

REPORT OF THE 44th SESSION OF THE HUMAN RIGHTS COUNCIL

30 JUNE – 17 JULY 2020



THE
RIGHT
LIVELIHOOD
FOUNDATION

INTRODUCTION

The Human Rights Council (HRC) is the United Nations' body responsible for the promotion, protection and support of human rights around the globe. It serves as an avenue where civil society and states can raise issues that require worldwide attention. At the end of every session, the HRC adopts resolutions on numerous subjects which acts as guidelines for human rights implementation around the world. As an organisation in consultative status to the United Nations' Economic and Social Committee (ECOSOC), the Right Livelihood Foundation has been attending HRC sessions since 2018, inviting laureates to sit at the heart of decision-making processes and ensuring that their fights receives global attention.

The present report relates to the 44th session of the HRC, which began on June 30th after long negotiations on its modalities due to the COVID-19 pandemic. The session was concluded on July 17th with the adoption of 23 resolutions. The report seeks to summarise relevant debates around topics directly related to the work of numerous RLF laureates which occurred during the session. It seeks to highlight debates around topics directly related to the work of our laureates. Due to the pandemic, side events could not be organised, hence, the report consists only of two sections **First, plenary meetings** composed mainly of Interactive Dialogues, a form of debate which allows states and civil society to exchange views with the UN Special procedures on a specific topic decided by the mandate holder. The **second** section of this report refers to relevant **Resolutions** that were adopted during the Council which can be of interest to one or more RLF laureates. Due to limited capacities, the RLF did not take part in the negotiations around these resolutions, hence, our reflections are only based on the final content of the resolution and potential amendments made in the plenary.

This report is not exhaustive in nature, as it does not report every debate that took place throughout the session, but only those attended by the RLF or relevant to the work of our laureates. Nevertheless, it provides a good overview of debates around issues closely related to laureate's work. It highlights the recurring topics from each debate and when possible, which countries mentioned the specific issue. As civil society space is facing severe limitations across the world, this report can be seen as a useful summary to check which issues are being taken in consideration by states.

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PLENARY DEBATES AND INTERACTIVE DIALOGUES

Opening of the Council and Oral update of the High Commissioner for Human Rights, followed by an Interactive Dialogue

Geneva, 30th June – 1st July 2020

After the President of the Council opened the 44th session, **Ms. Michelle Bachelet**, UN High Commissioner for Human Rights, stressed that the current COVID-19 pandemic threatens development and human rights. She called for leadership grounded in clarity and evidence. She also underlined that wherever they exist, members of racial and ethnic minorities as well as indigenous peoples and migrants are both more likely to die from COVID-19 and face harsher socio-economic consequences. Additionally, she expressed concerns over the aggravating trends in discrimination against women and girls, backlash on the rights of older peoples and the long-lasting impact that the pandemic can have on children. She then urged states to support the work of multilateral institutions that are struggling to assist people in this crisis and condemn the increasing number of intimidations of activists and journalists. She stated that it is vital that governments adopt consistent, credible and fact-based communication with the people they serve, she criticized the situation of **Brazil, US and Belarus** among others where the polarisation of the discourse is deepening the severity of the pandemic. In closing, she stressed that new policies must address the gaps that have made the system, so vulnerable.

During the interactive dialogue, 125 statements were delivered, including 20 joint statements. Numerous states took this opportunity to expose how they have dealt with the COVID-19 pandemic. The **African group, Latvia and Armenia** underscored that the crisis is an opportunity to improve and rethink efforts on human rights. Others, such as the **Nordic and Baltic countries** said that the pandemic cannot be an excuse for restrictions on human rights. **Spain and the Netherlands** on the other hand expressed concerns over Human Rights Defenders worldwide, the latter called everyone to act like Human Rights Defenders and speak out about Human Rights violations. **France**, on behalf of 26 countries and **Ireland** (on behalf of the core group on civil society space) underlined the fundamental role of civil society organisations and deplored the restrictions imposed on them due to COVID-19, including on Women Human Rights Defenders. **Djibouti**, on behalf of the Francophonie, also brought the attention to the rights of women and the increase in discrimination and violence they face during the pandemic. Numerous states, including the **Philippines, Chile, Maldives and Switzerland** called for increased multilateral cooperation.

Regarding specific countries' situations, the **United Kingdom** and 27 other states, urged China to review its recent public security law, which threatens Hong Kong's autonomy. **China** responded stating that 53 countries support such a legislation and condemned that countries make grand accusations based on political motives, saying that they should look into their own human rights violations instead. On similar lines, **Cuba** and the **Democratic People's Republic of Korea** expressed serious concerns over the politicisation of human rights. **Timor Leste** on the other hand, on behalf of a group of states, urged the Secretary General to appoint an independent expert on Western Sahara and deplored that no information was released on the effect of the pandemic in the territory. Such call was echoed by **Namibia**. Lastly, the **Organisation for Islamic Cooperation** condemned the attacks on the maternity ward in Afghanistan. **Afghanistan** underlined that it was

committed to investigate the recent crimes committed and affirmed that strengthening protection of human rights is fundamental to sustainable peace.

In her concluding remarks, Ms. Bachelet stressed that robust participation of civil society in all contexts is needed, especially in the COVID-19 response. For this, innovative thinking and solutions on how to maintain and strengthen civil society participation are required, including online platforms. She also stated that intersectionality has to be carefully taken into account to ensure that no one is left behind from the COVID-19 response. In this regard, she deplored that numerous countries do not have disaggregated data, which makes such endeavour more complicated to achieve. She concluded by saying that one of the biggest risks of this time is that we don't learn our lesson and do not understand that until everyone is safe, no one is safe. There is an opportunity to build back better, with a new economic paradigm based on human rights, which must be seen as an investment rather than a cost.

Interactive Dialogue with the Special Representative of the Secretary General for children and armed conflict

Geneva, 2nd July 2020

Ms. Virginia Gamba, Special Representative of the Secretary General for Children and Armed Conflict, presented the [latest report](#) on the topic. She deplored that last year, over 4,400 incidents of denial of humanitarian access to children were verified and that the shrinking of the humanitarian space has disastrous repercussions on the rights of children living in conflict. She mentioned that two grave violations have worsened during 2019. First, rape and sexual violence against children in conflict, which continues to be significantly underreported. Second, attacks against schools and hospitals, which have increased. She urged the Council to raise the profile and seriousness of these violations in its work. She then expressed concerns over the impacts of COVID-19 which is adding another layer of risk, including higher level of child abuses during lockdowns and lack of access for protection actors, which affects reintegration and education programmes. The pandemic is putting at risk the progress that has been accomplished for so many years towards children in conflict.

During the interactive dialogue that followed 49 statements were delivered, including 5 joint statements. Numerous countries commended the work of Ms. Gamba and were alarmed by the trends that she outlined, including due to the COVID-19 pandemic. States, including the **Group of Friends on Children and Armed Conflicts, the EU, and Fiji** called to end impunity for perpetrators of all six grave violations and abuses against children in armed conflicts. Speakers, including **Morocco**, also referred to the need for increased international cooperation on the matter and agreed with the recommendation for the Council to step up its work on the issue. **Afghanistan** exposed the policies it has implemented to protect children but noted that despite their efforts, children casualties remain high as a result of substantial increase in the scale and brutality of attacks by the Taliban and other terrorist networks. They called for increased international cooperation in support of Afghanistan, especially victim assistance programs.

Interactive Dialogue with the Working Group on discrimination against women and girls

Geneva, 6th and 7th July 2020

Introducing the Working Group's [latest report](#), **Ms. Elizabeth Broderick**, member of the Working Group on Discrimination against Women and Girls, emphasised the need to focus on systemic and

structural discrimination in the world of work and set out a vision for a new system that starts with women's human rights. This would not only benefit women, but everyone. She then explained that the report focuses on all ways in which globalisation impacts discrimination against women and girls, from new technologies to global supply chains. The working group identified 5 action areas to ensure that future trends do not exacerbate discrimination against women: (1) Ensuring freedom from violence and harassment; (2) Recognising, reducing and redistributing unpaid care and domestic work; (3) Disrupting patterns of "women's" and "men's" work; (4) Ensuring all women workers can enjoy their rights, without discrimination, including informal workers; (5) Supporting women's collective action.

During the dialogue, 58 member states and observers took the floor, including 4 joint statements. Most countries outlined their good practices and recent progress related to ending discrimination against women. They also identified focus areas for the years to come, including parental leave policies; ending harassment in the world of work; measures to eliminate the gender pay gap; how to harness new technologies for gender equality. Some states, including **South Africa**, welcomed the [2019 ILO Convention on Violence and Harassment](#), and announced that they were in the process of domesticating it.

States also referred to the challenge of COVID-19 and how it risks exacerbating current discriminatory practices. Speakers deplored that the rate of sexual and gender-based violence had increased during lockdown. The **Netherlands** and the **United Kingdom** also stressed that access to sexual and reproductive health services remains essential for effective recovery.

The *Right Livelihood Foundation* delivered an oral statement, welcoming the report and the reference to the contributions that women's cooperatives, such as 1984 Right Livelihood Laureate [Self Employed Women's Association \(SEWA\)](#), can bring in identifying priorities and strategies for change. Underlining the success of SEWA, the Foundation also referred to the worrying impact of COVID-19 on numerous SEWA members, that Reema Nanavaty had explained in [her interview](#).

In her concluding remarks, Ms. Broderick stressed that states must create an enabling environment for civil society, so that they combat the backlash against women's human rights. Referring to COVID-19, she said that it has exacerbated the existing systemic discrimination in every region of the world. Nevertheless, she stressed that the recovery gives the opportunity to fundamentally transform the structure of work in the economy, into one that recognizes women's specific needs.

Interactive Dialogue with the Special Rapporteur on violence against women

Geneva, 7th July 2020

In her introductory remarks, **Ms. Simonovic** presented her latest [report](#), focused on violence against women journalists. She stressed that while both men and women journalists are exposed to violence in the course of their work, women are disproportionately targeted by gender-based violence and sexual harassment, both within the workplace and online. Sexual violence, particularly the threat of rape, continues to be used as a tool to discourage them from working in the media. She emphasised that such violence is perpetrated by both states and non-state actors alike. Nevertheless, she stressed that states and the international community should create an enabling media environment where journalists can live free from violence, for which the report provides recommendations.

During the interactive dialogue that followed, 57 members and observers of the council took the floor, including five joint statements. Numerous states, including the **European Union, the African Union, Ecuador, Liechtenstein, India, Australia, the United Kingdom and Albania** expressed concern over the worsening trend in violence against women journalists, while **Canada, France, Australia, Luxembourg and Switzerland** were also specifically alarmed by the increasing online violence. Iran condemned violence against women journalists in the recent protests in the **United States** and urged the authorities to respect freedom of expression and women journalists. **Qatar** expressed deep concern over the fact that journalists in the Arab world are being prevented to practice their work and are being exposed to violence. **Palestine** outlined the situation of journalists working around the Gaza strip, who remain under threat, with summons for investigation, denial of access, and confiscation of material being frequent means of intimidation.

Referring to measures to combat violence against women journalists, **UN Women** stated that employers are key, but the provision of training programmes for police, judges and others can go a long way. **Tunisia, Armenia and Greece** stressed that governments are responsible for taking the right measures and bringing the perpetrators to justice. The **Russian Federation**, on the other hand, claimed that it is counterproductive to differentiate between men and women journalists, as the problem they face is not indifferent to those of other women in public affairs, it would be more effective for policies to encompass more groups.

The *Right Livelihood Foundation* delivered a statement drawing the Council's attention to the case of 2017 Right Livelihood Laureate [Khadija Ismayilova](#), who was subjected to the full spectrum of gendered attacks on women journalists, including a wrongful conviction, all for having exposed government corruption through her outstanding journalism. Ms Ismayilova remains under travel ban. We also deplored that Azerbaijani women journalists continue to regularly experience reprisals, such as blackmail, sexual assault and harassment. Additionally, based on Ms Ismayilova's [interview](#) in the wake of the COVID-19 pandemic, we expressed concern over the fact that Azerbaijan uses emergency measures against activists and journalists. The Foundation therefore called on the Members of the Council to urge Azerbaijan to align with its international obligations, stop misusing the law for politically motivated prosecutions, promptly expunge Ms. Ismayilova's criminal record, lift her travel ban and release all imprisoned journalists.

In her concluding remarks, Ms. Simonovic stressed that while numerous states and instruments recognise the important role played by women journalists as a key tool in democratic societies, there needs to be more reflection on how to make policies and international instruments fully applicable to women journalists. Referring to the role of the UN system, she called for an approach that would ensure the prevention of system-wide violence against women.

Interactive Dialogue with the Independent Expert on Sexual Orientation and Gender Identity

Geneva, 7th-9th July 2020

Mr. Madrigal Borloz presented his [latest report](#) focusing on the so-called "conversion therapies", a term used to indicate a multitude of practices and methods aiming at effecting a change from non-heterosexual to heterosexual and from trans or gender diverse to cisgender. The Independent Expert provided a comprehensive overview on the nature of these practices, their current state

and their human rights implications. Mr Madrigal-Borloz's findings show that conversion therapy practices are by their very nature degrading, inhuman and cruel and create a significant risk of torture. For this reason, he called for a global ban on such practices. This must include: (I) clearly defining the prohibited practices; (II) ensuring public funds are not used to support them; (III) banning advertisements; (IV) establishing punishments for non-compliance and investigating respective claims; (V) creating mechanisms to provide access to all forms of reparation to victims, including the right to rehabilitation.

According to the report, Uganda is among the countries where faith-based organizations and political authorities have endorsed these practices. In particular, the report highlights that aversive treatments, such as the use of electric shocks, and medical practices, such as the invalid use of medication, appear to be widely prevalent in the country.

In this context, the *Right Livelihood Foundation* delivered an oral statement highlighting the case of the prominent Ugandan LGBTI defender and 2015 Right Livelihood Laureate [Kasha Jaqueline Nabagesera](#). Through the statement, we denounced the use of these harmful practices in Uganda, as well as the recent resurgence of the anti-homosexuality bill in the country's political debate. We called on the Ugandan authorities to decriminalise same-sex activity and to commit to protect the rights of their LGBTI residents. We also denounced how COVID-19 has further exacerbated the stigmatisation and homophobic rhetoric in the country, as Ms Nabagesera herself explained in a recent [interview](#) we conducted with her.

During the dialogue, 36 member states and observers took the floor. A large majority of speakers exposed good practices around conversion therapies in their countries. **Uruguay, on behalf Argentina, Chile and Mexico** and a cross-regional group of 41 countries, underlined how the COVID-19 pandemic negatively affected the enjoyment of human rights of LGBTI persons, and expressed concern at the emergency policies implemented by some States, which resulted in an exacerbation of the discrimination against the LGBTI community. The same issue was raised by the **EU, Germany and Italy**, that urged States to take into account the specific needs and vulnerability of LGBTI persons in their response to the COVID-19.

In his concluding remarks, the Independent Expert highlighted that best practices on this issue will be achieved only through a combined action of policy, legislation and access to justice, within a context of wide political commitment to social inclusion.

Interactive Dialogue with the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association

Geneva, 9th and 10th July 2020

Introducing his latest [report](#), **Mr. Voulé** welcomed a rise in social movements and protests, in particular a growing strength of women rights groups over the last 10 years. He underscored that Black Lives Matter has shown that a movement starting in a specific place can trigger global change. Nevertheless, he also deplored that the past decade has seen extensive attacks on the right to assembly. Talking specifically about the COVID-19 pandemic, he stressed that civil society organisations are facing numerous undue restrictions on their work and are increasingly being excluded from decision making processes. He highlighted that civil society must be a strategic partner to ensure the rights to freedom of peaceful assembly and association. In the report he

outlined 10 key principles to respect these fundamental freedoms during the COVID-19 crisis, so that it is not used to curtail these rights.

During the interactive dialogue, 43 member states and observers delivered statements, including 4 joint statements. Many states reiterated their support for peaceful assembly, **Czech Republic** stressed that failure to protect it could impede all human rights, while **Egypt** stated that they support it as long as it does not harm other human rights. Numerous states, including the **African Group, India and Armenia**, also agreed with the Special Rapporteur on the importance of a strong civil society. On the other hand, **Lithuania** (on behalf of the **Nordic and Baltic countries**), the **Netherlands, Switzerland and Ecuador** were deeply concerned by the shrinking of civil society space. The **EU** went even further, deploring that these restrictions have reached multilateral institutions. **Palestine** described the situation of Civil Society Organisations (CSOs) in occupied Palestinian territories, which are under severe restrictions and are continuously targeted through acts of oppression, intimidation, arbitrary detention, physical threats, harassment, restrictions of movement and assembly. **Russia and the Philippines** on the other hand, affirmed that it is the state that takes measures to guarantee the freedom of assembly, and CSOs should not interfere but respect the rule of law.

Turning to the current COVID-19 pandemic, **Lithuania** (on behalf of the **Nordic and Baltic countries**), **Ireland, New Zealand and Niger** all deplored that many governments are using the pandemic to increase their own power.

In his closing remarks, the Special Rapporteur highlighted that COVID-19 has showed us that international solidarity is more important today than ever. States not only need to assist one another but also engage with civil society. He expressed hope that [the resolution](#) (which was adopted at the end of the session) led by **Switzerland** will provide new opportunities for engagement, as it is essential that governments protect civic space to allow their citizens to fully support development.

While the Right Livelihood Foundation did not deliver a statement on this occasion, we stress the importance of the right to peaceful assembly as fundamental to the work of all our laureates. Numerous of whom have highlighted the recent use of COVID-19 measures to backlash on human rights and civic space.

Interactive Dialogue with the Special Rapporteur on the promotion and protection of the right to Freedom of Expression

Geneva, 10th July 2020

Introducing his latest [report](#), **Mr. David Kaye**, explained that while many countries' legislation failed to meet standards enshrined in article 19 of the International Covenant on Civil and Political Rights (ICCPR), such restrictions can threaten lives and health in the context of a pandemic. He outlined five main challenges to Freedom of Expression during the COVID-19 crisis, among other calling for an end to the restrictions imposed on journalists. In fact, he expressed concern at the increase in threats to the media, which have continued during the pandemic, including arbitrary detention, despite prisons being extremely dangerous for public health. In concluding, he recognised three stakeholders without whom he would not have been able to conduct his work and that should be given more support by governments: Civil Society, the OHCHR and Special Procedures.

During the discussion, 58 states and observers took the floor, including 5 joint statements. States, including **Canada (on behalf of Brazil, Netherlands, Fiji, Namibia, Sweden and Canada); the African Group; Palestine and India** re-affirmed that protecting freedom of expression is fundamental for the protection of all other human rights. Turning to freedom of information online, the **African Group** expressed concerns over hate speech and discrimination, while **Myanmar** justified why it suspended the internet by stating that it was imposed to prevent mobile internet technology to be used as detonators to explode landmines. **Russia and Cuba**, on the other hand, condemned that some governments continue to play geopolitical games through biased attacks against other countries and international organisations, often by using the media under their control to disseminate false information. Nevertheless, numerous states, including the **Latin American countries**, agreed that freedom of the press remains fundamental, **the Nordic and Baltic countries** further underscored the importance of the press by stressing that it supports individuals and scrutinises government.

Turning to the subject of the report and the current COVID-19 crisis, **the European Union** stressed that Freedom of Expression is essential in combatting the crisis and expressed concerns over the increased restrictions on Freedom of Expression due to the pandemic. Numerous states echoed such concerns, including **Canada** (on behalf of the above-mentioned group), **the Latin American countries, Libya, France, Tunisia and Australia. Qatar, Egypt and Myanmar** all stated that the restrictions imposed must be informed by necessity. **China**, on the other hand, stressed that it put the health of its citizen first but fully guaranteed their right to information. Some countries deplored that misinformation was spreading about COVID-19, and **the Latin American countries, Iraq, Belarus, Myanmar** stressed that efforts should be done to prevent manipulation of information.

Annual Discussion on Women's Rights: Ensuring accountability for women and girls in humanitarian settings

Geneva, 23th July 2020

The first panel of the annual full-day discussion on the human rights of women, focused on accountability in humanitarian settings.

Moderator:

Mr. Tammam Aloudat, Deputy Executive Director, MSF Access Campaign

Panellists:

- **Ms. Tatiana Mukanire**, national coordinator, National Movement of Survivors of Sexual Violence in the DRC.
- **Ms. Sara Hossain**, lawyer and honorary executive director, Bangladesh Legal Aid and Services Trust
- **Ms. Enid Muthoni Ndiga**, Senior Vice President, Center for Reproductive Rights

The panel started with introductory remarks from **Ms. Nada al-Nashif**, United Nations Deputy High Commissioner for Human Rights, who emphasized the vital relevance of the discussion and said that the urgent task of this discussion was to consider how accountability mechanisms can be responsive to human rights abuses faced by women and girls in humanitarian settings. **Crown Princess Mary of Denmark** also delivered introductory remarks, stressing that the international

community must take into account the unique vulnerabilities of women and girls when designing crisis responses. **Mr. Aloudat** then emphasised the need for a holistic approach, as medical interventions are routine but not sufficient. **Ms. Mukanire** agreed, stressing that holistic care and reparation are the only way to soften a survivor's pain. **Ms. Hossain** on the other hand stated that for the majority of survivors of human rights abuses living in humanitarian settings, accountability through international justice remained distant. She thus called for better local systems that could support women and girls in obtaining justice. Lastly, **Ms. Muthoni Ndiga** urged the Council to build human rights-based accountability mechanisms. She stressed that remedies should go beyond criminal accountability and should aspire to transform pre-existing patterns of discrimination, which requires the full equal, effective participation of women and girls.

During the debate 24 states and observers delivered statements, including 6 joint statements. Numerous countries, including **the European Union, the Benelux countries, Qatar, Fiji, the Philippines, Australia and Slovenia** agreed that emergency responses should become more inclusive, with women participation at all levels. In this context, **Luxembourg, on behalf of the Benelux countries** also stressed the importance of protecting Women Human Rights Defenders. The non-aligned movement and Armenia recalled that this year marks the 20th anniversary of resolution 1325, which should encourage states to reflect on their responsibilities to fight impunity. **Germany** added that the Women Peace and Security Agenda offers a normative framework, which needs to be better implemented on the ground. In this context, **Germany** also added that it has been supporting the IOM and the Mukwege Foundation (2013 Right Livelihood Laureate) for redress programmes for survivors of Gender Based Violence. Lastly, **Fiji (on behalf of Canada, Fiji, Georgia, Sweden and Uruguay)** announced that they would introduce a resolution on accountability for ensuring women and girls' full enjoyment of human rights in humanitarian settings, at the 45th session of the HRC.

The *Right Livelihood Foundation* also delivered a statement in support of Right Livelihood Award [Sima Samar](#), focusing on the situation of Afghanistan, emphasising that it is essential that women and girls' be acknowledged as agents of change and be included in the planning, designing, monitoring and implementation of interventions as well as in peace negotiations. The Foundation urged Member States to implement inclusive and sustainable solutions that enable women and girls in humanitarian settings not only to survive, but to thrive.

In their concluding remarks, the panellists stressed once more that women and girls need to have agency in the response mechanisms, which is why working with local communities and civil society is fundamental. They also called for developing long lasting accountability systems, through new laws and strategies, not short-term interventions.

Annual Discussion on Women's Rights: COVID-19 and women's rights

Geneva, 14th July 2020

The second panel of the Annual full day of discussion on women's rights was focused on COVID-19 and women's rights.

Opening statements:

- **Ms. Peggy Hicks**, Director of the Thematic Engagement, Special Procedures and Right to Development Division, Office of the United Nations High Commissioner for Human Rights

- **H.E. Ms. Arancha Gonzalez Laya**, Minister of Foreign Affairs, European Union and Cooperation of Spain

Panelists:

- **Ms. Editar Adhiambo Ochieng**, Founder of the Feminist for Peace Rights and Justice Centre and feminist activist from Kibera informal settlement, Kenya
- **Dr. Natalia Kanem**, Executive Director of the United Nations Population Fund
- **Ms. Jayati Ghosh**, Professor of Economics, Jawaharlal Nehru University, India
- **Ms. Phumzile Mlambo-Ngcuka**, Executive Director of UN Women

Opening the panel, Peggy Hicks, underlined how the pandemic has an uneven impact on women and girls, as it exacerbates existing discrimination and inequality around the world. Referring to the increase in violence against women during this time, she defined it as a pandemic within the pandemic. She called for an unprecedented response to this unprecedented crisis. **Ms. Arancha Gonzalez Laya** stressed that human rights should be at the centre of policies, and that her country, Spain, has been working at the multilateral level to advance a response that would guarantee a sustainable and transformative recovery. **Editar Adhiambo Ochieng** on the other hand focused on the need to listen to women on the ground and grassroot organisations. **Natalia Kanem** focused on sexual and reproductive health and rights (SRHR) during the COVID-19 pandemic, as emergency measures should not impact women access to SRHR services. **Jayati Ghosh** agreed with Ms. Hicks in saying that the crisis had reinforced existing inequalities and patriarchal oppression within households and communities, she stressed that the confinement measures had impacted women's livelihoods more severely than men's. Lastly, **Ms. Phumzile Mlambo-Ngcuka** focused on the barriers to political leadership faced by women. While women leaders have been celebrated for their responses to the pandemic, many women around the world are still excluded from the decision-making processes.

25 states and observers delivered statements, including 5 joint statements. Most countries expressed concerns over the fact that the pandemic exacerbated existing patterns of discrimination, inequalities and gender-based violence. **The European Union, Chile** (on behalf of a group of countries), **Belgium, Botswana and the Netherlands** condemned that COVID-19 measures impaired access to sexual and reproductive health services, which should always be guaranteed. **Chile; Tunisia and South Africa** stressed that women groups and civil society organisations need to be involved in the response. In this context, **India** stressed that women self-help groups are key players in combatting the pandemic in rural areas. The **EU**, on the other hand, stressed that there is a need for women in decision-making at all levels. Lastly, **Venezuela and Iran** condemned unilateral coercive measures still imposed on some countries which exacerbate the impact of the pandemic, especially on women.

In her concluding remarks **Ms. Ochieng** said that existing policies need to be better enforced to ensure that women be better protected during the pandemic. **Ms. Kanem** focused on accountability, which should go beyond legal protection. She urged member states to join the pledge for a "ceasefire in the home" to counter gender-based violence. Lastly, **Ása Regnér**, deputy executive director of UN Women, said that there was a contradiction between the role played by women on the frontline of the pandemic and the continuing gender pay gap. She also stressed that in the COVID recovery phase, women need to be included in the decision-making process. Policies that exclude women from decision-making are less effective and sometimes harmful, she said.

Interactive Dialogue with the Special Rapporteur on the situation on human rights in the Palestinian territories occupied since 1967 (OPT)

Geneva, 10 March 2020

S. Michael Lynk began by regretting that Israel continues to impede him access to the OPT or engaging with the mandate at any level, which impairs his ability to gain a comprehensive appreciation of the human rights situation on the ground. He then denounced Israel's plan for annexation, which is a fundamental violation of international law, would intensify the current large-scale patterns of human rights violations and would disaggregate Palestine into islands of disconnected lands surrounded by Israel and with no territorial connection to the outside world. He called the international community not to repeat the mistake made 40 years ago, when no one took meaningful countermeasures to oppose the annexation of East Jerusalem. Turning to his [report](#) on collective punishment he condemned that Israel continues to rely on collective punishment as a prominent instrument in its coercive toolbox of population control, especially the closure of Gaza, which as a consequence, now has a decimated economy and a collapsing social service system. He stressed that collective punishments are prohibited under modern law for which there is no permissible exception.

Speaking as a country concerned, **the State of Palestine** expressed its utter condemnation at the prolonged occupation, which is the cause for the suffering of Palestinians. Israel, as the occupying power, continues to commit gross human rights violations, and since its announcement of its intention to annex Palestine, Palestinians have distanced themselves from all agreements with Israel and the United States. They called for the UN and the EU to reject such annexation and to follow the Special rapporteur's recommendations and to put an end to occupation.

During the dialogue 47 states, including 4 joint statements, took the floor. All speakers condemned the human rights violations in the OPT and numerous deplored the denial of access for the Special Rapporteur to the territories. States also urged the parties to resume negotiations as a necessary step for the occupation to end.

In his concluding remarks, the Special Rapporteur said that as of last week there were 5,500 reported cases of COVID-19 in the OPT and 72 in Gaza. He reminded that Israel, as the occupying power, holds the primary responsibility for the right to health. He also stressed that as long as the Palestinians will be denied their right to self-determination, it should be a foremost concern for the international community.

Read our recent [interview](#) with 2013 Right Livelihood Laureate [Raji Sourani](#) to learn more about the impact of COVID-19 in the Gaza Strip.

RESOLUTIONS

Between July 16th and July 17th, the Council adopted 23 resolutions, among which we identified 6 which could be of relevance to the work of one or more laureates.

Human Rights and Climate change (44/7)

The [resolution](#) was adopted without a vote. Besides calling for States to adopt a comprehensive, integrated, gender-responsive, age-inclusive and disability-inclusive approach to climate change adaptation and mitigation policies, the resolution also called upon continued and enhanced international cooperation and assistance on the topic (Operative Paragraph (OP). 5). The resolution focused on the impact of climate change on the rights of older people. In OP 7, it calls upon “States to develop, strengthen and implement policies for the protection of the right of older persons in response to climate change, ...”. Additionally, the Council decided (OP. 9) to incorporate into the Programme of Work for the 47th session a **panel discussion focusing on the adverse impact of climate change on the full and effective enjoyment of human rights by older persons** and best practices and lessons learned in the promotion and protection of the rights of older persons.

Independence and impartiality of the judiciary, jurors and the independence of lawyers (44/9)

The [resolution](#) was adopted without a vote. It included considerations around COVID-19 and among others, it urges states to “ensure that judiciaries have the necessary resources and capacity to help maintain functionality, accountability, transparency and integrity, and to ensure due process and the continuity of judicial activities, including efficient access to justice, consistent with the right to a fair trial and other fundamental rights and freedoms during extraordinary situations, including the COVID-19 pandemic and other crisis situations”. It also “encourages states to make available to judiciaries current information and communication technologies, and innovative online solutions, enabling digital connectivity, to help ensure access to justice and respect for the right to a fair trial and other procedural rights, including in extraordinary situations, such as the COVID-19 pandemic and other crisis situations, and to ensure that judicial and any other relevant national authorities are able to elaborate the necessary procedural framework and technical solutions to this end.” (OP 18)

Freedom of opinion and expression (44/12)

The [resolution](#) was adopted without a vote. Among others, it strongly condemns the “threats, reprisals and violence against and the targeting, criminalisation, intimidation, arbitrary detention, torture, disappearance and killing of any individual, including journalists and other media workers, and human rights defenders, for their advocacy of human rights, for reporting and seeking information on human rights violations and abuses or for cooperating with national, regional and international mechanisms, including in relation to economic, social and cultural rights, which have increased and are not adequately punished, in particular where public authorities are involved in committing such acts.” (OP4). It also “requests the Office of the United Nations High Commissioner to prepare a report on good practices for establishing national normative

frameworks that foster access to information held by public entities...” (OP 11). A topic that is particularly relevant in relation to access to information related to COVID-19.

Elimination of all forms of discrimination against women and girls (44/17)

The [resolution](#) was adopted without a vote after being orally revised. In this resolution, the Council calls states to “repeal all laws and policies that exclusively or disproportionately target or criminalise the actions or behaviour of women and girls and laws and policies that discriminate against them, based on any grounds” (OP 3(a)). Referring to the specific challenges women face due to COVID-19, it also called “to support substantive gender equality, including within families, in particular in the promotion of measures for the equal sharing of responsibilities in relation to unpaid care work, the burden of which the COVID-19 pandemic has exacerbated for women and girls” (OP 4(C)), as well as to ensure that “women’s representation and leadership in local, national and global policy spaces and decision making with regard to the COVID-19 pandemic, including concerning preparedness, response and recovery, and the allocation of funding and assistance” (OP 4 (d)). Turning to the recent increase in violence against women and girls, the resolution urges “member states to prevent and respond to the increase in violence against women and girls amid the COVID-19 pandemic by integrating prevention, response and protection measures into the COVID-19 response plans,” (OP5). Lastly, it also urges states to “systematically gather outbreak-related data that are disaggregated by sex, age, disability and other characteristics relevant in national contexts to examine and report on the gender-specific and intersectional health, social and economic effects of the COVID-19 pandemic on women and girls.” (OP 10)

While it finally enjoyed consensus, numerous states disassociated from some of its paragraph and five amendments were formally submitted, which all failed. The first one, submitted by Pakistan and the Russian Federation, sought to take out a few references to “girls” in the preamble and OP8. The second, from the same two states, wanted to delete the reference to Comprehensive Sexual Education in paragraph 4 (e), in a similar fashion, the third amendment, from Egypt and Pakistan, sought to take out the reference to Sexual and Reproductive Health and Rights in the preamble and replace it with a reference to the right to health, while the fourth, from Pakistan and Saudi Arabia, strove to take out “sexual and reproductive health services” from OP9. Lastly, an amendment from Egypt and Pakistan to replace the language of OP7 with weaker agreed language that sought to deny that sexual and reproductive rights are rights, as explained by Mexico, Chile and Denmark during their explanations of vote.

The promotion and protection of human rights in the context of peaceful protests (44/20)

The [resolution](#) was adopted by consensus, after being orally revised. Through the text, the Council urges states to ensure accountability for human rights violations in accordance with their international human rights obligations and commitments, including in the context of peaceful protests. Referring to the COVID-19 pandemic, OP5 calls upon states “to ensure that all human rights are respected, protected and fulfilled also during emergencies such as the COVID-19 pandemic.” OP24 on the other hand calls upon them to “refrain from the use of digital technology to silence, unlawfully or arbitrarily surveil or harass individuals or groups solely for having organised, taken part in, or observed, monitored or recorded peaceful protests, or from ordering blanket internet shutdowns and from blocking websites and platforms around protests or key political moments.”

While the resolution was adopted without a vote, three amendments from Russia were formally introduced, which all failed. Two sought to weaken the preamble, while the third one wanted to

add a paragraph in the resolution, reading “8. Bis Urges States to ensure that organizers and leaders of peaceful assemblies, including peaceful protests, are aware of their special duties and responsibilities with regard to the proper conduct of assemblies.” Such an amendment would have significantly weakened the text of the resolution.

CONCLUSIONS

The Right Livelihood Foundation is thankful to the Presidency of the Council and OHCHR for their efforts to overcome the challenges posed by COVID-19 in resuming the Human Rights Council’s work, as well as their efforts to ensure civil society participation to the session.

We strongly welcome the fruitful debates that took place at the session and its significant outcomes. In particular, we appreciate that the resolutions adopted at this session of the Council, notably on Freedom of opinion and expression, on the Promotion and protection of human rights in the context of peaceful protests, and on the Elimination of all forms of discrimination against women and girls contain positive language, and that the Council stood strongly against some proposed amendments that would have significantly weakened their impact.

As repeatedly highlighted during the session, the COVID-19 pandemic has posed unprecedented challenges to the world. A human rights-based approach is key in shaping the pandemic response, both for the public health emergency and the broader impact on people’s lives and livelihoods. We stress that responses that are shaped by and respect human rights result in better outcomes both in defeating the pandemic and in preserving human dignity.