

## HUMAN RIGHTS COUNCIL – 54th SESSION

### Overview of Week 3 (25 -29 September 2023)

During the **third week** of the 54th session, the UN Human Rights Council will continue with the consideration of reports and oral updates under **Agenda Item 4**<sup>1</sup>. During this week the Council will hold interactive dialogues on the situations of human rights in Ukraine, Venezuela, and Myanmar. It will also commence considerations under **Agenda Item 5**<sup>2</sup>. Likewise, the Council will start the adoption of the Universal Periodic Review's outcomes of France. In addition, the Council will convene four panel discussions on key themes, including **integration of gender perspective, youth, and human rights, cyberbullying against children, and the Rights of Indigenous Peoples**.



#### Panel discussions



25 September: **Annual discussion on the integration of a gender perspective throughout the work of the Human Rights Council and that of its mechanisms**. Theme: Revisiting gender parity and its contributions to the integration of gender into the work of international human rights bodies, including the Human Rights Council and its mechanisms.

26 September: **Biennial panel discussion on youth and human rights**. Theme: Young people's engagement with climate change and global environmental decision-making processes.

27 September: **Panel discussion on cyberbullying against children**.

27 September: **Annual panel discussion on the rights of Indigenous Peoples**. Theme: Impact of social and economic recovery plans in the context of the COVID-19 pandemic on indigenous peoples, with a special focus on food security.

#### Agenda Item 4: Presentation of Reports and Interactive Dialogues



25 September: Interactive dialogue with the Independent International Commission of Inquiry on the situation of human rights in **Ukraine** stemming from the Russian aggression (oral update).

25 September: Interactive dialogue with the independent international fact-finding mission on the **Bolivarian Republic of Venezuela** on a written report.

[A/HRC/54/57](#): The report contained the findings of the independent international fact-finding mission on the Bolivarian Republic of Venezuela. The report focuses on an analysis of gross human rights violations and crimes committed by the State apparatus and its mechanisms of repression and restrictions on civic and democratic space; and on the establishment of the Directorate of Strategic and Tactical Actions, as part of the Bolivarian National Police in July 2022. This represents the continuation, in terms of structure, command, and modus operandi, of the Special Action Forces. The mission documented human rights violations such as crimes against humanity, arbitrary detention, torture, and sexual violence. Among others, the FFM recommended the Government conduct prompt, effective, thorough, independent, impartial, and

<sup>1</sup> Human rights situations that require the Council's attention.

<sup>2</sup> Human rights bodies and mechanisms.

transparent investigations with respect to all violations and crimes documented in the mission's reports; and to ensure that the rights to freedom of expression and opinion, association, peaceful assembly, as well as the right to participate in public affairs of the entire population are respected and protected.

*26 September:* Interactive dialogue on the report of the Office of the High Commissioner on the situation of human rights in **Myanmar**.



### Agenda Item 5: Presentation of Reports and Interactive Dialogues

*28 September:* Interactive dialogue with the Expert Mechanism on the **Rights of Indigenous Peoples** on its annual report.

[A/HRC/54/52](#): The report focused on the **militarization of Indigenous Peoples' territories, lands, and resources considered one of the major challenges to the realization of their rights**. The Expert Mechanism provided **advice (Advice No. 16)** regarding the causes and consequences of militarization and its impact on the rights of Indigenous Peoples within the context of States' human rights obligations and responsibilities. States should promote the demilitarization of the lands, territories, and resources of Indigenous Peoples, as a contribution to the realization of the collective right to live in freedom, peace, and security as distinct peoples. States should ensure that Indigenous Peoples' territories are free of State military interventions and that military bases, camps, and training centers. States should respect internationally recognized human rights standards on the use of force when using law enforcement officials in Indigenous lands and territories. Finally, States should protect Indigenous Peoples, especially Indigenous rights defenders, ensuring that they are not subject to intimidation, harassment, acts of violence, killings, enforced disappearances or criminal prosecution when asserting the rights of their peoples in situations where Indigenous lands are militarized and/or in situations of armed conflict.

*28 September:* Interactive dialogue with the Special Rapporteur on the **rights of indigenous peoples, José Francisco Calí Tzay**. Green financing, a just transition to protect the rights of Indigenous Peoples.

[A/HRC/54/31](#): In the present report, the Special Rapporteur on the rights of Indigenous Peoples, José Francisco Calí Tzay, focused on the **impact of green finance on Indigenous Peoples and addressed the social and environmental safeguards needed to protect their rights**. The shift to green finance is necessary and urgent, and if done using a human rights-based approach it can be a source of opportunity for Indigenous Peoples to obtain funding to preserve their lands, knowledge, and distinct ways of life, and to create economic opportunities that may help them to maintain and strengthen their indigenous identity. **A just green transition will require that States and other financial actors break down the power asymmetries** that continue to characterize aid and development financing and involve Indigenous Peoples, Indigenous women in particular, as equal stakeholders in the finance process and foster true cooperation and solidarity. The SR set a list of **recommendations to States, donors, investors, and funders**. Among others, States should protect Indigenous Peoples from human rights abuses by business enterprises and financial actors within their territory or jurisdiction; secure their land rights, and demarcate their ancestral lands and territories to protect them from encroachment, land-grabbing, and other forms of unauthorized exploitation.

[A/HRC/54/31/Add.1](#)<sup>3</sup>: **Visit to Denmark and Greenland from 1 to 10 February 2023**. The visit highlighted that **Greenland** is an inspiring example of the implementation of Indigenous self-determination for many Indigenous Peoples worldwide. However, the Inuit people in Denmark and Greenland still face many challenges in fully enjoying their individual and collective rights. Structural racism against Inuit people is often the result of the legacy of colonialism and the lack of policies and remedies to address it. The Special

<sup>3</sup> As of 24 September, only the Advance Edited English Version is available.

Rapporteur considered as a priority for the Governments of Denmark and Greenland to embrace reconciliation processes in order to address the legacy of colonialism and racism and, with Inuit participation, design effective remedies and policies. He also urged the Government of Greenland to strengthen wide-reaching inclusive consultations with the participation of the Inuit people in the development of laws, policies, and action plans.

[A/HRC/54/31/Add.2](#): **Visit to Canada from 1 to 10 March 2023**. The visit aimed to provide relevant information and updates on the human rights situation of Indigenous Peoples in Canada, and concrete recommendations to address existing gaps. The Government of Canada has made significant progress over the 10 years since the previous visit of the SR. The Special Rapporteur commended the Government for its proactiveness on Indigenous issues in international forums, its constructive collaboration during the visit and its open acknowledgment of remaining challenges. Canada can serve as an example for other countries with regard to acknowledging the historical and ongoing harms against Indigenous Peoples and to advance reconciliation. However, the Government must address, as a priority, the deep-set, systemic and structural racism affecting Indigenous Peoples and, without further delay, put into practice the calls issued by the Truth and Reconciliation Commission, the National Inquiry into Missing and Murdered Indigenous Women and Girls and other thematic commissions. The Special Rapporteur also recommended that Canada take the following actions in respect of collaboration, cooperation and consultation with Indigenous Peoples, including representatives of non-status and off-reserve people. Other recommendations were related to residential schools; child welfare system; missing and murdered Indigenous women and girls; gender-based discrimination in the Indian Act; overincarceration and access to justice; treaties and self-government agreements; impact of business activities and climate change on Indigenous Peoples; and, economic, social and cultural rights.

*28 September*: Interactive dialogue with the [Human Rights Council Advisory Committee](#).

[A/HRC/54/47](#): The report of the HRC Advisory Committee focused on the **impact of new technologies intended for climate protection on the enjoyment of human rights**. Climate change is one of the biggest threats that humanity faces, requiring a global solution. States have human rights obligations to prevent, to the greatest extent possible, the current and future negative impacts of climate. Human rights standards and obligations apply to all climate action and should guide decision-making and risk assessment related to the potential deployment of new technologies. Without an adequate protection framework, it is hard to envisage how technologies aimed at manipulating climate could be developed and used for the good of humankind. Existing proposals and low-cost technologies that address climate change and its drivers should be considered.

The report also set **recommendations to States, policymakers and international community, as well as to the Human Rights Council, special mechanisms and the OHCHR**. In particular, States to be human rights compliant should rapidly phase out fossil fuels through viable, scientifically proven technologies and approaches. States should rigorously apply the precautionary principle and develop and conduct meaningful, comprehensive risk, human rights and environmental impact assessments. The OHCHR should identify a set of international guidelines or operative standards on the development, testing and potential deployment of all speculative technologies in relation to human rights that allows States to implement the precautionary principle.

[A/HRC/54/70](#): Advancing racial justice and equality by uprooting systemic racism Report of the Human Rights Council Advisory Committee.

*28 September*: Interactive dialogue on the Secretary-General's report on **cooperation with the United Nations, its representatives, and mechanisms in the field of human rights**.

[A/HRC/54/61](#): The report highlighted activities, policy developments and good practices within the United Nations system and beyond to **address intimidation of and reprisals against those seeking to cooperate** or having cooperated with the United Nations, its representatives and mechanisms in the field of human rights. The Council condemned all acts of intimidation and reprisal committed by Governments and non-state actors against such individuals and groups. Victims of intimidation and reprisals have been subjected to serious human rights violations, including arbitrary arrests and detention, torture and ill-treatment, and even rape.

The report included observations on and recommendations for addressing and preventing intimidation and reprisals, and information on allegations of intimidation and reprisals. The United Nations has a collective responsibility to prevent and address intimidation and reprisals, guided by the principle of “do no harm” and a victim- and survivor-oriented approach. The primary responsibility to prevent and address reprisals ultimately rests with Member States.

## General Debate

*26-27 September: General Debate under Agenda Item 4.*

*29 September: General Debate under Agenda Item 5.*

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