

[HRC44 | Key issues on agenda of June 2020 session](#)

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The UN Human Rights Council (the Council) will hold its [44th regular session](#) at Palais des Nations in Geneva from 30 June to 21 July 2020.

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Modalities for participation in HRC44

State delegations not wishing to enter the plenary room physically will be able to deliver their statements by pre-recorded video-message, as provided for under HRC decision 19/119. Similarly, NGOs in consultative status with ECOSOC will be given the opportunity to do the same insofar as interactive dialogues, panels and UPR adoptions are concerned. It won't be possible to hold "official" side events during the 44th session (online or in-person). Any events happening on the sidelines of the session will be considered independent events and won't be publicised in the Bulletin of Informal meetings by the Secretariat. Read [here](#) the information note by the Secretariat which is updated according to the latest information, and an [additional explainer](#) by HRC-net.

Human Rights implications of COVID-19

The High Commissioner will present an oral update on the human rights impact of COVID-19 at the 44th session, as mandated by the presidential statement [adopted](#) by the Council in May 2020. The presidential statement also calls on the High Commissioner to produce a report on the impact of the COVID-19 pandemic on the enjoyment of human rights around the world to be presented at the 46th session in March 2021.

In addition to their previously mandated reports, some mandateholders will present additional reports to address the impact of COVID-19 as related to their mandate, including the Special rapporteur on freedom of opinion and expression, [David Kaye](#).

#HRC44 | Thematic areas of interest

Here are some highlights of the session's thematic discussions:

Business and human rights

At this session, the Working Group on Business and Human Rights is expected to present reports on their activities over 2019, including a country visit to [Honduras](#) and on the theme of anti-corruption and the UN Guiding Principles (UNGPs). They are also meant to present groundbreaking guidance on human rights defenders and the role of business. ISHR expects that such guidance should provide companies with concrete

suggestions for how to engage human rights defenders in the development and implementation of their human rights policies. It is important that the guidance explains why this is not simply good practice, but is also aligned with the Guiding Principles' word and spirit - and thus should be widely mainstreamed for any company committed to the UNGPs.

There will tentatively be a resolution presented to renew the mandate of the UN Working Group on Business and Human Rights, as well as to welcome the thematic reporting.

Sexual orientation and gender identity

ISHR joined a coalition of 187 organisations to draw the attention of the Human Rights Council to [the situation of LGBTI persons and those who defend their rights in the context of the COVID-19 pandemic outbreak](#).

In line with [the call to action signed by 96 human rights experts](#), organisations working for the protection of the human rights of persons of diverse sexual orientation, gender identity and expression and sex characteristics (SOGIESC) globally urged States and stakeholders to ensure that this public health emergency will neither exacerbate existing prejudices, inequalities or structural barriers, nor lead to increased violence and discrimination against persons with diverse SOGIESC.

[The submission](#) also calls on governments and multilateral institutions to maintain transparency, and not sideline genuine civil society participation. It is essential that engagement of civil society and human rights defenders in UN bodies and mechanisms is maintained during, and following, the pandemic.

At this session of the Council, the Independent Expert on violence and discrimination on the basis of sexual orientation and gender identity will present his report on '[Practices of so called conversion therapy](#)'. The report discusses the impact on victims, the human rights implications and connection with violence and discrimination based on sexual orientation and gender identity, as well as measures adopted to prevent such therapies and to penalise or prosecute those who perform them and ensure remedies are provided to victims.

Reprisals

Reports of cases of intimidation and reprisal against those cooperating or seeking to cooperate with the UN not only continue, but grow. Intimidation and reprisals violate the rights of the individuals concerned, they constitute violations of international human rights law, and undermine the UN human rights system.

The UN has taken action towards addressing this critical issue including:

- Establishing a dedicated dialogue under item 5 to take place every September;
- Affirmation by the Council of the particular responsibilities of its Members, President and Vice-Presidents to investigate and promote accountability for reprisals and intimidation; and
- The appointment of the UN Assistant Secretary General on Human Rights as the Senior Official on addressing reprisals.

ISHR remains deeply concerned about reprisals against civil society actors who try to engage with UN mechanisms, and consistently calls for all States and the Council to do more to address the situation.

During the 42nd session, the Council [adopted](#) a resolution which listed key trends such as the patterns of reprisals, increasing self-censorship, as well as the use of national security arguments and counter-terrorism strategies by States as justification for blocking access to the UN. The resolution acknowledged the specific risks to individuals in vulnerable situations or belonging to marginalised groups, and called on the UN to implement gender-responsive policies to end reprisals. The Council called on States to combat impunity and to report back to it on how they are preventing reprisals, both online and offline.

Item 5 of the Human Rights Council's agenda provides a key opportunity for States to raise concerns about reprisals, and for governments involved in existing cases to provide an update to the Council on any investigation or action taken toward accountability to be carried out.

In line with [previous calls](#), ISHR expects the President of the Human Rights Council to publicly identify and

denounce specific instances of reprisals by issuing formal statements, conducting press-briefings, corresponding directly with the State concerned, publicly releasing such correspondence with States involved, and insisting on undertakings from the State concerned to investigate, hold the perpetrators accountable and report back to the Council on action taken.

Other thematic reports

At this 44th session, the Council will discuss a range of civil, political, economic, social and cultural rights through dedicated debates with the mandate holders, including interactive dialogues with:

- The Special Rapporteur on the right to **education**
- The Independent Expert on human rights and **international solidarity**
- The Working Group on the issue of human rights and transnational corporations and other **business enterprises** (includes recommendations from 2019 visit to Peru)
- The Special Rapporteur on extreme **poverty** and human rights
- The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental **health**
- The Special Rapporteur on contemporary forms of **racism**, racial discrimination, xenophobia and related intolerance
- The Special Rapporteur on extrajudicial, summary or arbitrary **executions**
- The Special Rapporteur on the rights to freedom of **peaceful assembly and of association**
- The Special Rapporteur on the promotion and protection of the right to **freedom of opinion and expression**

In addition, the Council will hold dedicated debates on the rights of specific groups including:

- The Special Rapporteur on **trafficking** in persons, especially women and children
- The Special Rapporteur on the elimination of discrimination against persons affected by **leprosy** and their family members
- The Special Rapporteur on the independence of **judges and lawyers**
- The Special Rapporteur on the human rights of **migrants**
- The Working Group on discrimination against **women and girls**
- The Special Rapporteur on the human rights of **internally displaced persons**
- The Special Rapporteur on **violence against women**, its causes and consequences
- The Independent Expert on protection against violence and discrimination based on **sexual orientation and gender identity**
- ID on the annual report of the SRSG on **Violence against Children** and ID on the annual report of the SRSG for Children and Armed Conflict

#HRC44 | Country-specific developments

China (Hong Kong and Uyghur regions)

Violations in China, especially those linked to freedom of association, were made even more clear during the government's efforts to respond to the COVID-19 epidemic. Authorities targeted journalists, whistle-blowers, human rights defenders, and even ordinary citizens, who wanted to share information about the epidemic and seek justice for the deaths of their loved ones. The OHCHR included some of these concerns in a statement about COVID-19's impacts in Asia, but ISHR urges the High Commissioner to speak out clearly and correct the dangerous narrative of an unambiguous 'success' in fighting COVID in China and worldwide.

The Chinese authorities continue to prioritise stability and national security above all. For these reasons, they have continued efforts to distract from their efforts to uproot the cultural and religious identity and rights of the Uyghur people and other Turkic Muslims, even while there is growing evidence that Western companies are benefiting from this repression. States should ensure continued calls for access to UN human rights experts, in line with last year's joint letter [condemning China's suppression of minorities](#). Finally, following nearly a year of protests - largely of peaceful civilians - the central government in Beijing launched an initiative to draft and pass [National Security Legislation](#) in Hong Kong. This alarming development was

foreshadowed by increasing police violence and use of chemical weapons; the arrest and [political prosecution of more than a dozen pro-democracy leaders](#); and further restrictions on the free press. Many activists, and the [European Parliament](#), are calling for UN Secretary-General António Guterres to appoint an envoy, rightly recognising that China's actions violate international agreements aimed at ensuring peace and security. The Human Rights Council, for its part, should play a leading role in coordinating a political push on China to withdraw the legislation and ensure that accountability, the rule of law, and the exercise of fundamental freedoms remain guaranteed in Hong Kong.

United States of America

Last week, the Council [held an urgent debate](#) and adopted a resolution in reaction to systemic racism and police violence in the US and elsewhere. ISHR joined the [calls](#) made by the families of George Floyd, Breonna Taylor, Philando Castile and Michael Brown and over six hundred human rights organisations from over 60 countries in [requesting](#) the Council to mandate a commission of inquiry for the situation of racism and police brutality in the United States. The UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the UN Working Group on Experts on People of African Descent had also voiced their support for an international commission of inquiry. They have [urged](#) the Human Rights Council to ensure the following outcomes from the debate: (1) the creation of an international commission of inquiry to investigate systemic racism in law enforcement in the United States; and (2) the creation of a thematic international commission of inquiry to investigate systemic racism in law enforcement globally, with a focus on systemic racism rooted in legacies of colonialism and transatlantic slavery. They stressed that "both measures described above are necessary and cannot be substituted for one another".

The adopted resolution tasked the UN High Commissioner for Human Rights and other independent human rights experts to investigate and report on systemic racism and police violence globally, specifically including the killing of George Floyd and related incidents. ISHR and its partners [call](#) on the Council to meaningfully address the systemic racism and oppression faced by people of African descent in the US and the rest of the world. To do so, it must ensure that:

1. Facts and circumstances of systemic violations are established, through an independent investigation, of systemic racism in law enforcement in the US and elsewhere;
2. Impartial mechanisms and processes for truth, justice and accountability exist and are effective; and
3. Measures for prevention and guarantees of non-recurrence of future violations are put in place.

Saudi Arabia

Women human rights defenders (WHRDs) have been in prison [for over two years](#), only because they demanded that women be treated equally as men, and no one has been held accountable for their torture. While the Council has sustained pressure on Saudi Arabia in 2019, it is essential that this scrutiny continues as the situation on the ground [has not improved](#). ISHR calls on all States to jointly call on Saudi Arabia to immediately and unconditionally release the WHRDs and drop the charges against them; and implement the bench-marks set out in the two joint statements delivered by [Iceland](#) and [Australia](#) in 2019, underlining that should these benchmarks not be met, more formal Council action would follow.

Saudi Arabia is running for Human Rights Council election in October 2020 and hosting the G20 in November 2020. These all provide windows of opportunity to push for the immediate and unconditional release of the women human rights defenders and all those detained for exercising their rights.

Venezuela

In September 2019, in two separate resolutions, the HRC asked OHCHR to prepare two new reports on the human rights situation in Venezuela, one including a specific focus on the human rights situation in the region of the Arco Minero del Orinoco. OHCHR will present these reports - as yet unpublished - at HRC44 followed by an interactive dialogue. In September 2019, several Venezuela allies at the Human Rights Council called upon Venezuela to fully implement prior recommendations made by OHCHR on the situation in the country. We will see if OHCHR is able to report any human rights progress. Accounts from Venezuelan NGOs over the last months have generally noted significant deterioration. HRC members will need to respond to the OHCHR

findings and consider follow up. The HRC's independent fact-finding mission on Venezuela - wholly separate from OHCHR - will report to the Council at its next session in September.

Nicaragua

The COVID-19 crisis has not prevented the Nicaraguan government from making further use of repressive methods to continue targeting released political prisoners, human rights defenders, as well as indigenous people and other social groups, and their relatives. In a rapidly-deteriorating human rights situation, the authorities' dangerous denial and inaction in the face of the pandemic have additionally fueled an alarming health crisis.

It is in this context that Council Members renewed a resolution on Nicaragua this week at the resumed 43rd session of the Human Rights Council. [ISHR joined Race and Equality and a number of national and international organisations in urging the Council](#) to ensure strong support for the resolution on the human rights situation in Nicaragua.

To ensure the international community is fully informed of the worsening national situation, the resolution requests the High Commissioner to prepare a report and two oral updates, the first of which should be presented at the Council's 44th session. On this occasion, States, in their dialogue with the High Commissioner, should urge Nicaragua to implement the provisions of the resolution, and fully cooperate with the UN and the Inter-American system to de-escalate the situation and ensure justice and accountability for victims.

Honduras

The Working Group on Business and Human Rights will present the report on its official visit to Honduras (carried out between the 19 and 28 August 2019). The purpose of the visit was to assess how the government and the business sector discharged their respective duty and responsibility under the UN General Principles to prevent, mitigate and remedy human rights abuses and negative impacts linked to business activity. According to the [end of mission statement](#), a significant number of human rights defenders who work for the respect and protection of human rights in the context of business activity have been arbitrarily arrested, intimidated, stigmatised, criminalised, threatened and some killed.

This was particularly evident in reference to those working in the field of extractive and hydro-electric industries. The murder of leading land, environment and indigenous peoples' rights defender Berta Cáceres, who had been campaigning against the construction of the Agua Zarca dam, is one case cited where impunity is ongoing. Individuals responsible for the killing have been tried and jailed. However, those suspected of planning the crime, including [senior management](#) from the company building the dam (DESA) according to the independent mission of experts GAIPE, have not been investigated or prosecuted.

Another Special Procedure expert - the Special Rapporteur on the independence of judges and lawyers - will also be presenting a report on its official visit to Honduras in August 2019. [After completion of the visit](#), he called on Honduras to take urgent action to end corruption and guarantee an independent judiciary, stressing that 'the justice system, as well as the political class' are being 'called strongly into question by the citizens'.

Burundi

The Commission of Inquiry on Burundi will present its oral briefing during the 44th session of the HRC. ISHR continues to remain highly concerned about the human rights situation in Burundi and its refusal to cooperate with the Council's mechanisms.

The work conducted by the CoI continues to provide critical oversight of the human rights situation in Burundi. This was especially the case before the recent presidential elections which took place on 20 May. The CoI called out the government of Burundi on the numerous pre-elections tensions and violations committed against civilians. They shared their concerns on the lack of independence and impartiality of the Independent National Electoral Commission - Commission électorale nationale indépendante (CENI) - as the official

guarantor for the proper conduct of these elections, particularly in light of the alleged irregularities in the distribution of voting cards and the non-disclosure of the final voters' rolls. The CoI also noted the refusal of the government to apply the World Health Organisation (WHO) recommendations on social distancing to prevent the spread of the coronavirus during the electoral campaign and at polling stations.

The work of the Commission remains vital as the country heads towards new leadership. It becomes more important than ever that the Burundian authorities cooperate with the Commission and other UN bodies and mechanisms.

Egypt

Seven UN experts have [expressed](#) concern about the collective and corrosive effects of Egypt's counter-terrorism laws and practices on the promotion and protection of human rights. They stated that "Despite repeated communications by UN experts over arbitrary detention of individuals, human rights defenders and activists, the Egyptian Government has not changed its laws of practice". The ["Terrorism Circuit courts"](#) in Egypt, are enabling pre-trial detention as a form of punishment including against human rights defenders and journalists, such as [Ibrahim Metwally](#), [Mohamed El-Baqer and Esraa Abdel Fattah](#), [Ramy Kamel](#), [Alaa Abdel-Fattah](#), [Patrick Zaky](#), [Ramy Shaat](#), [Eman Al-Helw](#), [Solafa Magdy and Hossam El-Sayed](#). All of the individuals that the Special Procedures and the High Commissioner have written about since September 2019 are still in pre-trial detention by these courts. Once the terrorism courts resumed after they were suspended due to COVID-19, they renewed their detention retroactively.

The government's response to the UPR in March 2020 demonstrated its lack of political will to address key concerns raised by States and to engage constructively with the Council. For example, the government [refused](#) to acknowledge the systematic and widespread attacks against defenders, the practice of torture and ill-treatment in detention centres, and to receive visits by Special Rapporteurs on torture and human rights defenders. The government claimed that no one is detained for exercising their rights, despite the fact that the UN Working Group on Arbitrary Detention [found](#) that arbitrary detention is a systematic problem in Egypt and could constitute a crime against humanity.

ISHR urges States to call on Egypt to immediately and unconditionally release all those detained for exercising their human rights, to stop using pre-trial detention as a punishment, and to take immediate measures to guarantee their rights to contact their families on a regular and continuous basis and to ease sending and receiving letters, food and medical supplies to them.

Philippines

The OHCHR issued its report ([A/HRC/44/22](#)) on the human rights situation in the Philippines, drawing on extensive engagement with and information provided by civil society in the country, the region and globally. The report refers to the killing of 208 human rights defenders, journalists and trade unionists, including 30 women, between January 2015 and December 2019. Confirming practices of vilification, criminalisation, restrictions of fundamental rights, as well as the continuing attacks including 'red-tagging,' the report notes existing impunity and the failure of domestic mechanisms to ensure accountability.

The presentation of this report provides an important opportunity for debate on the key findings, and to consider options for how to advance recommendations to address the government's violations of human rights overall, and restrictions on human rights defenders in particular.

This report and the subsequent resolution are part of a comprehensive strategy by defender coalitions in the Philippines; in complement, they are actively calling on local governments and the national legislature to take concrete steps to give greater visibility to and increase protection for defenders, including through the strengthening of legislative protections for defenders.

ISHR calls on the Council to take a stronger stance by adopting a resolution mandating an international investigative mechanism into the human rights situation in the Philippines.

Other country situations:

The Council will hold an interactive dialogue on the High Commissioner's annual report on 2 July 2020. The Council will consider reports on and is expected to consider resolutions addressing a range of country situations, in some instances involving the renewal of the relevant expert mandates. These include:

- Interactive Dialogue with the High Commissioner on the human rights situation of **Rohingya** people
- Enhanced Interactive Dialogue with the High Commissioner on the situation of human rights in the **Philippines**
- Interactive Dialogue with the SR on the situation of human rights in **Eritrea**
- Oral update by the High Commissioner on the situation of human rights in **Nicaragua**
- Interactive Dialogue with the SR on the situation of human rights in **Belarus**
- Interactive Dialogue with the High Commissioner on the situation of human rights in the Bolivarian Republic of **Venezuela**
- Interactive Dialogue with the Commission of Inquiry on **Burundi**
- Interactive Dialogue with the SR on the situation of human rights in **Myanmar**
- Interactive Dialogue with the Commission of Inquiry on the **Syrian** Arab Republic
- Interactive Dialogue with the SR on the situation of human rights in the **Palestinian** Territories occupied since 1967
- Enhanced ID on the oral reports of the Government of the **Sudan** and OHCHR on progress towards the opening of a country office
- Oral update of the High Commissioner on cooperation with **Georgia**

Adoption of Universal Periodic Review (UPR) reports

During this session, the Council will adopt the UPR working group reports on Armenia, Grenada, Guinea, Guinea-Bissau, Guyana, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Spain, Sweden, and Turkey.

ISHR supports human rights defenders in their interaction with the UPR. We publish and submit [briefing papers](#) regarding the situation facing human rights defenders in some States under review and advocate for the UPR to be used as a mechanism to support and protect human rights defenders on the ground. This session of the Council will provide an opportunity for [Turkey](#), [Kuwait](#) and [Guinea](#) to accept recommendations made in relation to human rights defenders, as proposed in ISHR's briefing papers.

#HRC44 | Council programme, appointments and resolutions

During the organisational meeting for the 44th session held on 12 and 15 June 2020, the President of the Human Rights Council presented the [programme of work](#). It includes five panels of discussion and [81 reports](#). States also announced at least 17 resolutions.

Appointment of mandate holders

The President of the Human Rights Council has [proposed](#) candidates for the following mandates:

1. Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of **hazardous substances and wastes**
2. Special Rapporteur on the promotion and protection of the right to **freedom of opinion and expression**
3. Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental **health**
4. Special Rapporteur on **trafficking** in persons, especially women and children

In view of the pending appointments, it is relevant to recall that in appointing mandate holders, the President of the Council is required to give particular attention to the need to avoid actual or perceived conflicts of interest. Mandate holders should also be genuinely committed to the independence and effectiveness of the special procedures system, and have a demonstrated commitment to civil society engagement and

participation.

Resolutions to be presented to the Council's 44th session

At the organisational meeting the following resolutions were announced (States leading the resolution in brackets):

1. Elimination of **discrimination against women** (Colombia, Mexico)
2. Human rights situation in **Eritrea** (Australia, Austria, Belgium, France, Germany, Netherlands) mandate renewal
3. Elimination of **female genital mutilation** (African Group)
4. **Business** and human rights (Norway, Russian Federation, Ghana, Argentina) Working Group + Accountability and Remedy project mandate renewals
5. Enhancement of **international cooperation** in the field of human rights (NAM)
6. Extrajudicial, summary or arbitrary **executions** (Sweden) mandate renewal
7. Extreme **poverty** and human rights (France, Albania, Romania, Belgium, Peru, Chile, Philippines, Senegal, Morocco) mandate renewal
8. Human rights and **climate change** (Bangladesh, Philippines, Viet Nam)
9. Independence and impartiality of the **judiciary**, jurors and assessors, and the independence of lawyers (Hungary, Australia, Botswana, Maldives, Mexico, Thailand) + mandate renewal
10. Right to **education** (Portugal) mandate renewal
11. **Trafficking** in persons, especially women and children (Germany, Argentina, Philippines) + mandate renewal
12. Elimination of discrimination against persons affected by **leprosy** and their family members (Brazil, Ethiopia, Fiji, Japan, Morocco, Portugal) mandate renewal
13. **Freedom of opinion and expression**: access to information (Canada, Namibia, Brazil, Fiji, Netherlands, Sweden)
14. Rights of **persons with disabilities** (Mexico, New Zealand) mandate renewal
15. 75th anniversary of the **United Nations** (Australia)
16. The human rights situation in **Belarus** (EU)
17. The right to **peaceful protest** (Switzerland, Costa Rica)

Furthermore, according to the voluntary calendar for resolutions, it is possible that more resolutions could also be presented at this session. Read the calendar [here](#).

Panel discussions

During each Council session, panel discussions are held to provide member States and NGOs with opportunities to hear from subject-matter experts and raise questions. All panel discussions are broadcast live and archived on <http://webtv.un.org>. Five panel discussions are scheduled for this upcoming session:

1. Annual full-day meeting on the rights of the **child** (two panels, theme: "Realizing the rights of the child through a healthy environment")
2. Annual full-day discussion on the human rights of **women**
3. Panel discussion on the impacts, opportunities and challenges of new and emerging **digital technologies** with regard to the promotion and protection of human rights; including an oral update of the Advisory Committee on its report on new and emerging digital technologies
4. Panel discussion on promoting and protecting the rights of **persons with disabilities in the context of climate change**
5. Annual thematic panel discussion on technical cooperation in the promotion and protection of human rights (theme: "Upholding the human rights of prisoners, including **women prisoners** and offenders: enhancing technical cooperation and capacity-building in the implementation of the Nelson Mandela Rules and the Bangkok Rules")

Read here the [three year programme of work](#) of the Council with supplementary information.

Read here ISHR's [recommendations on the the key issues](#) that are or should be on the agenda of the UN Human Rights Council in 2020.

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