

HUMAN RIGHTS COUNCIL – 54th SESSION

Overview of Week 5 (09 – 13 October 2023)

During the **fifth and final week** of the 54th session, the UN Human Rights Council will continue considering reports and oral updates under **Agenda Item 10¹**, including the **situation of human rights in Ukraine, DRC, Cambodia, Haiti, Somalia, CAR, Georgia, and Yemen**. These are followed by a **general debate**. Finally, during the last three days (11 – 13 October 2023) of the 54th session, the Council will take action on 38 draft proposals.



Agenda Item 10: Technical assistance and capacity-building



09 October: Interactive dialogue on an oral update of the High Commissioner regarding the findings of the periodic reports of OHCHR on the situation of human rights in **Ukraine**. Cooperation with and assistance to Ukraine in the field of human rights.

09 October: Enhanced interactive dialogue on a comprehensive report of the High Commissioner on the situation of human rights in the **Democratic Republic of the Congo**. Technical assistance and capacity-building in the field of human rights in the Democratic Republic of the Congo.

A/HRC/54/76: The report provided follow-up and outcomes of the implementation of the national strategy on transitional justice. The team of international experts welcomes the trust, openness, and willingness to engage in dialogue shown by the people, their traditional and religious leaders, and civil society, who shared their experiences and knowledge of the complexity and nuances of the situation in the Democratic Republic of the Congo. As far the **juvenile justice** is concerned, international experts noted the lack of specialized judges and adequate facilities for the social reintegration of children who have committed or been victims of crimes. They also noted that growing insecurity in the interior of the country is compromising the deployment of judges, accentuating the absence of the State in certain areas. The independent experts made **recommendations** on the conceptualization, articulation, and communication strategy regarding the transitional justice policy and the fight against impunity; prevention of impunity; consideration of victims at all stages of the process; and conflict prevention and guarantee of non-repetition.

A/HRC/54/73²: The report presented an overview of the human rights situation in the Democratic Republic of the Congo. The report highlighted key human rights developments and assessed the progress made in implementing the HC's recommendations. Despite the overall decrease in the number of human rights violations and abuses by State and non-state actors during the reporting period, the human rights situation in the country was impacted by increasingly deadly attacks by armed groups, targeting civilians, especially the most vulnerable, such as internally displaced persons, and resulting in human rights abuses and violations of international humanitarian law. The Government continued to face major challenges in fulfilling its primary responsibility to protect civilians within its territory. Despite progress in fighting impunity, the documented number of victims of **conflict-related sexual and gender-based violence** increased. The HC remained worried about the democratic and civic space including the disproportionate use of force against peaceful demonstrations; arbitrary arrests; the detention of political opponents, members of citizens' movements and human rights defenders; and threats and attacks directed against journalists and members of civil society. The HC urged the Government to **guarantee the protection of human rights and freedoms of all, including freedoms of opinion, speech, and peaceful assembly, as well as freedom from arbitrary detention, ill-treatment, and torture; take appropriate steps to prevent and redress sexual violence and bring the perpetrators to justice, provide victims with comprehensive assistance and facilitate their access to remedies.**

¹ Agenda Item 10: Technical assistance and capacity-building.

² As of 05 October, only the English Advanced Version is available.

09 October: Interactive dialogue on an oral update of the High Commissioner on technical assistance and capacity-building for **South Sudan**.

09 October: Interactive dialogue with the Special Rapporteur on the situation of human rights in **Cambodia**, **Vitit Muntarbhorn**.

[A/HRC/54/75](#): **The theme of the present report was “Electoral vibrations and generational reverberations”.** The report described developments in the period leading up to the July 2023 national elections, which was vibrating with uncertainty, from the angle of human rights and democratization. That progression is linked with the actual and potential transfer of key portfolios in the governmental field to the next generation, especially the close relatives of those already in top ranks of power, with the ensuing reverberations at the ministerial level. In conclusion, the SR made **recommendations to the Government, the next generation of leaders, to civil society and other stakeholders, and UN and international community.** In particular, the new generation of leaders should commit to human rights, democracy, peace and sustainable development premised on international law, interlinked with the principles set out in the human rights treaties; and the Government should rectify discrepancies concerning the elections and address the vulnerabilities of specific groups and tackle violence and discrimination, bearing in mind gender sensibility and the intersectionality of concerns.

[A/HRC/54/75/Add.1](#): Comments by the State.

10 October: Interactive dialogue with the Independent Expert on the situation of human rights in **Somalia** on their report, **Isha Dyfan**.

[A/HRC/54/78](#): The report presented information on the human rights situation in Somalia based on extensive desk research and regional consultations with various stakeholders, a review of relevant reports and data, and information submitted by various actors following a call for contributions. This is because the Independent Expert was unable to visit the country owing to the lack of formal acceptance of a visit by the Government of Somalia. The Federal Government has embarked on reform measures to build its federal and state institutions and constitutional and legal framework in line with democratic values and principles, including human rights. However, the measures have been fraught with the challenges of ongoing conflict. The Independent Expert regretted that **human rights concerns, including progress on the legislative agenda to strengthen the human rights framework for the protection of civilians, in particular women and children, have not been prioritized to ensure accountability.** No progress has been made in relation to minority and marginalized communities and persons with disabilities. Violations against children as a result of the continuing conflict by armed groups and the offensive by the Government and its international partners, front-line States, and clan militias, have been observed. The Independent Expert **recommended** that the Government, in cooperation with international partners and stakeholders, should continue to strengthen national and local reconciliation mechanisms to reduce clan violence and establish a civilian casualty tracking system to ensure accountability; strengthen the rule of law, accountability, and transitional justice; ensure respect for freedom of opinion and expression, assembly and association, children’s rights and promote youth empowerment; promote rights of people with disabilities and women’s rights and gender equality in all aspects of society; and finally promote ECOSOC rights, including access to health care, water, sanitation, hygiene and an adequate standard of living.

[A/HRC/54/78/Add.1](#): Comments by the State.

10 October: Interactive dialogue with the Independent Expert on the situation of human rights in **the Central African Republic** on their report, **Yao Agbetse**.

[A/HRC/54/77³](#): Rapport de l’Expert indépendant sur la situation des droits de l’homme en République centrafricaine. **Situation des droits de l’homme en République centrafricaine.**

³ As of 05 October, only the French Advanced Version is available.

10 October: Interactive dialogue with the High Commissioner on the interim report on the technical assistance and capacity-building to improve the human rights situation in **Haiti**, in connection with a request from the authorities of Haiti for coordinated and targeted international action.

A/HRC/54/79⁴: The report provided **findings** on the situation of human rights in Haiti. **The human rights situation is dire.** Armed gangs commit major abuses. The State, weakened by corruption and poor governance, offers limited protection. **Prisons are inhumane and the judiciary is largely dysfunctional.** Haitian authorities should strengthen performance and monitoring systems in all institutions to ensure the integrity and competence of officials must be a priority; address the special vulnerabilities of women, children, and other groups in vulnerable situations; and weaken the power of the gangs over the population by offering young persons access to basic services and ensuring the enjoyment of their rights is essential to reducing the cycle of violence in Haiti. The State must increase its efforts to prevent **sexual violence** and to support medical, psychosocial, legal, and economic services for survivors. Aid programs should prioritize enhancing the oversight capacity of Haitian institutions with the aim of building a culture of accountability and integrity and include time-bound results. The international community should provide assistance in investigating and prosecuting gang violence, financial and organized crimes, corruption, and gender-based violence.

10 October: Presentation of the High Commissioner/Secretary-General country reports and oral updates, **Cambodia, Yemen, and Georgia.**

A/HRC/54/80: Cooperation with Georgia.

The report highlighted **human rights developments** during the 2022-2023 period and the challenges to be addressed. It also provided an update on the main human rights issues in Abkhazia, Georgia, the Tskhinvali region/South Ossetia, Georgia, and adjacent areas in Tbilisi-controlled territory. The OHCHR recommended the Government of Georgia to continue implementation of the Law on the Rights of Persons with Disabilities; ensure an enabling environment for civil society and the media to take steps to prevent violence against journalists; and, intensify efforts to combat gender-based discrimination and violence. OHCHR reiterated also its support within the framework of the Geneva International Discussions to improve the human rights situation on the ground.

A/HRC/54/72⁵: Advisory Services and technical assistance for Cambodia.

The report outlined the activities and achievements of the OHCHR in assisting the Government and the people of Cambodia in the promotion and protection of human rights. The Secretary-General stressed the need to adopt a human rights-based approach to strengthening economic development and protecting the civic and democratic space necessary for the exercise of fundamental freedoms. It called upon the Government to allocate the maximum of its available resources to realize **economic and social rights, as well as civil and political rights**; to establish **gender-responsive social protection**; and to adopt an adequate legal framework that provides effective recognition of and protection for the rights of **Indigenous peoples.**

A/HRC/54/74⁶: Technical assistance and capacity-building for Yemen in the field of human rights.

The present report provided an overview of the technical and capacity-building assistance that the OHCHR provided to the **National Commission of Inquiry to investigate allegations of violations and abuses committed by all parties to the conflict in Yemen.** This mechanism is one of the few to address impunity in the country. It is critical for the Government of Yemen to ensure that it is structurally and functionally independent, impartial, and transparent in assessing the conduct of all parties to the conflict. The OHCHR listed recommendations to all parties of the conflict, the Government of Yemen, the attorney general of Yemen, the Supreme Judicial Council, and the National Commission of Inquiry. In particular, they should cooperate with each other, and with the NCI; and they should take adequate and effective measures to protect victims and witnesses. They should ensure prompt, impartial, and effective investigation into and prosecution of all cases of human rights violations and abuses and of violations of international humanitarian

⁴ As of 05 October, only the English Advanced Version is available.

⁵ As of 05 October, only the English Advanced Version is available.

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law in line with international standards, and determine clear, objective, and transparent criteria for the prioritization of cases while the armed conflict is still underway; and ensure that all trials, whether in civilian or military courts, are held in line with international norms and fair trial standards.

General Debate

10- 11 October: General Debate under Agenda Item 10.

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