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Report of the Human Rights Council

Note by the President of the General Assembly

I have the honour to circulate the text of the pre-recorded statement delivered by the President of the Human Rights Council, Elisabeth Tichy-Fisslberger (see annex), which was played at the 21st plenary meeting of the seventy-fifth session of the General Assembly, held on 5 November 2020, pursuant to Assembly decision 75/506 of 13 October 2020.



Annex

Statement by the President of the Human Rights Council, Elisabeth Tichy-Fisslberger

It is my privilege today to present the annual report of the Human Rights Council (A/75/53 and A/75/53/Add.1), in accordance with General Assembly resolutions 60/251 and 65/281. However, before I do so, I would like to congratulate Bolivia, China, Côte d'Ivoire, Cuba, France, Gabon, Malawi, Mexico, Nepal, Pakistan, the Russian Federation, Senegal, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uzbekistan for having been elected by the General Assembly on 13 October as members of the Human Rights Council.

In that capacity, they will have an even greater responsibility in upholding the highest standards in the promotion and protection of human rights against the background of current developments, as agreed upon by all Member States in the resolution 60/251, which established the Human Rights Council in 2006. They will also enrich the Council with their contributions.

As for the past year, needless to say, the coronavirus disease (COVID-19) pandemic has made it a particularly challenging one for the Council. I am happy to report that the Council took up the challenge and proved — against all odds — that it was up to the task of carrying out the mandate entrusted to it by the Assembly, that is to say to promote universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind, in a fair and equal manner, thereby doing its best to respond to the call for action, which the Secretary-General launched at the opening of the Council's first regular session of the year, on 24 February.

The Council's programme of work for 2020 was fully implemented. The usual three regular sessions were held and addressed the long list of topics that required the Council's attention and, as it were, action, in spite of the pandemic-related restrictions. All the resolutions, decisions and President's statements adopted by the Council since my predecessor addressed the Assembly in November 2019 (see A/74/PV.23) are contained in the report before representatives.

Work in 2020 was marked by the pandemic-related constraints to which the Human Rights Council had to adjust. On 13 March, the Council had to make an urgent decision to suspend its forty-third regular session until further notice. It did so after exceptionally extending all mandates and mandated activities that would have expired otherwise, in order to avoid any protection gap.

During the three months of lockdown that followed, the Council and its mechanisms did not remain silent, but, instead, found innovative ways to go on delivering on their mandates. Very soon, the COVID-19 crisis proved to be not only a health emergency — and an economic crisis as a consequence — but also a major human rights challenge. In fact, it has acted like a magnifying glass for pre-existing human rights issues, in particular in the case of vulnerable and marginalized groups of the population.

Given the fact that in-person meetings were not possible, the Council's members and observers engaged in a world première — we held virtual informal conversations on human rights issues stemming from the COVID-19 crisis, first with the High Commissioner for Human Rights, Michelle Bachelet, and later on with

special procedures mandate holders, only to find out that thousands of people from all over the world were following those conversations. In the light of those talks and against the background of the ongoing crisis, the Council adopted on 29 May, for the first time ever by way of a silence procedure, a President's statement on the human rights implications of the COVID-19 pandemic (A/HRC/PRST/43/1). It was the first formal human rights document adopted in 2020 by the Human Rights Council.

The Council's special procedures mandate holders were equally active during the lockdown. They released a large number of press releases and communications on the impact of the COVID-19 pandemic on different areas of human rights. Many of these were joint initiatives of several mandate holders working on related aspects.

The Human Rights Council had been the last organization in Geneva to go into lockdown and it was the first to take up its work again in June, as soon as the United Nations premises were reopened. It resumed its forty-third session in a hybrid format, that is to say that delegations could choose between having not more than one person present in the meeting room or participating virtually. For those participating in person, strict measures were put in place, from wearing masks — even before the World Health Organization recommended to do so — to contact tracing. Those measures defined and implemented by the Council were later on taken up by a number of other United Nations bodies.

They allowed the Council to carry out its mandate and respond to current developments around the world. Just a few days after resuming its formal meetings, the Council held an urgent debate on racially inspired human rights violations, sparked by the killing of George Floyd. Two months later, during its forty-fifth session, it held an urgent debate on the situation of human rights in Belarus.

I am happy to say that the Human Rights Council managed to complete its three regular sessions in spite of the extraordinary circumstances. It adopted a total of 97 resolutions, four decisions and two President's statements in these three sessions, out of which 72 were adopted without a vote. Taken together, those resolutions, decisions and statements address a wide range of human rights matters, some of which had only rarely — or never — been on its agenda before. To mention some examples — for the first time the Council adopted resolution 45/29 on promoting, protecting and respecting women's and girls' full enjoyment of human rights in humanitarian situations.

On the occasion of the seventy-fifth anniversary of the United Nations, it also examined what contribution the respect for all human rights and fundamental freedoms has made in terms of achieving the purposes and upholding the principles of the Charter of the United Nations. Other resolutions I would like to mention mark the fifteenth anniversary of the 2005 World Summit Outcome on the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity (resolution 44/14); the twentieth anniversary of Security Council resolution 1325 (2000) on women and peace and security (resolution (45/28); and the twentieth anniversary of the Durban Declaration and Programme of Action (resolution 45/23).

Overall, the Council continued to place particular importance on accountability and decided to extend for one year the mandates of the Independent International Commission of Inquiry on the Syrian Arab Republic, the Commission of Inquiry on Burundi, the Group of Eminent Experts on Yemen, the Commission of Human Rights in South Sudan and the team of international experts on Kasai. The mandate of the Independent International Fact-finding Mission on Venezuela was extended for two years.

Let me also underscore the Council's continued work in the area of technical cooperation and capacity-building. For example, in its resolution 43/39 on technical assistance and capacity-building in Libya, adopted in June without a vote and with the support of the country concerned, the Council created a Fact-finding Mission to investigate the situation of human rights in Libya and to document alleged violations and abuses of international human rights and humanitarian law.

In its resolution 45/25 on technical assistance and capacity-building to further improve the situation of human rights in the Sudan, adopted in September, the Council decided to end the mandate of the Independent Expert on the Sudan, welcoming the fact that the Office of the United Nations High Commissioner for Human Rights (OHCHR) had been able to establish a fully mandated country office with field presences in Sudan.

The Council resolution 45/33 on technical cooperation and capacity-building for the promotion and protection of human rights in the Philippines was equally adopted with the support of the country concerned.

Let me now turn to the Council resolutions that contain specific recommendations for the General Assembly. In the relevant resolutions under agenda item 4, the Council decided to transmit all reports and oral updates of the Commission of Inquiry on Syria to all relevant bodies of the United Nations, while recommending that the General Assembly submit the reports to the Security Council for appropriate action; to transmit the report of the Group of Eminent International and Regional Experts on Yemen to the General Assembly, while recommending that the Assembly transmit the report to all relevant bodies of the United Nations and to transmit all reports and oral updates by the High Commissioner on the situation of human rights in Venezuela and the report of the Independent International Fact-finding Mission on Venezuela to the General Assembly, while recommending that the Assembly submit them, in particular the one on the situation in the Arco Minero del Orinoco region, to all relevant United Nations bodies for appropriate action.

The Council also recommended that the General Assembly submit the report of the Commission of Inquiry on Burundi to the relevant United Nations bodies for their consideration and appropriate action, while taking into account the relevant conclusions and recommendations of the Commission.

Finally, in its resolution 45/23, on the commemoration of the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action, the Council encouraged the General Assembly to adopt a resolution, at its ongoing session, to request the organization of a commemorative event during the high-level segment of its seventy-sixth session.

The Universal Periodic Review (UPR) continued to be what many people call the jewel in the crown of the Human Rights Council. Participation remains at 100 per cent, as we make our way through the third review cycle that began in May 2017, all of which reflects the political will at the highest political level in all the countries concerned. Recommendations not only increased in number, but also got increasingly practical and policy oriented, with obvious links to the national implementation of the Sustainable Development Goals.

This year, 14 States underwent their periodic review in January. Unfortunately, the following session, originally scheduled to take place in May, had to be postponed because of the COVID-19 restrictions. It is currently scheduled to take place in the

coming two weeks for the first time ever in a hybrid manner — that is, unless we are confronted with new Covid-19-related measures.

I cannot report about the work and the achievements of the Human Rights Council without mentioning the contribution by civil society, which plays a fundamental role in ensuring that the Council's deliberations remain close to the reality on the ground. Civil society also plays a key role in the monitoring and capacity-building efforts in their respective countries of origin. Their contribution is a unique feature of the Human Rights Council compared to all the other intergovernmental bodies in the United Nations system.

That is why it is essential to maintain the space for their active participation and contribution. I am glad to say that the Council found creative solutions this year to allow for the participation of civil society despite the COVID-19-related restrictions, as non-governmental organizations were able to participate in interactive dialogues, panel debates and the adoption of the Universal Periodic Review by way of video messages.

I am also pleased to report that throughout 2020, the Council's task force on accessibility for persons with disabilities, established in 2011 with the mandate to enhance the accessibility of the Council and its mechanisms for persons with disabilities, continued to work towards the full implementation of the United Nations Disability Inclusion Strategy in the work of the Council. In 2020 the Council held seven fully accessible and two partially accessible debates.

Before concluding, let me turn to another issue that has seriously impacted the Council's work this year — the United Nation's financial liquidity crisis. One of its consequences was that the number of Council meetings was strictly limited, more stringently than ever before. Previously traditional lunchtime meetings — which, as everyone knows, are particularly costly because of the interpreters' working arrangements — had to be cut to a small fraction of what had been granted in previous years.

The efforts of previous Presidents and Bureaux had already resulted in a sizable reduction of meeting time over recent years. In addition, we achieved a reduction of about 15 per cent this year, in particular as a result of measures adopted in December 2019 and the very stringent organization of all our meetings. Instead of having costly lunchtime meetings, additional days were added to the regular sessions and the duration of UPR sessions was slightly reduced, which helped to avoid recruiting additional teams of interpreters.

The liquidity crisis also cast its shadow on the work of the Office of the High Commissioner for Human Rights. The Council was informed in August that a number of activities, which had been formally mandated by the Council, such as seminars, reports and one forum, could simply not be implemented in 2020, owing to the current financial situation and pandemic-related restrictions. OHCHR negotiated with all the main sponsors of the activities on how best to implement them at a later stage. The Council then adopted decision A/HRC/DEC/45/113 on the modalities of postponing the implementation of the activities.

During the remaining weeks of this year, the Council's Bureau will ensure that work continues in particular with a view to enhancing the efficiency and effectiveness of the Human Rights Council. In doing so, it will focus on the rationalization of initiatives and especially their outcomes, that is to say the impact on the budget of the United Nations and the programme of work of the Human Rights Council.

It seems to me that we lived in a completely different world when I first assumed this mandate at the beginning of the year. None of us expected the developments to come or the impact they would have on the work of multilateral institutions. I am happy to say that, despite the multiple challenges and hurdles it has faced, the Council has shown all the resilience and adaptability required not only to carry out its mandate, but also to take on the more recent human rights challenges and ensure that neither the protracted or the newly emerged human rights challenges get overlooked or forgotten in the quicksand of other international developments and challenges.
