



GENEVA CENTRE FOR HUMAN RIGHTS  
ADVANCEMENT AND GLOBAL DIALOGUE

## UNITED NATIONS HUMAN RIGHTS COUNCIL

### Interactive Dialogue with the Special Rapporteur on Truth, Justice, Reparation, and Guarantee of Non-Recurrence

#HRC60 • 10 September 2025



#### PRESENTATION OF THE THEMATIC REPORT

**Mr. Bernard DUHAIME, Special Rapporteur (SR) on Truth, Justice, Reparation, and Guarantee of Non-Recurrence**

The SR introduces his thematic report on **documentation of gross violations of human rights and serious violations of international humanitarian law**. More specifically, this thematic report examines the expectations, state of affairs, and lessons learned concerning the collection, mapping, recording, preservation, and archiving of information, evidence, and testimonies of gross violations of human rights and serious violations of international humanitarian law.

The comprehensive documentation of such violations is crucial for the successful implementation of transitional justice mechanisms. **Adequate documentation** supports positive outcomes in the implementation of truth-seeking initiatives. Such as the search for the missing persons, accountability processes, and reparation programmes. It also helps maintain accurate accounts of past violations, thus promoting mutual understanding and preventing possible distortions of historical facts, which in turn furthers peace and reconciliation.



International law places a duty on States to **investigate and elucidate the truth** about serious human rights violations, help us to preserve evidence and archives, memorialise and prevent the development of denialist themes about them. To fulfil these duties and adequately support transitional justice aims, documentation processes must be prompt, comprehensive, inclusive, participatory, context-specific, victim-centred, and gender-sensitive.

The adoption and discharge of adequate documentation processes ensure the legitimacy, credibility, and coherence of transitional justice measures and the veracity of the information on which they are based, thus providing a solid foundation for the transitional justice system and a powerful antidote against the **manipulation of historical facts**, which can lead to the resurgence of social divides and violence.

Although the information generated by documentation initiatives constitutes the backbone of many transitional justice processes, they are rarely prioritised and is often overlooked in the design, financing, implementation, and monitoring of transitional justice systems. This can lead to **serious failings in national processes** to deal with past abuses, such as reports from truth commissions that present an incomplete depiction of the scale and breadth of human rights violations, stunted criminal investigations, reparation programmes that exclude entire categories of victims, and negationist memorialisation processes that foster division and risk the recurrence of violence. Faced with state inaction, **civil society** frequently takes a leading role in all advancing documentation efforts, but lacks adequate backing from donors and other actors. The report points to the concerning challenges observed in documentation as a result of inadequate investment and attention to this matter, including:

- The insufficient recording and mapping of gross human rights violations and the insufficient collection of testimonies of victims and witnesses.
- The lack of measures to safeguard evidence and information about these violations.
- The deliberate and or unintended destruction or tampering of documentation relating to these violations.
- Delayed documentation which leads to the loss of evidence and testimony due to the passage of time or exposure to extrinsic factors such as emergencies or natural disasters.
- The impeded access to records of these violations due to restrictions or obstacles imposed deliberately or sometimes inadvertently by states, international organisations, and non-state actors.
- Serious capacity and resource constraints of national, international, and civil society actors engaged in documentation efforts.
- Inadequate safety measures to protect victims and witnesses who can provide testimony and evidence of these violations.

Documentation has received **limited attention in traditional justice processes**. At the same time, the importance and effectiveness of documentation processes are increasing due to the availability of new technologies and methods that facilitate the collection and analysis of information. The international community has begun to recognise the importance of documentation efforts and decided to establish international investigative mechanisms in certain contexts. However, in most traditional justice contexts, **documentation is still an afterthought** for national and international actors.



To conclude, Mr. Bernard DUHAIME calls on states, the international community, and donor institutions to ensure that processes of documentation of serious human rights violations are integrated as a core element of traditional justice strategies and that commensurate material and human resources are assigned to this task.

The SR recalls that this should not be perceived solely as a technical exercise, but as a human rights imperative and a **prerequisite for realisation of truth, justice, reparation, memorialisation, and non-recurrence**. Today's thematic report offers concrete guidance for states, civil society partners, and international actors to ensure that documentation is adequately embedded in traditional justice processes from the inception to completion.

### US GOVERNMENT SANCTIONS

The SR seizes the opportunity to unconditionally **denounce the US government sanctions** against Ms. Francesca ALBANESE, Special Rapporteur on the Occupied Palestinian Territories. Mr. Bernard DUHAIME expresses his full solidarity with his colleague. Sanctioning a Special Rapporteur appointed by the UNHRC **violates international law and is a direct attack on the integrity of the human rights system**, including Special Procedures as a whole. Mr. Bernard DUHAIME calls on all states to act decisively to denounce these sanctions and refuse to carry them out. He also calls on the United States to immediately withdraw these illegal sanctions.

### FUTURE PLANNED ACTIVITIES

In his **annual report**, Mr. Bernard DUHAIME highlights the activities carried out over the past year and inform about the status of country visits planned and requested. The SR seizes this opportunity to express his gratitude to Brazil for welcoming him on an official visit and for their exceptional cooperation, as well as to **Guatemala**, the **Marshall Islands**, and **Nepal** for extending invitations to visit in 2025 and 2026. The SR regrets that the restrictions placed on the availability of the regular budget prevented the organisation of a second country visit in the reporting period and hopes to be able to schedule the visit agreed upon as soon as possible, subject to the availability of funds. The SR also inform that his next year's thematic report will be devoted to addressing the **challenges of negationism, revisionism, and politicisation of transitional justice**, as well as the question of **emerging technologies** in the context of transitional justice.

### PRESENTATION OF COUNTRY VISIT REPORTS

The SR presents the report on his visit to **Brazil** carried out from 30 March to 7 April 2025 to assess the measures adopted by the government to address the serious human rights violations committed during the **dictatorship from 1964 to 1985**.

In country visit report, the SR underscored the positive initiatives identified in the fields of **truth-seeking, reparation, and memorialisation**, particularly the work carried out by the Special Commission on Political Deaths and Disappearances, the Amnesty Commission, and the National Truth Commission. The SR notes nonetheless that their restricted mandates affected the scope, particularly regarding the categories of victims addressed.



On the other hand, the SR expresses serious concerns about the lack of criminal accountability for serious human rights violations committed in this period, particularly as a result of the application of the **Amnesty Law of 1979**. The failure to address the incompatibility of this Law with Brazil's human rights obligations remains a core barrier to truth, justice, reparation, and guarantees of non-recurrence in Brazil.

The **lack of legal consequences for past abuses** has reinforced a culture of impunity and established conditions for repetition. This challenge is compounded by the insufficiency of security sector reforms, the concerning militarisation of education in certain parts of the country, and the **lack of history teaching** about the dictatorship in some states. The lack of a comprehensive transitional justice process to deal with the aftermath of the dictatorship has regrettably led to the recurrent attacks on democracy, human rights, and the rule of law.

The alleged coup attempt of January 2023 and the continuity of state violence against marginalised groups demonstrate the dangerous effects of an **incomplete transitional justice model** and the urgent need to settle accounts with the past to avoid recurrence. To correct this path, Brazil must urgently implement the transitional justice package proposed in the final report of the National Truth Commission and the recommendations contained in the country visit report.

### REPLIES AND CONCLUDING REMARKS

Mr. Bernard DUHAIME is pleased to note that his report is so well received by almost the totality of the delegations that participated in the interactive dialogue. He stresses once more that **documentation is a priority** that needs to be addressed from the **outset of all transitional justice processes**, but also sometimes before the transition occurs when armed conflicts or massive human rights violations are still ongoing. This is not just a technical exercise. This is an obligation that states have to comply with. It is imperative for the realisation of the human rights of the victims, but it is also imperative for the full realisation of truth, justice, reparation, and guarantees of non-recurrence.

With regard to the **ways to overcome the lack of documentation** when there is no cooperation by certain states, this shall not delay the documentation of human rights violations even if there is a lack of cooperation on the ground. It is essential that international initiatives be undertaken, including the excellent examples of the numerous commissions of inquiry and other investigative mechanisms set up by the UNHRC. It is also imperative that states, the international community, and donors support those civil society organisations that are on the ground and are undertaking these documentation efforts because when the state is not doing it, **civil society organisations are doing it at great risk**, often risking their lives and taking other important risks for people around them. They need support and help.

Regarding the steps that the UNHRC could take to implement the recommendations that are contained in the thematic report, in particular to **fulfil the documentation gap**, it is important that the UNHRC considers taking bold steps - it could even be a resolution in this sense - to emphasise the need to **ensure the collection, mapping, recording, preservation and archiving, and transmission of this information** which results from documentation efforts. The UNHRC could also encourage states that are exposed to these situations to act promptly, to initiate the documentation process even if transitions have not been completed. The UNHRC





could also ensure that the different **documentation mechanisms** it has established, including commissions of inquiry, receive adequate resources and political support to complete their work.

Turning to **technological advancements** and innovative means as well as artificial intelligence, these are elements that are raised in the current report referring to the promising technological developments in the field of documentation, including in the field of the digitalisation of evidence and archives, as many of the delegations have explained in their statements, and as recommended by different entities, the SR is not the only one making these forms of recommendations, as the Inter-American Court has also suggested the same, among others. The SR anticipates that his next thematic report to the UNHRC will address specifically how these new technological innovations may help not only documentation but also transitional justice efforts in general.

With regard to victims' participation, a **victim-centred and a gender-sensitive approach**, it is essential that these documentation processes, from the very beginning, implicate victims and civil society in the planification of these documentation efforts and their implementation, and this be done in a transparent manner in order to strengthen the credibility of these processes and to instore a culture of trust. This is especially necessary in the context of sexual crimes and similar types of violations where a gender approach is necessary in the planification of these strategies, in the type of analysis that is carried out which is sensitive to specific issues including intersectionality, for example, and trying to understand the different ways in which gender amplifies the type of violations that are suffered.

Regarding **education and training**, there are standards that address this, including the Minnesota Protocol, the Istanbul Protocol, the Mendez Principles, civil society organisations, academia and so forth are relevant in this field. As far as the current **difficulties of documenting violations in Gaza**, this reiterates the importance of supporting international initiatives, including the Commission of Inquiry set up by the UNHRC, as well as the international judicial initiatives of the ICJ, the ICC, but mostly the initiative of civil society organisations, which are under sanctions as well today. The lack of previous transitional justice initiatives in the region illustrates well why this time transitional justice needs to take place once the conflict has ended, but the **conflict needs to end now**.

#### **VIEWS EXPRESSED BY BRAZIL AS CONCERNED COUNTRY**

The delegation of **Brazil** reaffirms the country's commitment to democratic values, the defence of the rule of law, and human rights. Brazil understands that a full democracy must be anchored in the right to truth and memory, transitional justice, reparation for victims and their families, and measures to prevent serious human rights violations from reoccurring.

Between 1964 and 1985, Brazil lived under a military dictatorship. In the decades since the end of that period, Brazil has witnessed the leading role played by families and survivors committed to the consolidation of truth, memory, and justice. It was in this context that the federal constitution was created, known as the Citizen's Constitution.

In 1990s and 2000s, the state adopted several measures aimed at **enforcing the right to memory and truth**, among which Brazil highlights:

- The establishment of the Special Commission on Political Deaths and Disappearances in 1995, dedicated to analysing cases of fatal victims and compensating their families.
- The Amnesty Commission in 2001, with the aim of compensating victims whose labour rights had been violated.
- The National Truth Commission in 2011, the first official initiative dedicated to investigating crimes of military dictatorship with its own team of researchers, which resulted in an internationally recognised report in 2014, when it included its work.

Given the relevance of the issue, in 2023, the present Lula administration established the Special Advisory Office for the Defence of Democracy, Memory, and Truth under the Office of the Ministry of Human Rights and Citizenship. In the same year, Brazil resumed the work of the **Amnesty Commission**, which has already reviewed more than 80,000 requests for political amnesties. Since the Commission was established, granting financial reparations and formal apologies on behalf of the State to recognise victims. It is important to highlight the **granting of collective political amnesties** in favour of historically marginalised groups or communities that were affected by the military regime for political reasons, such as Krenak and Guarani-Kaiowás Indigenous communities, immigrant communities, residents, and Quilombola communities.

In 2024, Brazil reinstated the **Special Commission on Political Deaths and Disappearances** and approved the rectification of death certificates of people who were killed or disappeared during the military dictatorship, recognising them as violent, unnatural deaths caused by agents of the Brazilian State in the context of systematic persecution. Brazil resumed the search for the disappeared and the analysis of the skeletal remains from the clandestine burial sites in the district of Perus in the city of Sao Paulo, which resulted in the identification of two political figures who had disappeared.

The **Places for Memory Project** aims to fill a historical gap in the surveys of sites in connection with the dictatorial past, including places associated with the repressive alliances between South American dictatorships, so-called Operation Condor. Some of these sites will be marked with signs identifying their relevance to national history and Mercosur. The government has also supported initiatives to **establish memorials** at sites identified for their significance, including the Clandestine Torture Centre, known as the Petropolis House of Death in the state of Rio de Janeiro.

Reinforcing the principles of the Durban Declaration, the International Decade for People of African Descent, and recognising that transitional justice in the country encompasses historical justice relating to slavery and structural racism, a specific area has been created to address the **memory and truth about slavery in the Transatlantic Slave Trade**. In this context, places in connection with this chapter of history will also receive signage, such as the Valongo Wharf (*Cais do Valongo*) in Rio de Janeiro, which is now a UNESCO World Heritage Site. The Valongo Wharf is the largest port of arrival for enslaved Africans in the Americas and a **symbol of violence and slavery in Brazil**.



In closing, Brazil reiterates its commitment to multilateralism and to the UNHRC Special Procedures, a commitment that is reflected in the progress made in complying with the recommendations of the National Truth Commission. Brazil values the SR's country visit report and his recommendations, which will be carefully considered by Brazil as a tool to strengthen policies of memory and truth, reparation, justice, and measures of non-repetition in the country.

## INTERACTIVE DIALOGUE

### Views Expressed by State Delegations

**Afghanistan** recalls that since the military takeover, the Taliban have engaged in widespread and systematic violation of fundamental human rights. They have sought to conceal their crimes by destroying or falsifying documentary evidence, intimidating witnesses, and obstructing any form of independent investigation. Such actions not only deny justice to countless victims, but also undermine the very foundations of transitional justice, which requires transparency, inclusivity, and a victim-centred approach. Women and girls in Afghanistan bear the heaviest burden of these violations. Minorities, journalists, human rights defenders, and civil society organisations also face tremendous repression, silencing, and voices that are indispensable for documenting abuses and preserving collective memory. Afghanistan emphasises that the prompt and rigorous collection of information, evidence, and testimonies is indispensable to establishing the truth, providing reparations, and guaranteeing non-reputation. Yet the Taliban have consistently denied victims any enabled right to truth and justice. Afghanistan therefore urges the international community to redouble its efforts to support independent mechanisms that self-regard evidence, amplify the voices of victims, and ensure that accountability is not denied. Justice must prevail, and impunity must never be allowed to take root.

**Albania** stresses that ensuring the truth, justice and reparation is fundamental to the dignity of the victims of gross human rights violations and essential to building lasting peace and reconciliation. Truth-seeking mechanisms such as registration, mapping and preservation of archives and testimonies are indispensable tools for restoring the dignity of the victims and ensuring accountability. In Albania, the creation of the Authority for Information on Former State Security documents and opening the documents of the former state security was a difficult but necessary step. This process allowed the victim to learn the truth, foster public dialogue and help dismantle the culture of impunity. The Albanian experience confirmed the importance of victim-centred, inclusive and gender-sensitive documentation supported by strong confidentiality and security guarantee. To conclude, Albania supports the SR's call to embed robust, inclusive and victim-centred documentation in transnational justice strategy.

**Argentina** has reaffirmed its agreement with a comprehensive policy of memory, truth, and complete justice. The idea is not like the past, with one eye closed, but rather two eyes wide open. The idea is to look comprehensively on the 70s. This is not to create relativity between responsibility. To the contrary, the idea is to strengthen the truth to ensure that this never happens again and to seriously undertake the international commitments we made. This means to continue with investigations and with the trials for crimes against humanity. It means to protect archives and documents and testimonies of everything that happened. Because without memory, there is no truth. Without truth, there is no justice. And without justice, there is no



possibility of democracy. This is not a luxury. This is essential in transitional justice. It is a guarantee into itself of non-repetition. As highlighted in the thematic report, all documentation must be kept in a database that is, as is in the case of Argentina, in the headquarters of the armed forces and the federal justice system to ensure that nothing is destroyed or altered and that this must be protected for the trials today and tomorrow. Argentina further underscores the full force of the defence archive system. It is solid. It is robust. It ensures the comprehensive preservation of all of the documentation. This contributes to compliance with international duties by the Argentinian State in its primary task of fully protecting human rights.

**Armenia** highly values the report's emphasis on victim-centred approaches and agrees that the recording and mapping of serious human rights violations can further peace and reconciliation. Armenia recalls that last year during his visit to Armenia, previous mandate holder acknowledged the country's progress in providing reparations to victims of the past repression to the families of soldiers and civilians affected by multiple conflicts. Armenia reiterates its long-standing support for this mandate, which remains crucial in advancing truth, justice, reparation and guarantees of non-recurrence in situations of conflicts. In closing, Armenia emphasises the importance of strengthening this mandate to ensure full realisation of the rights and dignity of the victims. Armenia looks forward to further cooperation with the SR.

**Azerbaijan** agrees with the SR that comprehensive documentation of gross human rights violations and serious violations of international humanitarian law is crucial for the successful implementation of transitional justice mechanisms. For over three decades, Azerbaijan has endured gross violations of international law, including acts of genocide, widespread ethnic cleansing, de-enforced disappearances, and the forcible displacement from their homes. Uncovering truth, condemning gross violations of human rights and international humanitarian law, ensuring the accountability of providing and providing redress to victims are not only important, but must be the logical outcomes of the documentation efforts. The recently issued draft agreement on the establishment of peace and interstate relations between the Republic of Azerbaijan and the Republic of Armenia addressed this issue by including through the exchange of all available information about missing persons and enforced disappearances, acknowledging the importance of investigating the fate of those persons, the search and return of remains, and ensuring justice through proper investigations as a means of reconciliation and building confidence. Azerbaijan firmly believes that addressing past violations and ensuring good faith cooperation are essential foundations for building trust and achieving lasting reconciliation.

**Bangladesh** appreciates the SR's comprehensive report on the documentation of gross violation of human rights and serious violation of international humanitarian law. Taking note of the emphasis of the report on embedding documentation as a core element of transitional justice strategy, Bangladesh considers that comprehensive, inclusive and victim-centred documentation processes are essential to building trust, fostering reconciliation and preventing the recurrence of violence. Equally critical is the call to ensure the safety and dignity of victims, witnesses and other stakeholders engaged in documentation efforts. Bangladesh notes the report's reference to international standards and good practises as well as the role of civil society, the National Human Rights Institution and the Truth Commission. Bangladesh further notes that the state needs to assume the primary responsibility in ensuring transparent, accessible and accountable documentation processes while the partners in the international community should





provide technical and financial support. Finally, Bangladesh underscores the importance of addressing resource constraints, capacity building and access to archives so that transitional justice processes are credible, inclusive and sustainable.

**Belgium on behalf of the Benelux countries** underlines that the preservation and availability of evidence plays a key role in guaranteeing the right to truth and inclusive memorialisation efforts. The Benelux countries share the SR's view that the documentation and the collection of evidence of violations and abuses of human rights need to be prompt, comprehensive, inclusive, participatory, context-specific, victim-centred and gender-sensitive. Documentation processes guided by the highest international standards are essential not only for the effectiveness of judicial and non-judicial accountability processes, but also for their credibility. This is especially true in transitional justice contexts. The Benelux countries stress the importance of the work done by the Truth Commissions, civil society and the investigative mechanism, and we strongly condemn all attempts to hinder or hamper their work. As mentioned in the report, civil society plays a vital role in the documentation of human rights violations. The Benelux countries are deeply concerned about the findings on the physical, digital and judicial retaliation against documenters of human rights violations, including victim associations and call on all stakeholders to adopt effective protection measures.

**Bolivia** agrees with the SR on the value and importance of mechanisms for documentation to ensure the credibility and coherence in the search for truth, accountability, and institutional reform. Bolivia created by law a Truth Commission to shed light on serious human rights violations that were based on political and ideological stances in Bolivia between 1964 to 1982. In 1972 to 1984, eight tomes were produced that include investigations on human rights violations. Further, after the numerous massacres that took place in November of 2019 during the Jeanine Anez government, the Inter-American Commission on Human Rights put together the Interdisciplinary Group on Independent Experts for Bolivia. They issued a report on the violence and human rights abuses. Among other recommendations, they called for support for initiatives in civil society to commemorate and preserve the memory of what has happened without imposing single versions on the facts.

**Cameroon** appreciates the SR's thematic report and considers it as extremely instructive for the collection of data in the area of transitional justice. Cameroon is deeply committed to international mechanisms and the fourth pillar of transitional justice in line with the recommendations. In this regard, Cameroon is working to put in place an inclusive participative approach focused on the victims whilst shoring up institutional and community capacities. For instance, the National Committee for Disarmament, Demobilisation, and Reintegration put in place in 2018. Up until today, it has hosted more than 3,400 ex-combatants in its sentence. This process is supported by new initiatives supporting documentation, local mediation, and sustainable reintegration working with local stakeholders. Cameroon is also glad to note the priority placed on preserving archives, protecting witness statements, and training those responsible for handling documents. The efforts conducted by administrations allow a structured collection of sensitive data, avoiding re-victimisation. Welcoming the importance placed on guarantees of non-repetition, indispensable for sustainable peace, Cameroon has adopted a Presidential Plan for Reconstruction focussed on social cohesion, rehabilitation of infrastructure, and economic recovery.



**Chile** thanks the SR for the conclusions and recommendations on the documentation of serious human rights violations and international humanitarian law. Its own national experience leads Chile to agree with the SR on the vital role played by civil society in taking good care of documentation and ensuring that there is non-repetition for victims. Truth commissions have been key when it comes to ensuring legitimacy of the transitional justice processes. They allow for the establishment of a common truth and they favour the darning of social fabric. Chile further stresses the role of press in revealing serious violations of human rights. In this connection, Chile voices its concern over the critical situation of journalists and communications workers in Gaza. More than 250 professionals have died. This is one of the most lethal conflicts for those in this profession. This is another way in which the blockade of humanitarian assistance imposed by Israel has hindered the proper documentation of international humanitarian abuses. In particular, Chile underscores the difficulties for documenting the use of hunger in Gaza as a weapon of war. Chile calls upon Israel to lift this blockade and the international organisations to grant technical assistance that will ensure due documentation of the violations committed since 2023, facilitating the process of transitional justice with a focus on the victims and their families.

**China** always stands up against any act violating humanitarian law and human rights. Recourse to fair reparation is vital for everyone. No state or government can be allowed to falsify or distort history. China calls on all countries concerned to honour effectively their human rights commitments and to take effective action to curb serious racial discriminations, xenophobia, violations of the rights of refugees and migrants, and poor treatment of Indigenous children, as well as to carry out thorough investigations for accountability and reparation. As regards the countries and regions which are faced with the challenge of reconstruction after conflict, China calls on authorities to work for transparent, reliable, and responsible accountability. China considers that the work of the international community should be based on the United Nations Charter, which is an international legal standard embodying universally recognised legal principles such as sovereignty, security, and territorial integrity of all countries, thereby respecting the countries concerned which promote transitional justice processes in the appropriate ordered fashion without any external intervention.

**Colombia** appreciates the SR's valuable report and supports the recommendations formulated therein. The country agrees with the SR that the rigorous documentation and its preservation are essential pillars for ensuring truth, justice, reparation and non-repetition in judicial transitional justice processes and during conflicts and occupation. The protection of testimonies, proof, evidence and information are important for clearing up judicial processes and the identification of the victims as the centrepiece of this. Following up on the duty of memory of the state, Colombia has created registries, protocols and archives that recognise the diversity of voices in a conflict, guaranteeing the participation and respect for free speech. However, there are still significant challenges such as access to classified intelligence information, the risk of destruction and loss of community archives, barriers to access, and risks for vulnerable communities. In this connection, Colombia asks the SR what best practices may be applied to improve the documentation of sensitive violence such as sexual violence during armed conflict in order to ensure safe and controlled access to intelligence files and to mitigate the risk of false information by AI.



**Costa Rica** there should be more attention paid to documentation for the process of transitional justice. Rigorous and early documentation of human rights violations is not a simple technical exercise, but rather it is a crucial pillar for accountability. It is the voice of the victims. It is the historic memory. It is an essential tool for justice. Furthermore, it is to ensure that atrocities do not occur anew. Promotion and protection of human rights cannot be disassociated from a respect for the dignity of the victims. However, Costa Rica underscores that this is an important work and there must be sensitivity to gender, ensuring that the voice of women and girls with a frequency disproportionately affected in conflict and post-conflict situations not be made invisible. In the session of the Council, Costa Rica and Qatar are working together on a resolution on the protection and promotion of human rights for women and girls in situations of conflict and non-conflict to ensure justice reparations and indemnity for the victims.

**Egypt** stresses the imperative of documenting serious violations of human rights and international humanitarian law as well in the context of transitional justice. National sovereignty shall be preserved and processes of transitional justice adopted to be implemented also in the post-conflict period. It is essential as well that we bear in mind the national-specific context. National institutions must be supported as well as the collection of evidence without any manipulation. The Israeli aggression against the Palestinian people and its relentless targeting of the civilian population and journalists qualify as violations of international law. This aims at hiding the truth and weakens international efforts deployed to support the people, innocent people. Egypt requests the SR how can the international community ensure documentation in cases such as the conflict experienced in the OPT, when journalists and media are targeted and muzzled.

**El Salvador** recognises truth, justice and reparation as well as the guarantees of non-repetition. These are essential pillars for consolidating peace and healing the wounds of the past. Along these lines, El Salvador has implemented meaningful progress that reflects its political will, strengthening the mechanisms for search for disappeared individuals through the national commissions and through the National Registry for Disappeared Individuals. A clear example of the state's commitment to truth and justice is an ongoing case which has allowed for the prosecution of those responsible for the execution of a group of Dutch journalists in 1982 in the context of the civil war. Likewise, El Salvador is moving forward with reparation measures that are symbolic, such as the recent inauguration of the Memorial Garden for Disappeared Childhood. These efforts reflect the commitment of El Salvador to the victims and their family members. The country reiterates its willingness to maintain ongoing cooperation in good faith with the Special Procedures, and in particular with this mandate.

The **Gambia** conveys its gratitude to the SR for a timely report that rightly places documentation at the heart of transitional justice. While the capacity and delivery of the UN's human rights accountability mechanisms and systems have improved over time, there nonetheless remains an insufficient focus on the needs, hopes, and rights of victims, especially their right to remedy, redress, and reparation. From its very inception, the Gambia's transitional justice strategy made a conscious decision to prioritise a victim-centred process with documentation efforts shaped by victims' voices while considering their psychosocial, cultural, gender, and disability needs. By combining truth-telling, reparations, and accountability, the Gambia is now cited as a model by the UN Peacebuilding Support Office (UNPBSO) for embedding victims' rights and participation at the core of transitional justice. Notwithstanding shortcomings in the preservation of certain



physical sites, such as the former National Security Agency premises at the early stages of the Gambian transitional justice process, corrective measures were subsequently put in place. In addition, the Truth Commission archives have been secured and are currently being digitised in cooperation with the United Nations and ECOWAS. The National Assembly has adopted the Special Prosecutor's Office Act and the Special Accountability Mechanism Act, ensuring that documented evidence is properly channelled into prosecutions. In April 2025, the Gambian President inaugurated the Victim Reparation Commission, which now provides an institutional framework to support victims and preserve their testimonial. In closing, the Gambian Delegation asks the SR to elaborate on how the UNHRC could promote the uptake of a victim-centred approach in national transitional justice processes.

**Guatemala** praises the SR's work and values the documentation on human rights violations. This is a crucial pillar when it comes to ensuring processes of truth, justice and reparation. Cognizant of the historic challenges that remain in the area of reparation and recognition, President Bernardo Arévalo of Guatemala reaffirms his commitment to move toward national reconciliation, giving dignity to the memory of the victims, and ensuring non-repetition. In this framework, in February 2024, Guatemala saw the beginning of the process of drafting the National Plan for Bringing Dignity and Reparation to Civilian Victims. This was built in a participative manner with victims' organisations. The Plan takes into account three pillars centred around dignity and comprehensive reparation, which are culturally relevant and sustainable. This includes a national registry for victims and the digitalisation of archives. It also includes a national Plan for the Search of the Disappeared, which also encompasses consultations with the families and a democratic memory with acts of recognition and public apologies. Guatemala has agreed to accept an official country visit of the SR, which will contribute to enriching the national dialogue and will also provide guidance that strengthens collective efforts to generate a true and lasting reconciliation.

**Honduras** reiterates the commitment of the government of President Xiomara Castro and of the State with transitional justice. Honduras is aware of the importance of documenting serious violations of human rights. Without serious documentation that is rigorous, then this system is undermined as it does not have a key basis for driving the actions that bring clarity and truth, guaranteeing comprehensive reparations to victims from the state. Honduras is driving forward strategies to guarantee access for the victims to truth and justice. This includes a programme for memory, truth, reparation, justice, repetition and non-repetition with holistic transitional justice system with transforming impact. Honduras enacted the Law on Secrets and a DNA database that is aimed at strengthening forensic investigation and effective justice. Given this progress, Honduras concludes its statement by reaffirming its will to continue to work through multilateral cooperation to strengthen the international response and ensure that the victims of human rights violations have effective access to transitional justice.

**India's** commitment to the protection and promotion of human rights is firmly anchored in its strong democratic credentials and supported by robust constitutional and institutional frameworks. An independent judiciary, a free and vibrant media, and an active civil society continue to play a vital role in monitoring and ensuring India's full compliance with its human rights obligations and commitments. In further strengthening its criminal justice system, India has undertaken historic reforms through the enactment of legislations effective from 1st July



2024 that have replaced the British era laws. This comprehensive modernisation reflects India's determination to deliver justice in a responsive, transparent, and equitable manner. The new framework seeks to guarantee access to justice and fair compensation for victims while ensuring that the rule of law applies equally to all citizens, without exception. India also upholds its obligations under international humanitarian law through the Geneva Conventions Act 1960, which incorporates core IHL principles into domestic law and provides for punishment of grave breaches of the Geneva Conventions. Through inclusive policies, collective efforts, and the active participation of all stakeholders, India continues to make significant strides towards ensuring a life of equality, dignity, and justice for every individual.

**Libya** extends its gratitude to the SR for his thematic report, which highlights the need for well-documenting serious violations of human rights and international humanitarian law in post-conflict societies. It is necessary to guarantee transitional justice, notably in societies which seek to restore democracy. Transitional justice is essential for a peaceful transition in the political realm. Libya is fully committed to this process in order to ensure truth and non-repetition. In this connection, the country underscores the need to ensure reconciliation, and Libya's ongoing efforts are going exactly in this direction. International mechanisms for finding facts and restoring justice must be allowed to do their work in order to render justice to victims.

**Lithuania jointly with Lithuania and Poland** (the Lublin Triangle) fully concur that documentation is critical for justice and echo the SR's call for cooperation between states, civil society, and international organisations towards ensuring accountability. For example, the act of aggression committed by the armed forces of the Soviet Union against the independent state of Lithuania on 13 January 1991 was well documented. This contributed to a conviction of 67 foreign citizens for war crimes and crimes against humanity. However, accountability was difficult to ensure, as competent Russian authorities refused all cooperation, actively harboured the perpetrators, and initiated criminal proceedings against the impartial judiciary of another sovereign state. Today, Ukraine faces full-scale Russian aggression with atrocities committed daily. Documenting these crimes is vital to ensure justice and prevent impunity. A key tool in this regard is the register of damage established under the auspices of the Council of Europe. With 44 states and the EU already participating, the Lublin Triangle strongly encourages other states to join these efforts and support the compensation mechanism that must follow. The Lublin Triangle asks the SR to share his insights on ways to overcome the non-cooperation of certain states in the efforts to ensure accountability.

**Malawi** welcomes the emphasis placed on timely, inclusive and victim-centred documentation as a cornerstone for transition justice. At the national level, Malawi continues to strengthen its institutions for accountability and reconciliation such as the Malawi Human Rights Commission, the Office of the Ombudsman, the Legal Aid Bureau, the Peace and Unity Commission among others in monitoring and documenting violations, expanding access to community-based justice through paralegals and integrating civic education and memorialisation efforts to ensure that past harms are neither forgotten nor repeated. Malawi is also working towards digitising records and improving archiving systems so that evidence is preserved and accessible to victims, families and researchers. Malawi takes note of the SR's call for embedding documentation processes from the outset of transitional justice initiatives, and asks the SR to provide further guidance to



states with limited technical and financial capacity such as Malawi to ensure that documentation processes remain credible, comprehensive and sustainable.

**Malaysia** recognises the importance of the promotion of truth, justice, preparation, and guarantees of non-recurrence as key components in advancing accountability and reconciliation. Malaysia believes that transitional justice measures must be tailored to each country's unique context and at the national level, with due consideration given to the diversity of the social, political, and economic landscape of each state. Malaysia concurs with the SR that documentation of gross violations of human rights and international humanitarian law is essential to ensuring the credibility, coherence, and effectiveness of the transitional justice process. Malaysia agrees that embedding and archiving of documentation should be prioritised from the outset, not only as a technical exercise, but as a human rights imperative in the continuous pursuit of justice. Furthermore, Malaysia calls for the SR's urgent attention to the magnitude of atrocities inflicted upon Palestinians in Gaza, where the sacrosanct principles of international law continue to be violated by Israel. Malaysia calls for unimpeded access for UN investigative mechanisms and fact-finding missions to the OPT as efforts to document Israel's violations are clearly being obstructed. In this regard, Malaysia encourages the SR to work closely with other relevant mandates, including the COI on the OPT and the Special Rapporteur on the situation of human rights in the OPT. This is essential in the context of ensuring coherence and complementarity in documenting violations committed by Israel and, more importantly, pursuing accountability on behalf of the victims.

**Mali** notes with great concern that the collect of information on flagrant violations of human rights and serious violations of IHL still are confronted by numerous challenges linked to insecurity, terrorism, transnational crime, the loss of evidence or information due to slow collection of data, destruction or falsification of archives and poor preservation of archives. To correct this, Mali's government has created a Truth, Justice, Reconciliation Committee nationally with two mandates, namely participative, inclusive involvement in investigations of serious violations as well as building proposals for reparations. There are around 16 emblematic cases where new work has been required. The country has put in place a new authority to help victims and a centre for promoting peace and unity in Mali focused on preserving the memory of serious human rights violations during various crises in Mali. To conclude, the country shares the idea that institutionalisation of the collection of data on serious human rights violations is a decisive factor in the transitional justice process in order to ensure truth, justice, reparations and a guarantee of non-repetition.

The **Marshall Islands** appreciates the SR's thematic report, which highlights documented gross human rights violations and serious breaches of international humanitarian law and advances justice and reparations. Between 1946 and 1958, 67 known nuclear tests took place in the Marshall Islands, causing intergenerational harm to their people, their culture, and their environment. These tests left behind a legacy of displacement, illness, and cultural loss that continues today, yet full transparency on these events and their consequences remains elusive. Many records remain classified or poorly documented, undermining efforts towards truth, justice, and reparations, and denying affected persons and entire communities their rights where these are concerned. Documentation goes beyond record-keeping. It is about recognition, truth, justice, accountability, guarantees of non-recurrence, and memorialisation. Moreover, the



Marshall Islands strongly support the SR's call for a victim-centred approach. Recognising the victims, their families, and their communities' testimonies are not only vital pieces of evidence, but also the foundation for truth-seeking and reparations. The Marshall Islands urge the international community to strengthen efforts to preserve archives, make records accessible, and advance truth-seeking initiatives in the context of transitional justice to achieve meaningful healing and reconciliation. The late Tony de Brum, a legend for nuclear justice, once said - 'There can be no closure without full disclosure.'

**Morocco** welcomes the attention paid to the documentation of serious human rights violations in transitional justice contexts. Morocco attaches particular importance to truth, justice, reparation and guarantees of non-repetition. The country counts among the first countries in the Arab and African regions to undertake a comprehensive transitional justice process through the Equity and Reconciliation Commission. This national initiative led to the acknowledgement of past violations, individual and collective reparations, the preservation of memory and far-reaching institutional reforms. Morocco is fully aware that time is a challenge to the pursuit of truth. It is precisely for this reason that Morocco acted early and decisively with the intent of closing a painful chapter of its history in a spirit of unity, accountability and democratic consolidation. This commitment continues today through the strengthening of national institutions including the National Human Rights Commission and three national mechanisms dedicated to the prevention of torture, the protection of children's rights and the rights of persons with disabilities. In closing, Morocco reaffirms its commitment to cooperation with the Council's mechanisms in a spirit of constructive dialogue, mutual respect and sovereignty, and it will continue to share the Moroccan experience and contribute to the collective efforts to promote peace, justice and reconciliation.

**Nepal** stresses that the effective conclusion of transitional justice processes with guarantee of non-recurrence is essential to ensure sustainable peace in post-conflict situations. A timely, credible and systematic documentation process is indispensable to deliver truth and justice to the victims. Nepal has successfully completed its home-grown peace process in victim-centric approach. Following the appointment of the office bearers in last May, the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP) are carrying out the last-mile works of the transitional justice process in close consultations with the victims. The government looks forward to the visit of the SR to Nepal in March 2026, which will be an opportunity to observe the progress made towards concluding transitional justice and ensuring sustained peace in the country.

**Paraguay** has learned that memory and truth are essential elements when it comes to strengthening democracy and the rule of law. Paraguay has made progress in the preservation of historic files tied to past violations, putting them under judicial custody to protect them and ensure access to them. This effort reflects Paraguay's commitment to transparency and to the need for future generations to have access to complete and truthful tales of what happened as a preventative measure, given the possibility of denialism. There should be a victim-centred focused approach with a focus also on historically marginalised communities, as indicated in the report. The Paraguayan Commission on Truth and Justice offers a concrete example as it makes visible the specific realities of Indigenous groups, women, and other groups, underscoring how these populations are particularly exposed to vulnerability during the period under study.



Paraguay also reaffirms that international cooperation and the strengthening of capacity-building are essential when it comes to ensuring that the documentation initiatives contribute effectively to truth, justice, and reconciliation. Given the budgetary limitations and technical limitations faced by many states, Paraguay would like to know which innovative operative mechanisms might be used for the preservation of the documentation and guaranteeing the access to this sensitive information.

The **Republic of Korea** welcomes the SR's report which underscores the imperative role of documentation in transitional justice processes. Preserving evidence through effective archiving, aided by technological innovation, is indeed key for the realisation of the right to truth and ensuring justice, reparation, and non-recurrence. The Republic of Korea, recognising the value of preserving historical memory, fully shares this conviction. The documentary heritage of the May 18th democratic uprising in Gwangju and the Jeju April 3rd archives are inscribed in UNESCO's Memory of the World Register. In addition, the Korean government is working together with the National Assembly to pass the amendment bill to establish the Third Truth and Reconciliation Commission this year. The Commission has made a significant contribution to social integration by conducting fact-finding investigations on incidents of past state violence, taking a victim-centred approach. With regard to the issue of comfort women, the Korean government will continue to strive to restore the honour and dignity of the victims and to heal their psychological wounds. South Korea will actively join in the endeavours of the international community to ensure that future generations learn lessons from the history and to prevent wartime sexual violence from recurring in the future. In closing, Korea reiterates its firm commitment to human rights, including truth, justice, reparation, and guarantees of non-recurrence, and takes this chance to reaffirm its continued support for the SR's work.

**Rwanda** thanks the SR for his thematic report, particularly his emphasis on documentation, which fosters mutual understanding and helps prevent distortions of historical facts. In Rwanda, the 1994 genocide against the Tutsi left the Rwandan society shattered, millions of lives lost, and communities destroyed. Truth, justice, reparation, and guarantees of non-recurrence became the foundation for restoring trust, unity, and dignity. The *Gacaca courts*, a homegrown transitional justice, uncovered the truth, ensured accountability, and promoted reconciliation. It delivered justice swiftly by addressing the immense backlog of genocide cases, trying about 1.9 million cases in just over a decade, a feat impossible for ordinary courts. The *Gacaca courts* upheld the rights of survivors and reintegrated those who showed genuine remorse, thus restoring social cohesion and advancing national healing. Rwanda enacted strong safeguards against recurrence, including laws against genocide ideology and hate speech, and designed education initiatives promoting *Never Again*. Rwanda continues to work with international mechanisms and partner states to pursue genocide fugitives, share experiences on transitional justice, and contribute to global conversations on atrocity prevention. Rwanda remains steadfast in its commitment to preventing recurrence through inclusive governance, promotion of social cohesion, and zero-tolerance for genocide denial, hate speech, and divisive rhetoric, and the country is open to share its experiences, aiming at making *Never Again* a reality.

**South Africa** concurs with the SR's view that comprehensive documentation of human rights violations is crucial for the successful implementation of transitional justice mechanisms and certainly supports positive outcomes in the implementation of truth-seeking initiatives. The





search for missing persons, accountability processes, reparations programmes, memorialisation efforts, and guarantees of non-recurrence. Indeed, documentation helps to maintain and disseminate accurate accounts of past violations, thus promoting mutual understanding and preventing possible distortions of historical facts for political reasons. It was in recognition of this crucial need that South African government appointed the Truth and Reconciliation Commission in 1996 to investigate and document cross-human rights violations committed within and outside South Africa during the apartheid period. The aim was not to just compile comprehensive documentation of the apartheid violations, but to ensure accountability and to foster the much-needed nation building and development following the attainment of freedom in 1994. South Africa supports the SR's call for states to solicit the support of national and international partners specialised on the subject if unable to document or preserve documentation related to these violations due to prevailing circumstances. In addition, states must adopt all necessary legislative, judicial, and administrative measures to prevent the deliberate destruction, degradation, and tampering of lots of evidence.

**Spain** points out that human rights violations should first and foremost be prevented, and when they happen, they should be duly documented since their very outset. Accountability and memory require that truth have light shined on it. An international justice system, international human rights protection system, and national mechanisms are all essential. International law and all cannot allow for impunity. As regards the genocide in Gaza, those responsible must be prosecuted and the Palestinian people be supported, including through documentation. Access to territory, truth, and testimonies by victims, by international mechanisms is essential when it comes to ensuring impartial investigations in the Middle East and in all parts of the world where human rights are violated. States must also undertake a process of self-reflection. Spain is commemorating 50 years of freedom. The instruments created by law and democratic memory, including access to documentation, are allowing Spain to shed light on the dark phase of the country's dictatorship, allowing for transitional justice to democracy, which is important for the youth. The importance of these instruments shall not be underestimated. Spain further appreciates the SR's incorporation of the gender perspective in the documentation of human rights violations.

The **State of Palestine** fully shares the SR's conclusion that documentation is the backbone of truth, justice, and non-reoccurrence. For the Palestinian people, this issue is not theoretical. The Palestinian people is enduring an ongoing genocide. Israel systematically obstructs documentation by destroying archives, bombing universities, cultural institutions, and media offices, concealing evidence, and withholding the bodies of Palestinian martyrs. It systematically denies access to UN mechanisms and blocks international journalists while deliberately targeting and killing Palestinian journalists who document atrocities on the ground. The killing of those who hold the camera is as grave as the destruction of the evidence they seek to preserve. Palestinian civil society organisations, the very actors the report recognises as indispensable, face constant reprisals. Instead of supporting their work, some states punish them. Most recently, the United States imposed sanctions on Palestinian CSOs for exposing crimes, adding to Israel's campaign of delegitimization. Such measures undermine the right to truth and emboldens impunity. The right to truth is inalienable. Yet for Palestinians, it is under direct attack. Therefore, the State of Palestine echoes the SR's call. States must ensure safe havens for



archives, protect documenters and journalists, and provide resources to preserve the memory and dignity of victims. Without documentation, there can be no truth, no justice, and no future free from reoccurrence. For Palestine, this matter is for survival.

**Sudan** thanks the SR for the recommendations, notably with regard to the importance of well-documenting evidence in order to ensure accountability, notably in countries experiencing conflict or crisis. This is vital in many different cases where there are complaints and lodged by victims in different jurisdictions. As regards Sudan, the Rapid Support Forces launched attacks, supported by certain countries, against the State and its Armed Forces. These are criminal acts. A Commission was created to investigate such crimes committed by the Rapid Support Forces.

**Switzerland** stresses that in recent conflict situations or where conflict continues, civil society with its deep knowledge of the local context and its proximity with the victims and witnesses is often best placed to collect evidence of violations. The rapidity of the action of civil society allows it to collect and preserve sensitive testimony and evidence before it might be lost or deliberately destroyed. In some contexts, non-governmental organisations or third states have used or provided safe spaces to preserve documents threatened with destruction. This is the case of Switzerland, which on the request of countries concerned, preserves secure digital copies of documents from Colombia, Guatemala and the Marshall Islands. Preserving such archives helps support evidence of the past. Switzerland cooperates, for example, with the [Akevot Institute](#), which allows access to archives as well as tools for informing the political debate, decision-makers, civil society and research. This cooperation helps shed light on historic documents on the Israeli-Palestinian conflict. Switzerland requests the SR to indicate specific measures that would allow for effective cooperation between governments and civil society in the area of protecting and preserving archives.

**Togo** believes that access to genuine information on violations of human rights is an essential, if not even a vital, step in finding truth and reconciliation. Togo calls on all actors to work together to lift the obstacles to collect data, preventing the destruction of archives, opacity in collection procedures, the non-inclusive character, and any kind of manipulation of data. In the case of Togo, the process of collecting data is conducted with the national Truth, Justice Reconciliation Committee, together with civil society, witnesses, and victims. Togo submitted a final report from this Committee on work that was done during investigations, including the involvement of the media. The collection process is also supported by a special programme for protecting both data and individuals. This process allowed the High Commissioner for Reconciliation and Ensuring National Unity to ensure calmly in 2014 the implementation of recommendations for the reparations programme with guarantees for non-repetition.

**Uruguay** highly values the SR's analytical focus on the victims and documentation as well as the crucial role played by civil society and the victims' associations. Uruguay has witnessed meaningful progress such as the investigation and punishment for serious human rights violations, the early efforts to put these items on the public agenda, the establishment of a normative framework for reparations, as well as the consolidation of memory policies and guarantees of non-repetition. However, Uruguay recognises the persistence of important challenges, which include ongoing obstacles on statutes of limitations for crimes committed during the civil-military dictatorship as well as the historic debt of moving forth with the issue of



access to archives that disappeared and human resources abuses in key institutions. Uruguay reaffirms its full willingness to comply with the mandate and contribute constructively to international efforts to ensure that truth, justice, reparation, and guarantees of non-repetition become tangible realities for all victims.

### Views Expressed by Intergovernmental Organizations and UN Entities

The **European Union** welcomes the report's focus on the documentation of gross violations of international human rights law and serious violations of IHL. The EU fully shares the view that documentation of crimes is as important in ongoing conflicts as in the future transitional justice processes, especially in the early stages of transition. Access to information and to justice, disclosure of records, use of new technologies and preservation of evidence in accordance with international standards remain a major challenge to ensure accountability and sustainable peace and to combat impunity. The EU supports process-related activities, such as documentation of violations and abuses and sensitisation efforts, including victim-centred and gender-responsive approaches in the design of transitional justice mechanisms and for the prevention of future violations. Meaningful participation of victims, encountering misinformation in a digital context, are also essential in comprehensive truth and reconciliation mechanisms in order to build democratic, inclusive and peaceful societies grounded in truth, justice, reparations, memory and guarantees of non-recurrence. The EU continues to support transitional justice efforts globally through various financial instruments for implementing partners. The EU invites the SR to further elaborate on how to provide better support the documentation through innovative means as a core component of such efforts.

The **Sovereign Order of Malta** appreciates the SR's thematic report and his focus on the role of religious institutions in documenting serious human rights violations. Due to their unique presence and close engagement with local communities, religious institutions often serve as indispensable partners in these efforts. This has been demonstrated in various contexts, such as in South Africa and Latin America. Although it has received limited attention, the documentation of gross human rights violations and serious breaches of international humanitarian law is essential for initiating and successfully carrying out transitional justice processes. In these troubled times, the proper implementation of these processes is crucial for conflict resolution and preventing future human rights and international humanitarian violations. In conclusion, the Order of Malta supports the SR's recommendation, especially regarding embedding documentation in transitional justice, strategy design, personal training, and ensuring documentation integrity.

**UN Women** welcomes the report's emphasis on integrating a gender perspective across documentation efforts. Documentation is vital for justice, central to truth-seeking, indispensable for reparations, and essential for exposing structural dimensions of violence and abuse, thereby guiding reform. It must therefore capture the experiences of women and girls and the role that sexual orientation, gender identity, and expression play in violations. One year ago, the *Abuelas of Sepur Zarco* from Guatemala, who serve as a powerful example of survivor-led documentation, attended the UNHRC in person. By courageously documenting violations and working with women's organisations, they built a case that revealed not only individual harms, but also the structural inequalities and discrimination that enabled them. The *Sepur Zarco* judgement was



possible because of the *Abuelas*' leadership in preserving memory and the support of civil society and international partners in gathering evidence. This shows that documentation is not only a tool for accountability, but also an act of empowerment and transformation. In partnership with Justice Rapid Response, UN Women has deployed over 200 gender experts, investigations, and other specialists to strengthen documentation in investigations mandated by the UNHRC and in national and international transitional justice mechanisms. UN Women stands ready to support the SR's mandate drawing on this experience and on its strong partnerships with civil society.

### Views Expressed by National Human Rights Institutions

The **Ethiopian Human Rights Commission** welcomes the adoption of the National Transitional Justice Policy in April 2024 and an implementation roadmap in June 2024. It further notes the preparation of draft proclamations to establish transitional justice institutions, an international crimes bill, and a strategy to engage victims and vulnerable groups. However, the Ethiopian Commission is concerned that the roadmap has not been fully implemented, including public consultations on the draft laws. The Ethiopian Commission continues to monitor, investigate, document, and report human rights violations and disseminate findings through thematic and annual reports. The Ethiopian Commission further supports civil society and victims' organisations in documenting human rights violations. Only a genuine, inclusive, victim-centred, and human rights compliant transitional justice process can ensure justice and non-recurrence.

The **Colombian Defensoría del Pueblo** states that despite complex times in Colombia, the system of truth, justice, reparation, and guarantee of non-repetition has made progress in documentation and punishment of serious human rights and crimes against humanity. Progress has also been made in registering and identifying thousands of the disappeared through its Search Unit. The Truth Unit has documented history of the country and three years ago put together its final report. Documenting is essential in the fight against impunity. Today, the challenge of these Units is to focus on effective trials for those responsible and efficient and pragmatic steps to be in line with the Peace Accords and not just lead to a case-by-case trial. Meanwhile, the armed conflict continues with growing violence by organised crime. The Colombian Ombudsperson's Office is monitoring the situation in the territories and has issued 338 warnings in nine years, which constitutes a great deal of preventative documentation. Efforts in Colombia to bring peace and put an end to violence have not ceased and will not cease.

### Views Expressed by Non-Governmental Organizations

**Centro de Estudios Legales y Sociales (CELS) - Asociación Civil** states that normally this debate addresses the issue of memory in the past. However, CELS today speaks of the urgency of activating present memory. In different places such as Gaza, there are indiscriminate killings, mass killings, forced displacement, the denial of crucial basic conditions for human survival. There is starvation and killing of people searching for food. CELS underscores the need for non-repetition, which is the basis of memory. Repetition of genocide does not mean that extermination should not be allowed. We must look at what there is in common, human extermination. CELS's mission is to alert that those events should never happen, but they are happening again now. The work in Argentina began at the same time as the disappearances. National and international reflexes to compile and protect documents, testaments, and archives





are the basis that made it possible for CELS to have its *Nunca Más* (Never Again) report and the prosecution of those responsible. In Israel, there are efforts to document what is going on. CELS calls upon the UN to protect these documents, to ensure that they are protected and to leverage them. They are the basis for truth and justice. CELS calls for urgent memory for what is happening now, as we shall not have to do this in hindsight.

**Conectas Direitos Humanos** draws the Council's attention to the absence of accountability and reparatory policies regarding violence perpetrated by the Brazilian state. As highlighted in the report, the grave human rights violations committed against Black and Indigenous peoples persist to this day, revealing the shortcomings of the traditional justice process. In this context, Conectas once again draws attention to the May 2006 crimes, one of the most brutal episodes of state violence since the country's re-democratization, in which more than 500 people were killed or disappeared at the hands of the Brazilian state. As indicated in the report, the absence of accountability for the past violations allows for the repartition of the president. Brazil continues to rank among the countries with the highest rates of police lethargy in the world, with the vast majority of the victims being Black Indigenous. As the SR recommended, Brazilian institutions must refrain from applying legal or political obstacles to accountability for serious human rights violations, such as amnesties or statutes of limitations. Crimes committed by the state, as the May 2006 crimes, must be recognised as serious human rights violations, not subject to statutes or limitations. The justice demanded today is not only justice for the mothers of the victims, it is the justice that democracy always treats itself in order to survive.

**Instituto de Desenvolvimento e Direitos Humanos (IDDH)** is a Brazilian NGO that has been promoting human rights education in Brazil and in Latin America for 21 years. IDDH appreciates the SR's work and his recommendations to Brazil in the field of education. As noted, although there are federal policies that foster the inclusion of human rights education in curricula, many provinces fail to comply and persecute educators who seek to implement them. Furthermore, practises such as creating and maintaining civic military schools in some states highlight this inconsistency. Both the Committee of the Rights of the Child and the SR on the right to education have already warned that such practises are incompatible with national and international standards on the rights of education. Regarding the report, IDDH highlights the important recognition of the historical violations against Indigenous peoples and people of African descent, which were aggravated during the dictatorship and persist today, revealing the limitations of transitional justice in Brazil. To build a society capable of confronting the truth of the past, ensuring reparations and non-recurrency in a future of justice and equality, IDDH urges the Brazilian state to include this broader perspective of the SR's report to the ongoing review of the National Plan of Human Rights Education.

The **Colombian Commission of Jurists (CCJ)** stresses that in the coming weeks, the Special Jurisdiction for Peace (JAP) will offer its first rulings. This has generated much expectation in Colombia, particularly by the victims, who hope that these decisions will ensure their rights to truth and justice. Issuing these first rulings will be also a test for restorative justice. It is hoped that the punishments will all be able to repair the damage caused to victims. It is important that the SR and the UNHRC undertake follow-up on the implementation of these rulings. Further, the CCJ expresses concern over the fact that the Chamber on Judicial Situations of JAP is granting benefits to the members of the Armed Forces, who are material authors of extrajudicial killings,



despite the fact that they were sentenced in the ordinary justice system for these crimes. The CCJ invite the SR to monitor the situation closely to ensure that a rigorous verification is undertaken regarding the requirements to have access to these benefits, particularly among those that are not considered to be the most responsible and to offer the benefits or impose upon them sanctions that do not contradict international standards for investigation and punishment.

**OIDHACO Bureau International des Droits Humains - Action Colombie** appreciates the SR's emphasis on the value of civil society in documenting human rights violations. The existence of this work allows for confidence among victims as well as for deep understanding of the context. Regrettably, there are often clear obstacles when it comes to undertaking this work, including lack of financial resources. Therefore, OIDHACO calls upon Colombia and all countries to redouble their cooperation and financial support to Colombian organisations participating in the search of truth, justice, and guarantees of non-repetition. Likewise, OIDHACO calls for the support of the UN system in Colombia. It is unconceivable to talk about guarantees of non-repetition while murderers and killings continue. According to the observatory INDEPAZ, so far this year 110 human rights defenders and social leaders and 31 of those who signed on to the Peace Accords were killed. It is essential that there be comprehensive implementation of the Peace Accords of 2016, in particular point 3.4 on protection and guarantees for human rights defenders. Nor is it possible to think of guarantees for non-repetition if one does not cast a light on the truth of those who are financing and benefiting from the conflict. Colombia must establish a legal framework to investigate quickly and timely the economic and political powers that benefit from the conflict.

The **International Commission of Jurists (ICJ)** concurs with the SR that the proper documentation of human rights violations and abuses is key, including for the right to an effective remedy and reparation, as in the case of Syria. The efforts of the IILM, the COI and civil society in documenting violations and abuses and preserving evidence is crucial for the transitional justice process. The ICJ calls on the Syrian interim authorities to ensure that this process brings truth, justice and redress for all victims and that there is no impunity for past and ongoing crimes. Transitional justice is also about establishing lasting governance structures that can fairly administer justice to address impunity. In Nepal, the ICJ has witnessed in the past days a general collapse in governance following demonstrations. While the situation is complex, some of the impetus reflects accumulated frustration at the state's failure to ensure good governance, address past violations, establish accountability and strengthen the rule of law. Thousands of serious violations of human rights and humanitarian law committed during Nepal's internal conflict remain unaddressed. The ICJ recalls that amnesties for crimes under international law are never appropriate, and condemns laws that foster impunity. Nepal's transitional justice law continues to allow for amnesties for certain crimes. The UN and international community should ensure their involvement in transitional justice processes does not serve to legitimise impunity.

The **Coordinating Board of Jewish Organisations** brings to the Council the voice of almost one million Jews uprooted from 11 Muslim countries in the Middle East and North Africa - one of the largest cases of ethnic cleansing in modern history. The speaker, Levana Zamir, is Jewish, born in Cairo. She was sent out with her parents and her six siblings in 1949 after all their property was confiscated. The only reason? Because they were Jews. The truth is that the Jews have been Indigenous to the region for more than 2,500 years. Under Islamic rule, they often lived as



*dhimmis*. In mid-20th century, persecution and expulsion uprooted nearly all of us. Today, they released a groundbreaking report documenting this disturbing history and \$263 billion in losses. The justice they seek is for the United Nations and the international community to acknowledge this historic injustice. They also seek reconciliation. Peace cannot be built on half-truth. In the spirit of Camp David Accords and Abrahamic Accords, the way should be paved for reconciliation and enduring peace through truth and justice for all.

The **Syrian Centre for Media and Freedom of Expression** appreciates the thematic report that highlights the challenges facing communities emerging from conflict like Syria. Syrians for years have suffered from gross violations and delay in oppression. The path of transitional justice perpetuates impunity and also denies truth for families of victims. There is concern that justice in Syria is selective. In the absence of a clear roadmap and that the mandate of the National Commission for Transitional Justice is confined to violations committed by an Assad regime, the genuine justice takes into account all victims without exception and taking into account all narratives without exclusion. The transitional justice should be premised on exposing truth, reparation and guarantees of non-repetition. Victims and civil society should participate in drafting and elaborating policies and laws. The Centre calls on the Syrian authorities and the Commission on Transitional Justice to focus on the crucial objectives and that the process should be Syrian-led to pave the way for just transition.

The **Resource Centre for Palestinian Residency and Refugee Rights** denounces that Israel has not only obstructed documentation, but to continue to perpetrate these violations, denying the Palestinian people their right to reparation for over 77 years of ongoing forced displacement and transfer, colonisation and apartheid. Furthermore, the reparations owed for the Israeli genocide, famine, forced displacement and transfer, wilful killing, wanton destruction and many other crimes committed in the Gaza Strip have been brushed aside and replaced with plans for ethnic cleansing and colonisation. Reconstruction alone is not reparations, nor does it ensure non-repetition and allows Israel to avoid its legal and financial obligations. The Centre calls on the SR to articulate what can and must be done by the UN and its member states and organs to ensure that the right to reparation, including voluntary repatriation, property restitution, compensation and, importantly, guarantees of non-repetition owed to the Palestinian people since the start of Israeli crimes in 1948 to the genocide today is fulfilled.

The **Global Institute for Water, Environment and Health** remains gravely concerned about the worsening situation in Sudan, where continued violence and external interference are undermining the path to peace, justice and sustainable development. The role of the United Arab Emirates in fuelling the conflict through supports that prolong hostilities and defend divisions directly contradicts the principle of truth, justice, reparation and guarantee of non-recurrence. Such actions not only exacerbate human suffering and displacement, but also erode prospects for reconciliation, inclusive governance and the realisation of the right to development for the Sudanese people. The Institute urges all actors, including the UAE, to end support that sustains arms conflict and instead contribute constructively to peace efforts, accountability and dialogue. The international community must remain firm in ensuring that external involvement does not undermine Sudan's sovereignty or the right of its people to peace, dignity and sustainable development.



GENEVA CENTRE FOR HUMAN RIGHTS  
ADVANCEMENT AND GLOBAL DIALOGUE

## FACTS & FIGURES ON ID PARTICIPATION

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