

# AMNESTY INTERNATIONAL

## ASSESSMENT OF OUTCOMES OF THE 45<sup>TH</sup> SESSION OF THE UN HUMAN RIGHTS COUNCIL AND RECOMMENDATIONS FOR FOLLOW-UP

This briefing document provides Amnesty International’s assessment of some of the key outcomes and developments that were priorities for the organization at the 45th session of the UN Human Rights Council (HRC45), as well as recommendations for next steps.

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## OVERVIEW OF HRC45

We welcome important efforts at HRC45 to address a number of human rights crisis situations not on the agenda for the session. The Urgent Debate on the situation of **Belarus**, held during the first week of the session, for example, is a demonstration of the HRC’s ability to respond with urgency to developing human rights crises in a timely fashion, and provided an important space for rights holders in Belarus to engage directly in the conversation. The resolution adopted provides for a meaningful series of reports and dialogues to ensure that the HRC will continue to scrutinize closely the situation in the coming months. We also welcome important efforts to address the human rights situations in **Saudi Arabia** and **Iran** through joint statements (initiatives led by Denmark and Germany respectively).

Significant progress was also made on a number of other situations already on the HRC’s agenda. We welcome the renewal and bolstering of the mandate of the Group of Eminent Experts (GEE) on **Yemen**, in particular the additional support for the collection, preservation and analysis of evidence of crimes committed and the mapping out of accountability options. It is one example of how the HRC can continue to refine its support to pre-existing Mechanisms and seek out all possible ways to fight against entrenched impunity. The session also marked the release and discussion of the [landmark report](#) of the Fact-Finding Mission (FFM) on **Venezuela**, which provides compelling evidence that crimes against humanity are being committed, under the oversight and responsibility of the highest authorities and with near total impunity. These findings are much in line with Amnesty’s own research findings. The report and recommendations provide a glimmer of hope to those seeking justice in Venezuela and marks the first step on the long road towards accountability. In this regard, we welcome the renewal of the FFM’s important mandate for two years. The HRC’s renewal of the mandate of the Commission of Inquiry on **Burundi** (COI) is also significant. At a time of clear pressure for the HRC to change its approach in light of a potential political transition following elections this Spring, it speaks volumes that the HRC resisted diverging from renewing the COI’s mandate, in the absence of meaningful and durable improvements in the human rights situation to date.

We also welcome consensus resolutions on **Sudan** and the **DRC**, including the renewal of the mandate of the International Team of Experts on the Kasais. While we think both resolutions could have been further enhanced, we hope that they will support efforts in both countries to improve the human rights situations, in particular with respect to accountability.

We are disappointed by the HRC’s failure to deliver an adequate response on a number of other pressing human rights crises, however, on which further action will be necessary. The HRC failed to respond credibly to the damning [OHCHR report](#) on the **Philippines**, a report requested by the HRC itself. The resolution adopted falls far short of the clear and repeated recommendations of the High Commissioner, the UN Special Procedures and various civil society actors, some of whom have engaged with the UN at high personal risk. We recognize that the resolution at least keeps the situation on the agenda of the HRC for the next two years. UN member states, particularly those involved in the negotiation of this resolution, have a responsibility to follow the situation on the ground closely and ensure the HRC takes further, more robust action should the situation not improve. We also regret the HRC’s continued failure to address the deteriorating human rights situations in **China**, **India** and **Egypt**, and urge that more attention is given to these situations in future sessions, or through special sessions.

HRC45 also saw a number of important thematic human rights initiatives, including the resolutions on: *the human rights to safe drinking water and sanitation*; *promoting, protecting and fulfilling women’s and girls’ full enjoyment of human rights in humanitarian situations*; *promoting and protecting the human rights of women and girls in conflict and post-conflict situations on the occasion of the twentieth anniversary of Security Council resolution 1325 (2000)*; and *realizing the rights of the child through a healthy environment*. We urge states to take concrete action to implement these resolutions.

From an **institutional** perspective, we welcome important efforts to further the fulfilment of the HRC’s prevention mandate and to enhance the links between the three pillars of the UN. The resolution on ***the contribution of the Human Rights Council to the prevention of human rights violations***, though we regret its adoption by vote, is a step in the right direction. We were also

pleased to see a number of states engage actively during the interactive dialogue on the Secretary General's report on **reprisals**, including by addressing individual cases and situations.

At same time, we regret the **continued attacks on UN Special Procedures** by some states which have sought to undermine their independence and impose political oversight over individual experts. In this regard, the outcome of the consultations led by the President of the HRC in consultation with the Coordination Committee of the Special Procedures was an important and welcome step towards curbing such attacks on these mechanisms. It will be important for those states supportive of Special Procedures to engage actively with the HRC President's follow-up consultations announced for the end of October and November on the working methods of the Consultative Group and reject all attempts to re-open the Institution Building Package agenda or undermine the independence of Special Procedures in any other way.

Finally, while we welcome the contributions and engagements by states from all regions to a wide range of country, thematic, and institutional issues (including those mentioned above), we regret that some states – including **Eritrea**, the **Philippines** and **Venezuela**, all of whom are both HRC members and on the agenda of the HRC – appeared to use their membership to consistently oppose meaningful scrutiny of situations that cried out for HRC engagement.

## COUNTRY SITUATIONS

We welcome States' leadership and support for a number of important initiatives at HRC45 addressing situations of violations of human rights, including gross and systematic violations, while regretting missed opportunities on other dire situations – particularly the Philippines – which must be rectified at future sessions.

### BELARUS

We are pleased to see the HRC respond as a matter of urgency to the alarming and deteriorating situation of human rights in Belarus, including by holding an Urgent Debate. Urgent Debates, along with Special Sessions, are important tools of the HRC to respond to urgent matters of concern, and where time is of the essence. We are pleased to see a rights holder --- Ekatarina Novikava -- address the HRC directly in the context of that debate. This is one other example of how the HRC is becoming more accessible to members of civil society who are unable to be physically in Geneva. We are pleased to see the HRC adopt a resolution (L.1) that -- expresses deep concern about the overall situation of human rights in Belarus before and after the August 2020 elections; urges the authorities to enable independent, transparent and impartial investigations, including into allegations of torture and of enforced disappearances, to guarantee access to justice and redress for victims and accountability for perpetrators, and to cooperate fully with the Special Rapporteur on Belarus; and requests monitoring and reporting from the High Commissioner. Crucially, the resolution requests an update and interactive dialogue before the end of 2020, and a comprehensive report and interactive dialogue in February/March 2021 at HRC 46.

#### Recommendations:

- It is essential that the HRC stay focused and engaged on the situation in Belarus in this context of uncertainty and ongoing violations, and press the Belarusian government to take meaningful and credible steps to promote accountability, and cooperate with and allow access to all UN mechanisms, including the Special Rapporteur on Belarus. In this context, states should participate fully in:
  - Belarus's UPR, scheduled for November 2020 [Amnesty's assessment of the human rights situation and recommendations to Belarus can be found [here](#)];
  - The intersessional interactive dialogue, to be held before the end of this year and the enhanced interactive dialogue scheduled for HRC 46 (in February/March), as set forth in the resolution adopted during the Urgent Debate (L.1), and;
  - The interactive dialogue with the Special Rapporteur on Belarus, to be held during HRC 47, as set forth in Resolution 44/19.

### BURUNDI

We are pleased to see the HRC renew the mandate of the Commission of Inquiry on Burundi at this Session. We see this as a recognition that the best chance to achieve meaningful and concrete improvements in the human rights situation in Burundi in this current context and at this moment of potential transition is through the renewal of the mandate of the Commission of Inquiry and through the Burundian authorities' reinitiating dialogue with the Commission, as well as the OHCHR, and other UN and AU human rights bodies and mechanisms. It is for this reason that we are deeply disappointed to witness from the new Burundian government a continued posture of denial and refusal to engage with HRC mechanisms in a spirit of good faith and with the effort of improving the situation in the country.

#### Recommendations:

- We urge the new Burundian authorities to reconsider as a matter of priority and urgency their categorical refusal to engage with the COI and other UN mechanisms.
- We encourage the HRC to continue to encourage Burundi to focus on concrete improvements to the human rights situation in the country, including through steps such as [these](#), and to prioritize cooperation with UN and AU human rights bodies, mechanisms, and experts.

### DEMOCRATIC REPUBLIC OF CONGO

We are pleased to see extensive engagement by the HRC this Session on the situation of the Democratic Republic of Congo. An enhanced interactive dialogue included the participation of the High Commissioner for Human Rights, the Chair of the Team of International Experts, the Minister for Human Rights, and the National Coordinator of the Réseau pour la Réforme du Secteur de Sécurité et de Justice. We are pleased that the HRC renewed the mandate of the International Team of Experts on the Kasai

region, and requested technical assistance to the government in support of accountability options. We are in particular pleased to see this renewal occur by consensus and with the support of the Democratic Republic of Congo.

**Recommendations:**

- We encourage the HRC to continue to work with the Congolese authorities to prioritize the issue of accountability, including through the renewal and expansion of the mandate of the team of experts and supporting OHCHR activities in country.

## IRAN

We are nearing a year since the start of the crackdown sparked by the November 2019 protests, where the authorities have used lethal force against unarmed protesters, torture and enforced disappearances, and the death penalty as tools of political repression. In this context, we welcome the statement delivered by Germany on behalf of at least 47 states expressing deep concern about the persistent human rights violations in Iran, especially related to the rights to freedom of expression, association and assembly, and calling for the immediate release of all who are arbitrarily detained as well as political prisoners and prisoners of conscience. While we support the HRC's continued engagement on the situation of human rights in Iran, through the renewal of the mandate of the Special Rapporteur on Iran and ongoing dialogue with the Special Rapporteur, it is important the HRC collectively be engaging more deeply and substantively on the human rights situation in the country, given the gravity of violations witnessed, the celebration of impunity in the country, and the likelihood of future violations if left unaddressed.

**Recommendations:**

- The HRC should establish an investigative mechanism for violations of human rights in Iran at the earliest possible opportunity.
- In this context, the HRC should engage collectively and in detail, in the form of resolutions and joint statements, about the alarming state of impunity in Iran and the need for credible investigations.

## LIBYA

We are pleased that the High Commissioner has appointed the Members of the Independent Factfinding Mission for Libya, and that Team was able to provide its first update to the HRC. We welcome the extensive update by the Acting Special Representative of the Secretary General. We are pleased to see the Libyan delegation continue to engage in HRC dialogues and express an interest in improving the human rights situation in the country. We further welcome the HRC's procedural decision (L.50), that extended the Mission's mandate to report to the HRC, allowing additional resources and time in 2021 for the Mission to do its work.

**Recommendations:**

- The HRC, all states, and other stakeholders should support the Independent Fact-finding Mission to ensure it is supported so that it can be dispatched as a matter of urgency, and that it has the sufficient resources, administrative support, and time to complete the work for which it has been mandated.
- All relevant parties to the conflict should promote accountability, including by cooperating with and providing access to the Independent Factfinding Mission.
- All states should comply with the UN arms embargo.
- The Libyan authorities should release all refugees, asylum seekers and migrants from detention and close all detention centres, decriminalize irregular entry, stay and exit.
- All states and authorities should stop disembarking migrants and asylum seekers in Libya, as it is not a safe port of disembarkation.

## MYANMAR

We welcome the update by the Special Rapporteur during the session. Despite shameful efforts by Myanmar (supported by Venezuela, China, Belarus and Cuba) to prevent the Special Rapporteur from showing images [during his presentation](#), we welcome the clear decision by the HRC that the Special Rapporteur should be allowed to go ahead.

While there was no resolution this session, we look forward to the EU-led resolution at HRC46, which should continue the HRC's efforts to ensure continued regular reporting on the situation by the Special Rapporteur, to retain continued focus on the role of the UN in Myanmar, and to contribute to accountability. In light of the recent Amnesty [investigation](#) into the business(es) financing ongoing human rights violations in Myanmar, we also hope that the resolution will ensure robust follow-up to the Fact-Finding Mission's work on the economic interests of the Myanmar military.

### Recommendations:

- It is essential the HRC keeps the situation in Myanmar firmly – and regularly – on its agenda.
- The resolution at HRC46 should:
  - Ensure regular updates by the Special Rapporteur and interactive dialogues at the HRC;
  - Highlight ongoing arrests, prosecution, and imprisonment of activists, journalists and others simply for exercising their rights and call on the Myanmar authorities to immediately and unconditionally release individuals deprived of liberty for the exercise of their rights and repeal or amend laws that violate the rights to freedom of expression, association and peaceful assembly;
  - Include strong language on accountability, including in regard to the responsibility of the UNSC to refer the situation to the ICC;
  - Ensure continued monitoring of the UN's role in Myanmar, in light of the findings of the Rosenthal report and continued concerns in that regard (see Amnesty's oral statement to HRC43 in this regard<sup>1</sup>);
  - Put in place a concrete follow-up to the Fact-Finding Mission's work on the economic interests of the Myanmar military.

## THE PHILIPPINES

We regret the HRC's failure at HRC45 to respond credibly to the damning [OHCHR report](#) on the **Philippines**. The resolution adopted, which focuses on technical assistance, does not reflect the situation on the ground and falls short on a basic level by neglecting to explicitly urge the Philippines to halt the ongoing killings in the context of the so-called "war on drugs" and attacks on human rights defenders, journalists and other government critics. Adopting this resolution by consensus, states at the HRC have ignored the clear and repeated recommendations of the High Commissioner, UN Special Procedures, and various civil society actors, some of whom have engaged with the UN at high personal risk. We particularly regret the weak approach taken given the negative developments since the report was published that indicate a further shift in the wrong direction. As highlighted to the HRC by a group of NGOs during the Item 4 General Debate,<sup>2</sup> key concerns over the past few months alone include the [ongoing incitement to kill](#) by the President, the [promotion of an architect of the anti-drug strategy to police chief](#), the passing of an [overbroad anti-terror law ripe for abuse](#), the [conviction of journalist Maria Ressa](#) and [shutdown of media network ABS-CBN](#), the [murder of activists and a journalist](#) and a [new spike in police killings](#). This critical state of affairs was detailed by Amnesty International in a briefing published on 25 September 2020, "[My Job is to Kill](#)", named after a speech by President Duterte in March 2020.

UN member states, particularly those that supported this approach, have a responsibility to follow the situation closely, and to take meaningful action to launch a full international investigation if there is no radical improvement in the human rights situation in the country over the next few months.

### Recommendations:

- States – particularly those that have supported the approach – must commit to following the situation on the ground in the Philippines closely, and ensuring meaningful action is taken without further delay should the situation continue to deteriorate, in line with the High Commissioner's clear recommendations as well as calls from civil society and UN Special Procedures.

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<sup>1</sup> Amnesty International, Human rights must be at the heart of UN operations in Myanmar and beyond, 9 March 2020, Index number: ASA 16/1939/2020, <https://www.amnesty.org/en/documents/asa16/1939/2020/en/>.

<sup>2</sup> Joint civil society statement urging UN Human Rights Council to respond credibly to damning OHCHR report on the Philippines, 25 September 2020, Index number: IOR 40/3119/2020, <https://www.amnesty.org/en/documents/ior40/3119/2020/en/>.

## SAUDI ARABIA

In the context of an escalating repression on the rights to freedom of expression, association, and assembly, and horrifying details about the authorities' treatment of migrants in Saudi Arabia,<sup>3</sup> we welcome the joint statement delivered by Denmark on behalf of at least 33 states about the situation of human rights in Saudi Arabia. The statement expresses concern about the overall human rights situation in Saudi Arabia, including the persecution, detention, and intimidation of civil society, human rights defenders, journalists and political opposition, including women's human rights defenders arrested in 2018, about the (ab)use of counter-terrorism law and other security provisions against individuals peacefully exercising their rights and about reports of torture, arbitrary detention, enforced disappearance and denial of access to medical treatment. The statement also reiterates the call to release all political detainees and for transparency and to hold *all* those responsible accountable in the context of the murder of Mr. Jamal Khashoggi. We welcome also the statement's reiteration, in the context of Saudi Arabia's candidacy for membership of the HRC in 2021, that membership comes with an expectation of upholding the highest standards in the promotion and protection of human rights and public scrutiny of human rights records, as well as full cooperation with the HRC and its Mechanisms. We further welcome that this statement marks the third joint statement in the HRC since 2019, and that each statement has been delivered by a different state – Iceland in March 2019, Australia in September 2019, and Denmark in September 2020. This is a reflection of the significant concerns by a broad number of states engaged on this situation at the HRC, and should be a strong foundation for further engagement in 2021.

### Recommendations:

- Saudi authorities should act as a matter of urgency to improve the situation of human rights in the country, including by releasing all prisoners of conscience, including all women human rights defenders like Loujain Al-Hathloul.
- Given the continued escalating repression in Saudi Arabia the HRC must enhance its engagement on the situation in Saudi Arabia, and work towards the establishment of a monitoring mechanism on the human rights situation in the country.

## SRI LANKA

Addressing HRC45, the High Commissioner said she was “troubled that the new Government [of Sri Lanka] is swiftly reneging on its commitments to the HRC since it withdrew its support for resolution 30/1.” She noted that “among other developments, the proposed 20th amendment to the Constitution may negatively impact on the independence of key institutions, including the National Human Rights Commission.” She raised concern over “the pardon given in March to a former Army sergeant convicted of participating in unlawful killings; appointments to key civilian roles of senior military officials allegedly involved in war crimes and crimes against humanity; and moves within the police and judiciary to thwart the investigation of such crimes,” which, she noted, “set a very negative trend.” She called for the immediate halt to the continued “surveillance and intimidation of victims, their families, human rights defenders, journalists and lawyers,” and encouraged the HRC “to give renewed attention to Sri Lanka, in view of the need to prevent threats to peace, reconciliation and sustainable development.”

With the human rights situation on the ground worsening,<sup>4</sup> member states must take stock of local realities and work towards strong action at HRC46. We very much agree with the High Commissioner that it will be critical for the HRC to take more robust action to ensure heightened scrutiny of the situation. Together with other organisations, Amnesty International has urged the HRC to launch an accountability mechanism.<sup>5</sup> We reiterated this call in a joint oral statement at HRC45 during the interactive dialogue with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.<sup>6</sup>

### Recommendations:

- The HRC must ensure continued, more robust scrutiny of the situation in Sri Lanka when it meets for its 46<sup>th</sup> session in February/March 2021.

<sup>3</sup> Saudi Arabia, Ethiopian Migrants Describe “hell” of Detention, 2 October 2020, available at <https://www.amnesty.org/en/latest/news/2020/10/ethiopian-migrants-hellish-detention-in-saudi-arabia/>

<sup>4</sup> See for example: Joint Statement, Human Rights Under Attack: Lawyers, Human Rights Defenders and Journalists Arrested, Threatened, Intimidated, 29 July 2020, available at: <https://www.amnesty.org/download/Documents/ASA3728022020ENGLISH.PDF>; Joint oral statement, Interactive dialogue with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence HRC45, 17 September 2020, available at <https://www.amnesty.org/download/Documents/ASA3731102020ENGLISH.PDF>; Joint oral statement, Interactive dialogue with the Special Rapporteur on the rights to freedom of peaceful assembly and of association HRC44, 10 July 2020, available at: <https://www.amnesty.org/download/Documents/ASA3727162020ENGLISH.PDF>.

<sup>5</sup> Joint oral statement, Item 2 General Debate HRC43, 28 February 2020, available at: <https://www.amnesty.org/en/documents/asa37/1882/2020/en/>.

<sup>6</sup> Joint oral statement, Interactive dialogue with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence HRC45, 17 September 2020, available at <https://www.amnesty.org/download/Documents/ASA3731102020ENGLISH.PDF>.

## SUDAN

We welcome the adoption of a resolution, by consensus and with the support of the government of Sudan, that maintains monitoring and reporting by the High Commissioner, schedules an enhanced interactive dialogue by the HRC, and requests support to the OHCHR country office and its field presences. This engagement can help support Sudan take advantage of this important opportunity including by: adopting further meaningful legal reforms including to promote accountability; ensuring that investigations and prosecutions can be conducted before independent, impartial and competent courts, in accordance with fair trials standards and without recourse to the death penalty; ratifying all international and regional instruments for the protection and promotion of human rights; and handing over suspects including former President Omar al-Bashir to the ICC and ratifying the Rome Statute.

### Recommendations:

- Sudan and the HRC should continue to work together, in coordination with the High Commissioner's office, to support continued improvement in the situations of human rights in the country, including as set forth above.

## UKRAINE

We welcome the HRC's continued engagement on the situation of human rights in Ukraine, through updates by the High Commissioner and dialogue. It is important that the HRC continues to engage on this situation to explore concrete ways to support the improvement of human rights in all parts of Ukraine.

### Recommendations:

- States should, including through forthcoming HRC dialogues,
  - encourage the Ukrainian authorities to make justice, non-discrimination, accountability for past abuses, and protection of human rights generally top priorities.
  - Encourage Russia to end the crackdown on rights and freedoms in occupied Crimea and allow access to, and cooperate with, the High Commissioner's office.

## VENEZUELA

We [welcome](#) the release of the landmark report by the Fact-Finding Mission (FFM) on Venezuela, which provides a glimmer of hope to those seeking justice in Venezuela and marks the first step on the long road to accountability. The report provides compelling evidence that "patterns of violations and crimes [...] were highly coordinated pursuant to State policies, and were widespread and systematic, thus amounting to crimes against humanity."<sup>7</sup> Also that such violations and crimes were committed under the oversight and responsibility of the highest authorities, including President Maduro and his Ministers of Interior and Defence to name but a few. These conclusions are consistent with Amnesty International's own research.<sup>8</sup> The report shows, as we have also found, how ongoing violations have been fueled by impunity. The work of the FFM, however, has pierced that veil of impunity. It has put the facts and evidence on the table, and perpetrators of these ongoing crimes should now know that their impunity is no longer absolute.

In this context, we welcome the renewal of the FFM's important mandate for a further two years, with significantly increased support. This will provide the FFM with the operational continuity required to strengthen its ongoing work, but it is critical it receives adequate resources to implement its mandate.

### Recommendations:

- We urge States to urgently implement the recommendations of the FFM on Venezuela on accountability to ensure that victims' rights to truth, justice, reparation and guarantees of non-repetition are prioritised. States should investigate and prosecute those suspected of committing crimes under international law, as identified in the report, in accordance with the principle of universal jurisdiction.
- States must ensure the FFM has the resources to fulfil its important mandate.

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<sup>7</sup> Venezuela: UN report urges accountability for crimes against humanity, 16 September 2020, 16 September 2020, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26247&LangID=E>.

<sup>8</sup> Amnesty International, Hunger for justice: Crimes against humanity in Venezuela 14 May 2019, Index number: AMR 53/0222/2019, available at: <https://www.amnesty.org/en/documents/amr53/0222/2019/en/>.



## YEMEN

We welcome the release by the Group of Eminent Experts on Yemen (GEE) of their strong third report and extensive conference room paper. As the Chair of the Group has made clear, based on the violations documented to date, none can say they were unaware of what is happening in Yemen.

We reiterate the critical importance of the GEE's work, as it is the only independent international accountability mechanism focused on Yemen. We welcome that the HRC renewed and bolstered the GEE's mandate, including to support its work of collecting, preserving and analyzing evidence of crimes. We welcome the resolution's increased focus on the problem of arms transfers fueling the conflict. We welcome the HRC's request to the GEE to map out accountability options; we urge the GEE, and the international community, to be ambitious in the context of this mapping. We remain disappointed that a number of states engaged in the conflict, after having initially supported the GEE's establishment, have opposed its work since it has begun to document in detail violations by all parties in the course of the conflict.

### Recommendations:

- All involved in the conflict, including Yemen, Saudi Arabia, Bahrain, Egypt, Kuwait, Sudan, Jordan, and Senegal, should resume cooperation with the Group of Eminent Experts, provide it access to their territories and engage with the Group and other human rights experts in a spirit of seeking to cease violations of international humanitarian law and human rights law and ensure accountability for violations to date.
- All states should stop providing arms and related logistical and financial support to parties to the conflict in Yemen
- All states should review as a matter of urgency accountability options for Yemen, both so as to best support the GEE and to pursue and develop other accountability options.

## SITUATIONS NOT ADEQUATELY ADDRESSED AT HRC45

We are disappointed by the lack of collective action on the following country situations, and urge states to work towards meaningful outcomes:

### CHINA

China has continued to deny credible allegations of gross human rights violations in Xinjiang, where up to one million have been held in so-called "re-education" centres, despite mounting evidence. In recent months, the sweeping crackdown in Hong Kong has shocked the world, culminating in the adoption and speedy implementation of the new national security law for Hong Kong.<sup>9</sup> Given China's continued refusal to engage constructively with the concerns and, despite continued requests, to allow full and unfettered access to Xinjiang to independent human rights monitors (including the High Commissioner for Human Rights and the Special Procedures that have raised concern), and in a context of new travel restrictions as a result of COVID-19, it is past time for the HRC to take action.

We were pleased to see the UK, supported by Australia and the Netherlands, draw attention to the human rights situation in Hong Kong through an online side event, but regret that more robust action was not taken in line with the [unprecedented call by a group of Special Procedures](#), as well as [over 300 civil society organisations](#) from over 60 countries around the world. We were also pleased to see, while the HRC was in session, a further joint statement raising concern on the human rights situation in China delivered by Germany on behalf of 39 states at the Third Committee in New York, showing increased international concern on the situation. The HRC must build on this momentum towards a more credible response. Specifically, the HRC must send a clear message to China that its actions are not above international law by convening a special session before the end of 2020 and finally launching an independent international mechanism to address the Chinese government's human rights violations. Meanwhile, the OHCHR should exercise its independent mandate to conduct remote monitor and report on the situation, based on the mandate provided by United Nations General Assembly resolution 48/141 which includes the full range of activities aimed at the promotion and protection of human rights, including monitoring and reporting.

### Recommendations:

- The HRC must urgently take more meaningful action on China, including by convening a Special Session and launching an independent international investigation into the situation.

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<sup>9</sup> Amnesty International, Hong Kong's national security law: 10 things you need to know, 17 July 2020, available at: <https://www.amnesty.org/en/latest/news/2020/07/hong-kong-national-security-law-10-things-you-need-to-know/>.

- The OHCHR should exercise its independent mandate to conduct remote monitor and report on the situation, based on the mandate provided by United Nations General Assembly resolution 48/141 which includes the full range of activities aimed at the promotion and protection of human rights, including monitoring and reporting.

## EGYPT

The HRC's failure to address the human rights in Egypt through collective action in recent years remains of serious concern, and is becoming increasingly anomalous. The situation in Egypt remains dire and continues to deteriorate. The government has targeted women social media influencers and survivors, witnesses and activists speaking out against rape and other sexual violence. Several face criminal prosecutions on vague and discriminatory charges related to "morality" and "debauchery".<sup>10</sup> At the same time, human rights defenders, politicians, journalists and health care workers remain in arbitrary detention on the basis of unfounded "terrorism" related charges solely for peacefully exercising their rights to freedom of expression, including criticizing the government's handling of the COVID-19 pandemic.<sup>11</sup> Rare protests were met with arbitrary detention and unlawful and sometimes deadly force.<sup>12</sup> The conditions of detention in Egypt's overcrowded and unhygienic prisons are dire.<sup>13</sup> Inadequate medical care to prisoners in custody has led to multiple deaths in custody this year alone. While the authorities work within Egypt to refine their abuse of national security architecture to target those for exercising their human rights and fundamental freedoms,<sup>14</sup> they work in Geneva and New York and other multilateral hubs to co-opt and distort discussions on the promotion and protection human rights and fundamental freedoms in countering terrorism.

### Recommendations:

- The HRC must increase its scrutiny of the situation in Egypt, and work towards the establishment of a monitoring mechanism.
- States should reject Egypt's efforts to further co-opt discussions in UN forums on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

## INDIA

We remain disappointed by the failure of the HRC to address the deteriorating human rights situation in **India**, on which we have repeatedly and increasingly raised concern at the HRC for the past year.<sup>15</sup>

Our key concerns include the ongoing crackdown on civic space and freedom of expression,<sup>16</sup> the use of draconian laws like the Unlawful Activities (Prevention) Act (UAPA) to target activists and peaceful protestors,<sup>17</sup> and their ongoing arbitrary detention in overcrowded prisons as COVID-19 cases surge, which has put their health and lives at risk. Further, the Citizenship Amendment Act (CAA), a law which the High Commissioner has described as "fundamentally discriminatory in nature,"<sup>18</sup> combined with the National Register of Citizenship (NRC) process – are pushing minorities – particularly Muslims –

<sup>10</sup> Egypt: Survivors of Sexual Violence and Online Abuse among Prosecuted Women Tiktok Influencers, 13 August 2020, available at <https://www.amnesty.org/en/latest/news/2020/08/egypt-survivors-of-sexual-violence-and-online-abuse-among-prosecuted-women-tiktok-influencers/>

<sup>11</sup> Egypt: Politician and Human Rights Lawyer sentenced to a Year in Prison for BBC Interview, 10 March 2020, available at <https://www.amnesty.org/en/latest/news/2020/03/egypt-politician-and-human-rights-lawyer-sentenced-to-year-in-prison-for-bbc-interview/>; Egypt: End Relentless Attacks on Journalists and Other Media Workers, 5 May 2020, available at <https://www.amnesty.org/en/latest/news/2020/05/egypt-end-relentless-attacks-on-journalists-and-other-media-workers/>; Egypt: Court arbitrarily extends the pre-trial detention of over 1,600 defendants, 7 May 2020 available at <https://www.amnesty.org/en/latest/news/2020/05/egypt-court-arbitrarily-extends-the-pretrial-detention-of-over-1600-defendants/>; Egypt: Health Care Workers Forced to Make Impossible Choice Between Death or Jail, 18 June 2020, available at <https://www.amnesty.org/en/latest/news/2020/06/egypt-health-care-workers-forced-to-make-impossible-choice-between-death-or-jail/>; Egypt: Human Rights Activist Arrested Outside Public Prosecutor's Office, 23 June 2020, available at <https://www.amnesty.org/en/latest/news/2020/06/egypt-human-rights-activist-arrested-outside-public-prosecutors-office/>.

<sup>12</sup> Egypt, Rare protests met with unlawful force and mass arrests, 2 October 2020, available at <https://www.amnesty.org/en/latest/news/2020/10/egypt-rare-protests-met-with-unlawful-force-and-mass-arrests/>.

<sup>13</sup> Egypt: Release prisoners of conscience and other prisoners at risk amid coronavirus outbreak, 20 March 2020, available at <https://www.amnesty.org/en/latest/news/2020/03/egypt-release-prisoners-of-conscience-and-other-prisoners-at-risk-amid-coronavirus-outbreak/>

<sup>14</sup> See, for example, Office of the High Commissioner for Human Rights, Egypt uses terrorism trials to target human rights activists, say UN experts, 8 October 2020, available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26364&LangID=E>

<sup>15</sup> Amnesty International has raised concern on the human rights situation in India in both of its "Item 4" statements delivered in 2020: at HRC43 (<https://www.amnesty.org/en/documents/ior40/1943/2020/en/>) and HRC45 (<https://www.amnesty.org/en/documents/ior40/3112/2020/en/>).

<sup>16</sup> See for example: Amnesty International India, India: No Country For Young Peaceful Protesters, 14 August 2020, available at: <https://amnesty.org.in/news-update/india-no-country-for-young-peaceful-protesters/>.

<sup>17</sup> Joint statement by Amnesty International India, CIVICUS: World Alliance for Citizen Participation, FORUM-ASIA and FIDH, India: International Community Must Condemn Crimes Against Those Protesting Peacefully Against Discriminatory Law, 2 March 2020, available at: <https://amnesty.org.in/news-update/india-international-community-must-condemn-crimes-against-those-protesting-peacefully-against-discriminatory-law/>.

<sup>18</sup> OHCHR, Press briefing on India, Geneva, 13 December 2019:

towards detention and statelessness.<sup>19</sup> Amnesty International has documented how, during the Delhi riots in February, the Delhi police participated in the violence, used torture, and excessive force against protesters.<sup>20</sup> Their actions have not been formally investigated.

We also remain deeply concerned over shocking acts of reprisals which continue to be committed by Indian authorities as the country sits as a member of the HRC. During the session, Amnesty International India was forced to halt its work due to the latest attack in a long line of reprisals, which saw its bank accounts frozen.<sup>21</sup> This comes in a context of a broader crackdown on civil space in India, and we note India a pattern that was also mentioned in the Secretary-General's report on reprisals to this session.

This is all the more egregious as India sits as a member of the Human Rights Council, having [pledged](#) to “continue to foster the genuine participation and effective involvement of civil society in the promotion and protection of human rights.” As has been broadly recognised over the past few years, membership of the HRC is not a free ride, and [members should expect to be held to a higher level of scrutiny](#) during their terms. We deeply regret that India has not been held to that standard, and hope that states will take a principled stand at future sessions. The reality of the human rights situation in India can no longer be ignored by the HRC, and we urge states to take robust action to hold India to its human rights obligations and commitments.

### Recommendations:

- UN member states should urge India to:
  - Take urgent measures to end all forms of targeted attacks and harassment of human rights defenders, peaceful protestors and human rights organizations, including Amnesty International India;
  - Amend draconian laws like the Unlawful Activities (Prevention) Act (UAPA) and the Citizenship Amendment Act (CAA) to ensure they are fully compliant with International Human Rights Law;
  - Ensure prompt, thorough, independent and impartial investigations into all allegations of human rights violations committed by law enforcement officials in the context of the 2020 Delhi Riots, including excessive use of force, torture and other cruel, inhuman or degrading treatment or punishment, failure to protect the survivors and other individuals from attacks by far-right groups, and the unlawful use of firearms.
- States at the HRC must urgently address the deteriorating human rights situation in India and hold India to its human rights obligations and commitments through collective action.

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<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25425&LangID=E#:~:text=OHCHR%20%7C%20Press%20briefing%20on%20India&text=We%20are%20concerned%20that%20India's%20fundamentally%20discriminatory%20in%20nature.&text=Although%20India's%20broader%20naturalization%20laws.on%20people's%20access%20to%20nationality.>

<sup>19</sup> Amnesty International India, Citizenship (Amendment) Bill: A Bigoted Law That Must Be Immediately Repealed, 12 December 2019, available at: <https://amnesty.org.in/news-update/citizenship-amendment-bill-a-bigoted-law-that-must-be-immediately-repealed/>.

<sup>20</sup> Amnesty International India, New Delhi/Bengaluru, 28 August 2020, Investigative Briefing, available at: <https://amnesty.org.in/wp-content/uploads/2020/08/Final-Delhi-Report-Amnesty-International-India-2.pdf>.

<sup>21</sup> Amnesty International, Amnesty International India halts its work on upholding human rights in India due to reprisal from Government of India, 29 September 2020, available at: <https://www.amnesty.org/en/latest/news/2020/09/amnesty-international-india-halts-its-work-on-upholding-human-rights-in-india-due-to-reprisal-from-government-of-india/>.

## THEMATIC ISSUES

### HUMAN RIGHTS AND COVID-19

Amnesty International raised concern over the rights of frontline workers and delivered an [oral statement](#) during the Enhanced Interactive Dialogue with the High Commissioner on the human rights impact of COVID-19.<sup>22</sup>

#### Recommendations:

- In line with the issues raised in Amnesty's [oral statement on the human rights impact of COVID-19](#), States should:
  - Listen to, and consult, frontline workers; respect their freedoms to organise and speak out; and ensure they are free from reprisals. This will be critical to ensuring an effective response to the pandemic.
  - Urgently scale up the production and distribution of personal protective equipment (PPE) to ensure that all frontline workers exposed to COVID-19 receive what they need, including cleaners, care workers and others who are often overlooked;
  - Ensure effective international cooperation and assistance including in relation to the sharing of information and best practices on human rights-based approaches to combatting the virus, and specifically on the production and adequate and equal distribution of medical equipment and PPE. Such cooperation and assistance should include the provision of financial assistance where necessary.
  - Ensure equitable access for all persons across the world to treatments and a safe and effective vaccine when this becomes available.
- The HRC should continue to ensure focused discussion of the impact of the COVID-19 response on human rights, and should ensure that the voices of practitioners and front-line workers around the world are heard, including by securing their participation in future panels and dialogues going forward.

### PROMOTING, PROTECTING AND FULFILLING WOMEN'S AND GIRLS' FULL ENJOYMENT OF HUMAN RIGHTS IN HUMANITARIAN SITUATIONS

We welcome the important new initiative on *promoting, protecting and fulfilling women's and girls' full enjoyment of human rights in humanitarian situations*, led by Canada, Fiji, Georgia, Sweden and Uruguay at HRC45. We regret, however, the changes that were made in the face of the fifteen amendments tabled by the OIC, which diluted the focus of the resolution on accountability specifically and removed the reference to the right to an effective remedy. Nonetheless, we look forward to the OHCHR report on promoting, protecting and respecting women's and girls' full enjoyment of human rights in humanitarian situations, which will be a useful tool in identifying accountability gaps faced by women and girls in humanitarian situations.

### RIGHT TO A HEALTHY ENVIRONMENT

Amnesty international welcomes the focus of the resolution on the rights of the child – realizing the rights of the child through a healthy environment. The resolution provides comprehensive guidance to states and businesses to protect children from environmental harm, to respect and protect and fulfil children's rights to information and education on environmental matters, to promote inclusive and meaningful participation in environmental decision-making processes, and to provide effective remedies. We welcome in particular the invitation to states to “recognize a right to a healthy environment in national legislation in order to promote justiciability, strengthen accountability and facilitate greater participation, improving environmental protection and performance and ensuring rights for present and future generations.” This is an important foundation for the HRC's further engagement on the right to a safe, clean, healthy and sustainable environment. We welcome the statement delivered by Costa Rica on behalf of the Core Group on Human Rights and the Environment acknowledging that a safe, clean, healthy and sustainable environment is “integral to the full enjoyment of a wide range of human rights, including the rights to life, health, food, water and sanitation”. Amnesty International has joined with at least 982 other organisations, and counting, to urge the HRC to recognize the right to a safe, clean, healthy and sustainable environment without further delay, given the imperative need to address the existential threat to human rights that climate change and environmental degradation pose.

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<sup>22</sup> Amnesty International, Oral statement on the protection of frontline workers in the context of COVID-19 delivered at UN Human Rights Council, 14 September 2020, Index number: IOR 40/3046/2020, available at: <https://www.amnesty.org/en/documents/ior40/3046/2020/en/>.

**Recommendations:**

- We urge the HRC at its next session to recognize the right to a safe, clean, healthy, and sustainable environment.

**SAFETY OF JOURNALISTS**

We welcome the important [resolution on the safety of journalists](#), particularly the inclusion of specific reference to extraterritorial threats, the use of strategic lawsuits against public participation, access to information, and the dangers of overbroad and vague laws criminalising journalism, as well as strengthened language on gender throughout the resolution. We urge states to disseminate this resolution at national level and take urgent steps to implement its recommendations.

**Recommendations:**

- States must take urgent measures to implement the measures called for in operational paragraph 10 of the [resolution on the safety of journalists](#) and report back to the HRC on progress and challenges in that regard.

## INSTITUTIONAL ISSUES

### HUMAN RIGHTS COUNCIL ELECTIONS

We were pleased to see a majority of HRC candidates participate in this year's online HRC Pledging event, organized by Amnesty International and the International Service for Human Rights. The high level of participation and attendance reflects the importance the event has gained over the years. The event, held on 9 September, was co-sponsored by the Kingdom of the Netherlands and the Republic of the Marshall Islands, and moderated by Assistant Secretary-General for Human Rights, Ilze Brands Kehris. It provided an opportunity for participating candidate states to present their vision for HRC membership, ahead of the impending elections at the GA, and for the international community in Geneva and New York and civil society to engage with them in this regard, including by asking specific questions. We are disappointed that Bolivia, China, Cuba, Russia, Saudi Arabia and Senegal failed to participate in this important exercise in transparency and accountability.

#### Recommendations:

- We urge all states at the GA to vote in line with the clear criteria set out in GA resolution 60/251, while noting the worrying lack of competition this year across most regional groups.
- We encourage states, particularly those standing for election and following the elections closely, to consult our 2019 report on "Opportunities for strengthening and leveraging membership of the UN Human Rights Council".<sup>23</sup>

### SPECIAL PROCEDURES

We are deeply concerned by the continued attacks against Special Procedures, through which certain states have sought to undermine their independence and impose political oversight over individual experts. As noted in a [joint statement](#)<sup>24</sup> delivered by Amnesty on behalf of 14 NGOs, we regret that the groups of states that wrote to complain about two mandate holders ahead of the session appear to have ignored the existing Internal Advisory Procedure. The allegations presented against the Special Rapporteur on extrajudicial, summary or arbitrary executions, in particular, seem little more than objecting to her being especially effective and proactive in doing exactly what the HRC has tasked her to do, including monitoring and reporting on violations of the right to life.

Despite this, we welcome the outcome of the consultations led by the President of the HRC in consultation with the Coordination Committee of the Special Procedures, and are also pleased to see many states take the floor during the item 5 General Debate to express support for the independence of the Special Procedures. We also appreciate the efforts by the Coordination Committee to address broader issues related to the working methods of the Special Procedures, and welcome its willingness to work with the Special Rapporteur on the right to privacy on issues related to methodology and programming of the six outstanding country reports.

At the end of October and November, the HRC President will hold two consultations on the working methods of the Consultative Group when selecting Special Procedures mandate holders. In this context, there must be no re-opening of the Institution-Building Package (IBP) nor the criteria set out therein, as set out in the annex to [Human Rights Council resolution 5/1](#): (a) expertise; (b) experience in the field of the mandate; (c) independence; (d) impartiality; (e) personal integrity; and (f) objectivity and to give due consideration to gender balance and equitable geographic representation, as well as to an appropriate representation of different legal systems. Making changes to the IBP and HRC working methods by any other means than consensus would set a very negative precedent. The independence of the Special Procedures is absolute in nature and must be defended: any attempts to erode that status threatens the credibility and integrity of the HRC.

#### Recommendations:

- All states should remain vigilant against further attacks against the independence and integrity of the Special Procedures;
- States should engage actively with the HRC President's consultations announced for the end of October and November on the working methods of the Consultative Group and reject all attempts to re-open the IBP and to

<sup>23</sup> Amnesty International, Opportunities for strengthening and leveraging membership of the UN Human Rights Council, 1 July 2019, Index number: IOR 40/0631/2019, available at: <https://www.amnesty.org/en/documents/ior40/0631/2019/en/>.

<sup>24</sup> Amnesty International on behalf of 14 NGOs, Independence of the Special Procedures, <https://www.amnesty.org/en/documents/ior40/3132/2020/en/>.

undermine the independence of Special Procedures.

## THE COUNCIL'S PREVENTION MANDATE

We welcome important efforts to further the fulfilment of the HRC's prevention mandate and to enhance the links between the three pillars of the UN, through the initiative on ***the contribution of the Human Rights Council to the prevention of human rights violations***, though we regret the adoption of this resolution by vote. We look forward to urgent updates to the HRC by the High Commissioner on patterns of violations that point to a heightened risk of a human rights emergency, and welcome the resolution's provisions requesting the Secretary-General to bring HRC reports of relevance to the attention of relevant bodies of the UN, including by forwarding relevant country reports to the Security Council; and inviting the Chair of the Peacebuilding Commission to brief the HRC on an annual basis, including in relation to situations on the HRC's agenda.

## REPRISALS

We welcome the efforts by some states to engage actively in the interactive dialogue on reprisals, and particularly the interventions by the UK, Germany and BENELUX countries (Belgium, the Netherlands and Luxembourg) in which they raised specific cases of reprisals.

### Recommendations:

- States should follow the good practice of Germany, the UK, and BENELUX countries (as well as Costa Rica in 2019) by raising specific cases of reprisals at future sessions.
- States should commit to taking action on countries that persistently appear in the Secretary General's report for serious reprisals, especially those that are sitting members of the HRC.

## UNIVERSAL PERIODIC REVIEW

We welcome the adoption of the UPR outcomes of the 12 remaining states that had been reviewed during the 35th session of the UPR Working Group in January 2020. Amnesty International delivered statements during the adoptions of outcomes on [Kyrgystan](#), [Turkey](#), [Guinea](#), [Sweden](#) and [Laos](#). For the UPR process to be effective, states must continue to pay attention to key human rights challenges remaining in the countries reviewed.

### Recommendation:

- We urge all states to engage regularly with the states reviewed on a bilateral basis to encourage and support follow up and implementation of accepted recommendations.

## ANNEX: COMPILED RECOMMENDATIONS FOR FOLLOW UP ACTION

### COUNTRY SITUATIONS

#### **Belarus:**

- It is essential that the HRC stay focused and engaged on the situation in Belarus in this context of uncertainty and ongoing violations, and press the Belarusian government to take meaningful and credible steps to promote accountability, and cooperate with and allow access to all UN mechanisms, including the Special Rapporteur on Belarus. In this context, states should participate fully in:
  - Belarus's UPR, scheduled for November 2020 [Amnesty's assessment of the human rights situation and recommendations to Belarus can be found [here](#)];
  - The intersessional interactive dialogue, to be held before the end of this year and the enhanced interactive dialogue scheduled for HRC 46 (in February/March), as set forth in the resolution adopted during the Urgent Debate (L.1), and;
  - The interactive dialogue with the Special Rapporteur on Belarus, to be held during HRC 47, as set forth in Resolution 44/19.

#### **Burundi:**

- We urge the new Burundian authorities to reconsider as a matter of priority and urgency their categorical refusal to engage with the COI and other UN mechanisms.
- We encourage the HRC to continue to encourage Burundi to focus on concrete improvements to the human rights situation in the country, including through steps such as [these](#), and to prioritize cooperation with UN and AU human rights bodies, mechanisms, and experts.

#### **DRC:**

- We encourage the HRC to continue to work with the Congolese authorities to prioritize the issue of accountability, including through the renewal and expansion of the mandate of the team of experts and supporting OHCHR activities in country.

#### **Iran:**

- The HRC should establish an investigative mechanism for violations of human rights in Iran at the earliest possible opportunity.
- In this context, the HRC should engage collectively and in detail, in the form of resolutions and joint statements, about the alarming state of impunity in Iran and the need for credible investigations.

#### **Libya:**

- The HRC, all states, and other stakeholders should support the Independent Fact-finding Mission to ensure it is supported so that it can be dispatched as a matter of urgency, and that it has the sufficient resources, administrative support, and time to complete the work for which it has been mandated.
- All relevant parties to the conflict should promote accountability, including by cooperating with and providing access to the Independent Factfinding Mission.
- All states should comply with the UN arms embargo.
- The Libyan authorities should release all refugees, asylum seekers and migrants from detention and close all detention centres, decriminalize irregular entry, stay and exit, and
- All states and authorities should stop disembarking migrants and asylum seekers in Libya, as it is not a safe port of disembarkation.

#### **Myanmar:**

- It is essential the HRC keeps the situation in Myanmar firmly – and regularly – on its agenda.
- The resolution at HRC46 should:
  - Ensure regular updates by the Special Rapporteur and interactive dialogues at the HRC;
  - Highlight ongoing arrests, prosecution, and imprisonment of activists, journalists and others simply for exercising their rights and call on the Myanmar authorities to immediately and unconditionally release individuals deprived of liberty for the exercise of their rights and repeal or amend laws that violate the rights to freedom of expression, association and peaceful assembly;



- Include strong language on accountability, including in regard to the responsibility of the UNSC to refer the situation to the ICC;
- Ensure continued monitoring of the UN's role in Myanmar, in light of the findings of the Rosenthal report and continued concerns in that regard (see Amnesty's oral statement to HRC43 in this regard<sup>25</sup>);
- Put in place a concrete follow-up to the Fact-Finding Mission's work on the economic interests of the Myanmar military.

#### **The Philippines:**

- States – particularly those that have supported the approach – must commit to following the situation on the ground in the Philippines closely, and ensuring meaningful action is taken without further delay should the situation continue to deteriorate, in line with the High Commissioner's clear recommendations as well as calls from civil society and UN Special Procedures.

#### **Saudi Arabia:**

- Saudi authorities should act as a matter of urgency to improve the situation of human rights in the country, including by releasing all prisoners of conscience, including all women human rights defenders like Loujain Al-Hathloul.
- Given the continued escalating repression in Saudi Arabia the HRC must enhance its engagement on the situation in Saudi Arabia, and work towards the establishment of a monitoring mechanism on the human rights situation in the country.

#### **Sri Lanka:**

- The HRC must ensure continued, more robust scrutiny of the situation in Sri Lanka when it meets for its 46<sup>th</sup> session in February/March 2021.

#### **Sudan:**

- Sudan and the HRC should continue to work together, in coordination with the High Commissioner's office, to support continued improvement in the situations of human rights in the country, including as set forth above.

#### **Ukraine:**

- States should, including through forthcoming HRC dialogues,
  - encourage the Ukrainian authorities to make justice, non-discrimination, accountability for past abuses, and protection of human rights generally top priorities.
  - Encourage Russia to end the crackdown on rights and freedoms in occupied Crimea and allow access to, and cooperate with, the High Commissioner's office.

#### **Venezuela:**

- We urge States to urgently implement the recommendations of the FFM on Venezuela on accountability to ensure that victims' rights to truth, justice, reparation and guarantees of non-repetition are prioritised. States should investigate and prosecute those suspected of committing crimes under international law, as identified in the report, in accordance with the principle of universal jurisdiction.
- States must ensure the FFM has the resources to fulfil its important mandate.

#### **Yemen:**

- All involved in the conflict, including Yemen, Saudi Arabia, Bahrain, Egypt, Kuwait, Sudan, Jordan, and Senegal, should resume cooperation with the Group of Eminent Experts, provide it access to their territories and engage with the Group and other human rights experts in a spirit of seeking to cease violations of international humanitarian law and human rights law and ensure accountability for violations to date.
- All states should stop providing arms and related logistical and financial support to parties to the conflict in Yemen
- All states should review as a matter of urgency accountability options for Yemen, both so as to best support the GEE and to pursue and develop other accountability options.

#### **China:**

- The HRC must urgently take more meaningful action on China, including by convening a Special Session and launching an independent international investigation into the situation.
- The OHCHR should exercise its independent mandate to conduct remote monitor and report on the situation, based on

<sup>25</sup> Amnesty International, Human rights must be at the heart of UN operations in Myanmar and beyond, 9 March 2020, Index number: ASA 16/1939/2020, <https://www.amnesty.org/en/documents/asa16/1939/2020/en/>.

the mandate provided by United Nations General Assembly resolution 48/141 which includes the full range of activities aimed at the promotion and protection of human rights, including monitoring and reporting.

#### **Egypt:**

- The HRC must increase its scrutiny of the situation in Egypt, and work towards the establishment of a monitoring mechanism.
- States should reject Egypt's efforts to further co-opt discussions in UN forums on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

#### **India:**

- UN member states should urge India to:
  - Take urgent measures to end all forms of targeted attacks and harassment of human rights defenders, peaceful protestors and human rights organizations, including Amnesty International India;
  - Amend draconian laws like the Unlawful Activities (Prevention) Act (UAPA) and the Citizenship Amendment Act (CAA) to ensure they are fully compliant with International Human Rights Law;
  - Ensure prompt, thorough, independent and impartial investigations into all allegations of human rights violations committed by law enforcement officials in the context of the 2020 Delhi Riots, including excessive use of force, torture and other cruel, inhuman or degrading treatment or punishment, failure to protect the survivors and other individuals from attacks by far-right groups, and the unlawful use of firearms.
- States at the HRC must urgently address the deteriorating human rights situation in India and hold India to its human rights obligations and commitments through collective action.

### **THEMATIC ISSUES**

#### **COVID-19 and Human rights:**

- In line with the issues raised in Amnesty's [oral statement on the human rights impact of COVID-19](#), States should:
  - Listen to, and consult, frontline workers; respect their freedoms to organise and speak out; and ensure they are free from reprisals. This will be critical to ensuring an effective response to the pandemic.
  - Urgently scale up the production and distribution of personal protective equipment (PPE) to ensure that all frontline workers exposed to COVID-19 receive what they need, including cleaners, care workers and others who are often overlooked;
  - Ensure effective international cooperation and assistance including in relation to the sharing of information and best practices on human rights-based approaches to combatting the virus, and specifically on the production and adequate and equal distribution of medical equipment and PPE. Such cooperation and assistance should include the provision of financial assistance where necessary.
  - Ensure equitable access for all persons across the world to treatments and a safe and effective vaccine when this becomes available.
- The HRC should continue to ensure focused discussion of the impact of the COVID-19 response on human rights, and should ensure that the voices of practitioners and front-line workers around the world are heard, including by securing their participation in future panels and dialogues going forward.

#### **Right to a healthy environment:**

- We urge the HRC at its next session to recognize the right to a safe, clean, healthy, and sustainable environment.

#### **Safety of journalists:**

- States must take urgent measures to implement the measures called for in operational paragraph 10 of the [resolution on the safety of journalists](#) and report back to the HRC on progress and challenges in that regard.

### **INSTITUTIONAL ISSUES**

#### **HRC elections:**

- We urge all states at the GA to vote in line with the clear criteria set out in GA resolution 60/251, while noting the worrying lack of competition this year across most regional groups.
- We encourage states, particularly those standing for election and following the elections closely, to consult our 2019

report on “Opportunities for strengthening and leveraging membership of the UN Human Rights Council”.<sup>26</sup>

**Special Procedures:**

- All states should remain vigilant against further attacks against the independence and integrity of the Special Procedures;
- States should engage actively with the HRC President’s consultations announced for the end of October and November on the working methods of the Consultative Group and reject all attempts to re-open the IBP and to undermine the independence of Special Procedures.

**Reprisals:**

- States should follow the good practice of Germany, the UK, and BENELUX countries (as well as Costa Rica in 2019) by raising specific cases of reprisals at future sessions.
- States should commit to taking action on countries that persistently appear in the Secretary General’s report for serious reprisals, especially those that are sitting members of the HRC.

**UPR**

- We urge all states to engage regularly with the states reviewed on a bilateral basis to encourage and support follow up and implementation of accepted recommendations.

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<sup>26</sup> Amnesty International, Opportunities for strengthening and leveraging membership of the UN Human Rights Council, 1 July 2019, Index number: IOR 40/0631/2019, available at: <https://www.amnesty.org/en/documents/ior40/0631/2019/en/>.