 September*: Interactive dialogue with the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of **hazardous substances and wastes**, **Marcos Orellana**. The toxic impacts of some proposed climate change solutions.

[A/HRC/54/25](#): The report examined the toxic impacts of some proposed climate change solutions, in particular the interface between decarbonization and detoxification. Climate change poses an existential threat to humanity and the effective enjoyment of human rights. Pursuing the necessary decarbonization, States and companies are rallying to build new technologies and innovations to reduce greenhouse gas emissions and remove carbon from the atmosphere. Disinformation campaigns are downplaying the adverse human rights and climate impacts of certain climate mitigation technologies. Some climate actions, such as replacing coal-fired power plants by solar or wind energy facilities, will contribute to such decarbonization. In order to reach the 1.5°C global climate goal and protect communities adversely affected by toxics, decarbonization technologies should be integrated with detoxification strategies. In conclusion, the Special Rapporteur recommended that States integrate decarbonization and detoxification strategies, guided by a human rights-based approach; and adopt mandatory standards on environmental and human rights due diligence and supply chain transparency to address the impacts of proposed climate action.

[A/HRC/54/25/Add.1](#): **Visit to Ghana from 30 November to 13 December 2022**. The visit was focused on key issues including: (a) solid waste management and facilities, including for hazardous waste, electronic waste, plastic waste and used clothes waste; (b) the use of mercury in small-scale mining; and (c) the use of

hazardous pesticides and fertilizers. The Special Rapporteur welcomed the progress made in Ghana with regard to the management and disposal of toxic substances. However, he noted the weak implementation of and gaps in the legislation for the sound management of chemicals and waste, including the lack of a comprehensive national policy to manage the entire life cycle of chemicals and waste and prevent exposure to hazardous substances. The report concluded by listing recommendations to the Government in order to address different issues including, chemicals, waste, and e-waste, plastic waste, textile-related pollution, the use of mercury in gold mining, and use of agrochemicals.

[A/HRC/54/25/Add.2](#): **Visit to the International Maritime Organization from 16 to 20 January 2023.** The work of IMO has always been relevant to the field of human rights, considering the close connection between shipping and the environment and human beings. Oil and toxic spills harm coastal communities; air emissions from vessels adversely affect port cities and contribute to climate change; seafarers are exposed to hazardous working conditions; and transport of hazardous cargo poses risks to crew and the environment. Shipping thus impacts the enjoyment of a range of human rights, including the rights to life, health, and personal integrity; to food; to an adequate standard of living; to work and occupational health and safety; and to a clean, healthy, and sustainable environment. Maritime safety plays an important role in protecting human rights. The SR recommended that IMO include human rights as an explicit, prominent item on its agenda, such as in connection with the human element item; undertake national and international efforts to tackle forced labor in their territorial seas and exclusive economic zones as well as on the high seas; and, support research efforts to identify the environmental impacts of very low sulfur fuel oils, especially with regard to air and water pollution.

[A/HRC/54/25/Add.3](#): **Visit to Paraguay from 3 to 14 October 2022.** The report highlighted that Paraguay has been taking important steps in hazardous waste management, including through the recent adoption of a national plan for the integrated management of hazardous waste. However, the country faces significant challenges in the environmentally sound management and disposal of hazardous substances and wastes. Rural communities and Indigenous Peoples face an alarming level of exposure to toxic substances, particularly hazardous pesticides. Some of the primary concerns relating to the environmentally sound management and disposal of hazardous substances and wastes are: (a) the very low level of protection of human health and ecosystems; (b) the limited environmental and epidemiological information that is produced and disseminated; (c) the impunity of some companies for human rights abuses; and (d) the systemic obstacles to obtaining access to justice. The low level of compliance with environmental legislation cuts across all these problems. To deal with these issues, to prevent and address the adverse effects of toxic substances on human rights, the Special Rapporteur called on the Government to redouble its efforts to prevent exposure to hazardous substances and set out a series of recommendations for the Government, for companies and for United Nations agencies.

[A/HRC/54/25/Add.4](#): Comments by Paraguay.

*19 September*: Interactive Dialogue with the **Working Group** on the use of **mercenaries** as a means of violating human rights and impeding the exercise of the right of peoples to self-determination. Recruitment, including predatory recruitment, of mercenaries and mercenary-related actors.

[A/HRC/54/29](#): The report examined the recruitment of mercenaries and mercenary-related actors and the phenomenon of predatory recruitment. The recruitment of mercenaries and mercenary-related actors has increased in conflict, post-conflict and conflict-affected contexts, intensifying the risk of violations of human rights and international humanitarian law. In the current complex international peace and security environment, the recruitment of mercenaries and mercenary-related actors is prevalent and is conducted by a wide range of entities, including States and non-State actors. The presence of such actors poses a fundamental risk to human rights and international humanitarian law in addition to constituting a destabilizing factor in volatile contexts and undermining peace efforts.

Examining the mechanisms through which the recruitment of mercenaries takes place, the entities involved in the recruitment, the profile of the individuals recruited, the contexts in which mercenaries and mercenary-related actors are recruited and other relevant aspects surrounding the practice is key to tackling the phenomenon of mercenaries. In this context, the Working Group observed with concern a trend towards the entrenchment of the phenomenon of predatory recruitment, whereby individuals are recruited in a way that takes advantage of their socioeconomic status and other vulnerabilities and may involve different forms of exploitation. In the report, the Working Group urged States to take an approach that addresses the root causes of recruitment, including predatory recruitment, to tackle the scourge of mercenaries.

[A/HRC/54/29/Add.1](#): **Visit to Greece from 9 to 16 December 2022.** The report focused on two specific areas: the existing domestic legal framework addressing mercenaries; and the use, regulation, and oversight of private military and security companies operating on land or at sea. Greece has yet to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries. There is legislation in place to combat terrorism that can be implemented to punish some of the activities of mercenaries and mercenary-related actors. The Working Group made **recommendations to address issues in relation to the regulation of mercenaries and mercenary-related actors, and the operation of private military and security companies.** In particular, the *Government* should ratify the international convention and incorporate the crime of mercenarism in the national legal framework to complement the existing legislation on terrorism that touches on mercenary-related activities and also consider criminalizing the recruitment, training, financing and use of mercenaries, as well as enabling the extradition of suspected mercenaries; *private security companies in the maritime context* should adopt measures to ensure the adequate oversight and monitoring of the activities of armed security personnel authorized to operate under the requirements stipulated; and, *private security companies in migration context* should ensure that specific monitoring mechanisms are in place.

[A/HRC/54/29/Add.2](#): **Visit to Armenia, from 20 to 27 February 2023.** The Working Group focused on the legislative framework regulating mercenaries' activities and the operations of private military and security companies and presented its main findings from its visit. The Working Group noted that the domestic framework regulating mercenarism and mercenary activities appears to be in accordance with international law. In the area of private military and security companies, the Working Group considered that Armenia has shown commitment to regulating the activities of private military and security companies that operate domestically. Armenia can play a pioneering role in the Caucasus in advocating accountability, access to justice, and remedies for victims of violations and abuses perpetrated by mercenaries and related actors, as well as by private security companies. After outlining its findings, the Working Group made **recommendations** with regard to mercenaries, mercenary-related activities, and private military and security companies. In particular, the Government must continue to ensure complementarity in the implementation of the domestic legal instruments regulating mercenarism and mercenary-related activities and continue to make the best use of the international normative framework, and hold the perpetrators of human rights violations to account and support genuine reconciliation and peace efforts.

20 September: Interactive dialogue with the [Expert Mechanism](#) on the **Right to Development**, established pursuant to resolution 42/23.

[A/HRC/54/82](#): The *study on the right to development in international investment law* analysed **elements of the right to development** as they feature in existing international investment law, both in the new generation of international investment agreements and in arbitral awards. It also examined and considered the obligations of States to protect the human rights of their populations, including, primarily, the right to development, together with their right to regulate in international investment law. The right to development has an increasing role in international investment law through the incorporation of sustainable development and the Sustainable Development Goals in new international investment agreements, including the importance of international cooperation and community participation, all of which are inherent to the idea of the right to development. In conclusion, the report **highlighted good State practice and made recommendations and proposals for improvement.** The Expert Mechanism recommended that, in new international investment agreements, States expressly employ the concept of "the right to development" in order to achieve greater recognition of the right; impose meaningful and enforceable obligations on foreign investors to respect peoples' right to development by making it a condition of "protected investment" in the first place and/or a free-standing obligation actionable by the host State through a counterclaim; and, require that arbitrators appointed to adjudicate a dispute with a foreign investor have a minimum standard of experience and expertise in international law, including human rights law, sustainable development and, where relevant to the dispute, the environment.

[A/HRC/54/83](#): In the report, *inequality, social protection and the right to development*, the Expert Mechanism on the Right to Development examined inequality within and among States through the framework of the right to development. In assessing inequality-reduction policies and social protection systems, the Expert Mechanism identified global good practices and practices that are exclusionary or restrictive. It placed social

protection systems within the context of State obligations, international cooperation and global partnerships, as outlined in the Declaration on the Right to Development, and the new social contract, as outlined in the Secretary-General's report entitled "Our Common Agenda". To conclude, the Expert Mechanism offered recommendations to States and other stakeholders to address deepening inequalities within and among States by establishing universal social protection systems as a fundamental human right understood through the principle of equality of opportunity for development.

[A/HRC/54/84](#): The thematic study on the duty to cooperate and non-State actors presented best practices and provided recommendations on how non-State actors can contribute to the duty to cooperate for the implementation of the right to development worldwide. The study focused on foreign, private non-State actors operating in a host State. The report was based on: input received during the consultation process; a desk study of investor-State arbitration cases revolving around the failure of foreign investors to secure the support of local communities for mining operations; and a visit to **Lesotho**, at the invitation of the Government, to review how engagement by non-State actors has affected the realization of the right to development of mountain communities affected by major economic investments in mining and water management. The Expert Mechanism looked at the operationalization of the general duty of non-State actors to cooperate in the realization of the right to development by breaking the duty to cooperate down into four more practical components: the duty to give notice; the duty to consult and agree; the duty to assist; and the duty to repair harm.

*20 September*: Interactive dialogue with the Special Rapporteur on the **right to development**, Surya Deva and former mandate holder, **Saad Alfaragi**. A reinvigorating the right to development: A vision for the future.

[A/HRC/54/27](#): The report included the Special Rapporteur's goals and thematic priorities. The right to development is a human right relevant for everyone, everywhere. By providing a pathway to holistic development (economic, social, cultural and political) through a participatory process, it is a route to realize all other human rights and fundamental freedoms and preserve intergenerational equity. There is a need to embrace a holistic vision of the right to development, leverage the role of multiple actors to strengthen capacity, build bridges to overcome polarization, ensure the meaningful participation of people, and integrate an intersectional perspective to overcome discrimination. The SR recommended States to adopt a holistic and gender-responsive approach to the right to development and abandon the "economic development first, human rights later" mindset; ensure the active, free, and meaningful participation of all people, in particular vulnerable and marginalized individuals and groups, in all development-related policies, programs and projects; and preserve civic space, embrace good governance principles and integrate an intersectional approach to overcome all forms of discrimination.

[A/HRC/54/27/Add.1](#): **Visit to Albania from 15 to 24 November 2022**, to assess the advancement of the right to development in the country and to identify remaining challenges. The right to development is defined in Article 1 of the Declaration on the Right to Development as an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural, and political development, in which all human rights and fundamental freedoms can be fully realized. The Special Rapporteur highlighted the need for communities affected by development agendas, budgets, and processes to have ownership over those processes to ensure that they are effectively addressing their development priorities and that all segments of society benefit from development, in line with the commitment to leave no one behind included in the 2030 Agenda. The processes leading to the elaboration of development plans and policies need to address all visible and unseen barriers to participation, such as a lack of legal identity, the existence of violence, or social restrictions. In this view, the Special Rapporteur formulated recommendations to the Government and other stakeholders on how to implement the Sustainable Development Goals and respect the inclusion and participation of all.

[A/HRC/54/27/Add.2](#): Comments by Albania.

20 September: Presentation of reports and oral updates. Briefing by ECOSOC President and Chair of PBC presentation of SG/HC thematic reports, reports of the Working Group on the Right of the Development and the Working Group of the Private Military Security companies.

[A/HRC/54/4](#): Summary of the panel discussion on the negative impact of the legacies of colonialism on the enjoyment of human rights, reported by the UN High Commissioner. It was held on 28 September 2022, panellists and speakers highlighted the impact of the legacies of colonialism on human rights, identified challenges in addressing this issue, and pointed to ways forward.

[A/HRC/54/33](#)<sup>4</sup>: The report analysed the relationship between articles 6 and 14 of the International Covenant on Civil and Political Rights, focusing on the **right to seek pardon or commutation of sentences and the right to have one's conviction and sentence reviewed by a higher tribunal according to law**. Although considerable progress was made towards the abolition of the death penalty during the reporting period, an increased number of people were executed worldwide, which included a significant increase in executions for drug related offences. The Secretary-General welcomed the steady progress towards the universal abolition of the death penalty, encouraging steps include the adoption of national laws abolishing the death penalty for all crimes, establishing judicial discretion by removing mandatory death penalties, and the adoption of laws authorizing the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The SG recalled that all States should fully respect their obligations under international human rights law and abolish the mandatory death penalty.

[A/HRC/54/34](#): The *follow-up report on good practices and challenges in the application of a human rights-based approach to the elimination of preventable maternal mortality and morbidity by the HC* outlined good practices and challenges in the application of a human rights-based approach to the elimination of preventable maternal mortality and morbidity. The report also offered an overview of the impact of the coronavirus disease (COVID-19) pandemic on sexual and reproductive health, including maternal health. The High Commissioner noted with appreciation the initiatives undertaken by stakeholders to implement a human rights-based approach to reducing preventable maternal mortality and morbidity and ensure access to sexual and reproductive health services, including maternal health services. Solidarity and international cooperation have proved to be the best defence against the pandemic and the key to recovering better. The human rights obligations of States regarding the advancement of global health, including sexual and reproductive health, call for shared approaches and systems of collective responsibility, gender equality and respect, and the fulfillment of human rights. The report put forward conclusions and recommendations to prevent maternal mortality and morbidity and address the continuing impact of the COVID-19 pandemic and future health emergencies on women's and girls' sexual and reproductive health.

[A/HRC/54/36](#)<sup>5</sup>: The HC's report, on the rights of Child and inclusive social protection, highlighted systemic and structural barriers to States for meeting their human rights obligations and providing universal social protection for children, particularly those facing intersecting forms of discrimination and in vulnerable situations. It detailed the core components of child rights-compliant inclusive social protection to ensure universal and sustainable social protection systems and contains recommendations for States on designing and implementing such an approach, including through international cooperation. Universal social protection is an essential requirement to comply with obligations under international human rights law for all States, which also makes economic and social sense. It can enable all children to live in a safe, healthy, happy environment with access to sufficient nutritious food, affordable healthcare and free quality education. These are prerequisites for the full enjoyment of children's rights and their long-term health, well-being and development. However, social protection, remains far from the reality for too many children worldwide.

<sup>4</sup> As of 17 September, only English advance edited version is available.

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In conclusion, the HC invited States to enact and implement the necessary legal and policy frameworks anchored in human rights, particularly child rights obligations, to establish a comprehensive child rights-based approach to inclusive social protection as part of a life-cycle approach; and to take concrete actions to achieve the right to social security, including a child rights-compliant social protection system that leaves no child behind.

[A/HRC/54/37](#): The report included views submitted by States, intergovernmental organizations, special procedures of the Human Rights Council, national human rights institutions, national mechanisms for implementation, reporting and follow-up, and civil society on the target sectors, focus areas or thematic human rights issues for the fifth phase of the World Programme for Human Rights Education proposing diverse approaches and priorities, and reflecting specific national and regional contexts or mandates. In conclusion, all stakeholders should continue to implement human rights education programmes. With regard to thematic issues on which to focus educational efforts, **three areas stood out in equal measure: human rights in the digital space, environmental rights and climate change, and gender equality**. Developing a human rights-informed digital, media and information literacy was seen as crucial to enable learners to engage in digital environments safely, critically and responsibly. This thematic focus was largely associated with youth as a target sector, as young people. Some submissions suggested other thematic focuses, such as economic, social and cultural rights: access to quality food for physical and intellectual development; the centrality of the right to work to achieve socioeconomic development, in particular in the age of automation; and healthy ageing to maintain good health, independence and quality of life.

[A/HRC/54/38](#): The report contained an analysis of the realization of the right to development and challenges in the context of the response to and the recovery from the coronavirus disease (COVID-19) pandemic. Progress in the realization of the right to development has been affected by a confluence of multiple and intersecting crises that have increased inequalities within and between countries and exacerbated the uneven recovery from COVID-19. Combined with limited access to financial support and debt relief, the effects of these crises have created an additional burden on the fiscal space of developing countries, least developed countries, and middle-income countries in debt distress to invest in recovery and in sustainable development. Urgent and bold action is needed to address the worst impacts of the crises and to invest in addressing their root and structural causes, including economic policies, investment decisions and business models that fail to protect, respect and fulfil human rights. Greater international cooperation and solidarity is essential to increase resources and fiscal space available to countries and communities, including middle-income countries, to address the development financing gap. Access to timely, concessional and low-cost financial resources for least developed countries and middle-income countries in debt distress should be improved. Global pandemic preparedness and response measures should include ensuring international solidarity and cooperation, policy coherence, coordination and integrated approaches at all levels. The benefits of scientific and technological development must be shared fairly, both within and between nations, as set out in the Declaration on the Right to Development.

[A/HRC/54/39](#)<sup>6</sup>:

[A/HRC/54/40](#): The report provided a summary of the of the Working Group on the Right to Development's twenty-fourth session (Geneva, 15–19 May 2023). It also contained recommendations made by the WG in order to ensure a balanced and visible allocation of resources and pay due attention to the visibility and effective implementation and mainstreaming of the right to development by systematically identifying and undertaking tangible projects dedicated to that right, and should continue to update the Human Rights Council and the Working Group on progress in that regard.

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<sup>6</sup> As of 17 September, there is no document available.

[A/HRC/54/44](#): Summary of the intersessional workshop on the implementation of the right to participate in public affairs in the context of the coronavirus disease (COVID-19) pandemic and the post-pandemic recovery Report of the Office of the United Nations High Commissioner for Human Rights.

[A/HRC/54/45](#): The report contained a summary of the discussion held at the high-level meeting commemorating the thirty-fifth anniversary of the Declaration on the Right to Development. . It provided an opportunity for the international community to demonstrate and reaffirm its unequivocal commitment to the effective realization of the right to development. The **objectives** of the high-level meeting were to celebrate the thirtyfifth anniversary of the Declaration on the Right to Development and to reaffirm the global commitment to the effective realization of the right to development; to raise awareness of the multidimensional nature and positive contribution of the right to development to the realization of all human rights and to social justice; to address the barriers and obstacles to the full realization of the right to development; to explore ways to overcome the challenges to the realization of the right to development, including the coronavirus disease (COVID-19) pandemic and climate change; to share good practices in realizing the right to development, in particular in the context of effective international cooperation and solidarity; and to highlight the importance of concrete measures, such as the adoption of a legally binding instrument on the right to development, for the realization of the right to development.

[A/HRC/54/46](#)<sup>7</sup>: The report contained a summary of the high-level panel discussion on the question of the death penalty held on 28 February 2023. The panel discussion addressed the human rights violations related to the use of the death penalty, in particular with respect to limiting the death penalty to the most serious crimes. In particular, reporting the interactive dialogue and discussion, affirmed that the global trend towards abolition remained unstoppable. Addressing issues that served as the root cause of crime would further bolster the global trend towards universal abolition and contribute to the enhancement and development of human rights. The Human Rights Committee, in its general comment No. 36 (2018), had provided crucial guidance on the strict requirements for the imposition of the death penalty. Retentionist States were only permitted to apply the death penalty for the most serious crimes and subject to several strict conditions. The expression “the most serious crimes” must be read restrictively and only concerned crimes of extreme gravity involving intentional killing. It concluded indicating that there is no evidence to support the proposition that the death penalty had a deterrent effect on crime. However, some held the view that the death penalty served as a deterrent to criminals.

[A/HRC/54/48](#): The report provided summary of **the panel discussion on the future of the right to work in connection with climate change actions, responses and impacts in the context of sustainable and inclusive economies**. Climate change is a planetary emergency. Immediate mitigation measures are needed to safeguard the planet and human rights, including the right to work. States and businesses must mitigate climate change by addressing unsustainable production and consumption patterns. A just transition to a green, human rights economy that aligns human rights and the economy and is centred on people and the planet must be prioritized. The 2030 Agenda for Sustainable Development highlights the importance of inclusive and sustainable economic growth, employment and decent work for all. In conclusion, the report set a **list of recommendations**: in particular, States should align economic policies with their human rights obligations, including to respect, protect and fulfil the human right to a clean, healthy and sustainable environment; States should invest more in the right to education, including in lifelong learning; and combat climate change jointly and in solidarity.

[A/HRC/54/50](#) : The report contained the **draft international covenant on the right to development**. In this regard, see also: [A/HRC/54/50/Add.1](#) and [A/HRC/54/50/Add.2](#).

<sup>7</sup> As of 17 September, only English advance edited version is available.

[A/HRC/54/53](#): Report of the Office of the United Nations High Commissioner for Human Rights on Human rights challenges in addressing and countering all aspects of the world drug problem. The report outlined human rights challenges in addressing and countering key aspects of the world drug problem. The world drug problem has a major impact on the enjoyment of human rights. Responding to the harms associated with drug use and to the illicit drug trade constitutes a major public policy challenge, of which all aspects have human rights implications. **The main areas of concern** when addressing and countering the world drug problem are the lack of and unequal access to treatment and harm reduction, the “war on drugs” and the militarization of drug control, overincarceration and prison overcrowding, the use of the death penalty for drug-related offences, and the disproportionate impact of punitive drug policies on youth, people of African descent, Indigenous Peoples and women. It also offered an overview of recent **positive developments** to shift towards more human rights-centred drug policies and provided **recommendations** for States and other stakeholders on the way forward. In particular, among others, they should adopt alternatives to criminalization, “zero tolerance” and elimination of drugs, by considering decriminalization of usage; consider developing a regulatory system for legal access to all controlled substances; and address the increased vulnerability of people who use drugs in crisis settings.

[A/HRC/54/81](#): The report covered all aspects of the implementation of the resolution 76/172 on the protection of migrants. The report also summarized information received from Governments regarding the implementation of the resolution, and presented conclusions and recommendations on respecting, protecting and fulfilling the human rights of migrants. Migration is an age-old human phenomenon which can have positive outcomes for migrants and societies when governed in a manner that places migrants at the centre and ensures protection of their human rights. Migrants continue to face human rights protection gaps throughout their journey, in transit, at borders and in destination countries, too often resulting in deaths and despair. The lack of human rights-based migration governance placing migrants at the centre and ensuring the protection of their human rights amplifies the risks and violations they encounter. States are already making efforts to advance respect, promotion and fulfilment of the human rights of migrants through the adoption of laws, policies and practices based on human rights. More is urgently needed. The SG, among others, encouraged States to ratify and implement all international human rights instruments; urged States to take decisive action to put an end to all forms of discrimination against migrants; and urged all countries to prevent and address vulnerabilities in migration and to ensure the adequate human rights protection of all migrants in vulnerable situations.

#### [Agenda Item 4: Presentation of Reports and Interactive Dialogues](#)



*21 September*: Interactive Dialogue with the international commission of human rights experts on **Ethiopia**.

*21 September*: Interactive Dialogue with the Special Rapporteur on the Situation of human rights in the **Russian Federation**. The Council will consider the comprehensive report of the new mandate holder, [Mariana Katzarova](#).

*22 September*: Interactive Dialogue with the Independent International Commission of Inquiry on the **Syrian Arab Republic**.

[A/HRC/54/58](#): The report provided information regarding the **grave violations of human rights and humanitarian law continued across the Syrian Arab Republic**, in government-held areas and areas controlled by non-State actors, during the first half of 2023. The humanitarian and economic situation continued to deteriorate, with over 15 million Syrians in need of humanitarian assistance. Repression and extortion continued, also affecting returnees. Additionally, the Commission reported the same violence and human rights violations throughout the entire country, including **arbitrary detention, torture and ill-treatment**,

**enforced disappearance and deaths in detention; insecurity; conduct of hostilities; child recruitment and gender-based violence.** The IIC of Inquiry called on all the parties of the conflict to immediately cease all indiscriminate and direct attacks on civilians and civilian objects and take all feasible precautions to minimize harm to the civilian population, and conduct independent, impartial and credible investigations into incidents entailing civilian casualties in which their forces are implicated to ensure that those responsible for violations are held accountable, ensure non-repetition and make their findings public; ensure that all credible reports of murders and killings of civilians, as well as custodial deaths, are investigated; and cease torture and other cruel, inhuman or degrading treatment or punishment, including sexual and gender-based violence, in all places of detention; among others.

*22 September:* Interactive Dialogue with the Special Rapporteur on the situation of human rights in **Burundi**, **Fortuné Gaetan Zongo**.

[A/HRC/54/56](#): The report provided an SR's oral update of the human rights situation in Burundi. The SR listed and analysed some **issues of concern** that continue to have an impact on the situation of human rights in Burundi. The Special Rapporteur stressed that, despite positive and reassuring official statements, Burundi is **evolving against the background of a shrinking civic space and making use of institutions and the law for one's own ends**, which undermine citizens' confidence and constitute limiting factors for a return to lasting peace. He also noted that, despite the return of Burundi to the international stage and the lifting of economic and individual sanctions by several of its bilateral and multilateral partners, **the human rights situation has not improved**. He also made **additional recommendations** to the authorities and to the international community, including refocus the activities of the National Intelligence Service on the traditional missions of such a service; ensure that political parties, civil society organizations and the media can engage in legitimate activities in complete freedom and security, in an environment of political tolerance; and support the financing of the humanitarian response plan.

*22 September:* Interactive Dialogue mandated in resolution 52/29 on an interim oral update of the High Commissioner on the situation of human rights in **Belarus** in the run-up to the 2020 presidential election and in its aftermath.

### General Debate

*20-21 September: General Debate under Agenda Item 3.*

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