

BRIEFING ON AMNESTY INTERNATIONAL'S KEY PRIORITIES FOR THE 48th SESSION OF THE UN HUMAN RIGHTS COUNCIL

All UN member states have a responsibility to ensure that the UN Human Rights Council (HRC) fulfils its mandate to promote and protect human rights, to respond to human rights crises, and to prevent violations of human rights when it meets for its 48th regular session (HRC48).

Following the failure of the special session on the escalating human rights and humanitarian crisis in **Afghanistan** to deliver a meaningful outcome, HRC member states must take action at HRC48 to establish a Fact-Finding Mission, or similar investigative mechanism. In the course of the negotiations and the special session itself, an appeal for such a mechanism was made clearly and consistently by a wide range of actors, including the Afghanistan Independent Human Rights Commission, the UN High Commissioner for Human Rights, Special Procedures, and a number of national, regional and international civil society organisations, including Amnesty International.

UN member states should also use HRC48 as an opportunity to address recent developments in **Colombia**, as well as ongoing human rights crises not already on the HRC's agenda – including in **Cameroon, China, Egypt, India, Iran, Russia** and **Saudi Arabia**. The HRC should also take steps to establish a Fact-Finding Mission to ensure the rights to truth, justice, and reparation for victims of the 4 August 2020 explosion at the port of **Beirut** in Lebanon. The session will also be an important moment to recalibrate and progress on a number of existing efforts to address human rights situations already on the agenda of the HRC. Specifically, the organization hopes to see the renewal of important mandates, including on **Burundi, Cambodia, Libya, Sudan** and **Yemen**. States should consider further action to address the human rights crisis in **Ethiopia's Tigray region**, strengthen its approach on **Cambodia**, and expand the mandate of the International Team of Experts on the Kasais region of the **Democratic Republic of the Congo**. The HRC should further launch a long-overdue investigation into the human rights situation in the **Philippines**, which continues to deteriorate.

The HRC should also take robust steps to address a number of thematic global issues, including by recognising the right to a safe, clean, healthy, and sustainable **environment** and establishing a Special Procedure on human rights and **climate change**; adopting a strong resolution on the question of the **death penalty** focused on the need for greater transparency; and reviving the regular OHCHR reporting on the human rights impact of the **Covid-19** pandemic. Amnesty International also hopes the HRC will respond robustly to the shocking findings of the [Pegasus project](#), and call on states to **commit to the implementation of a global moratorium on the export, sale, transfer, and use of surveillance technology** until a human rights compliant regulatory framework is in place, as recommended by civil society and Special Procedures. The organization also hopes to see states engage concretely in the interactive dialogue on **reprisals**, and to work towards a strong resolution in that regard. Amnesty International urges states to be vigilant, and to push back against, initiatives or hostile amendments designed to undermine human rights mechanisms and standards.

Finally, the organization encourages member states to take additional efforts to consult meaningfully with **civil society, including national and regional actors**, and those directly affected in the context of the situations and issues under consideration, as they develop their positions and initiatives. In this regard, states should leverage the additional opportunities presented by the move to online consultations and engagement. In a similar vein, the organization urges the HRC President, Bureau, and all UN member states, to ensure that the ability of civil society to engage in the full scope of the work of the HRC, including through formal debates and negotiations, is not unduly impacted by restrictions related to the Covid-19 pandemic.

HUMAN RIGHTS CRISIS SITUATIONS THAT REQUIRE THE HRC'S URGENT ATTENTION

During HRC48, Amnesty International urges states to take robust action to address several human rights crises situations that are not yet on the HRC's agenda. Among situations that merit the attention of the HRC, the organization urges states to:

- **Take urgent action to launch a Fact-Finding Mission or similar investigative mechanism on Afghanistan. This mechanism should have a multi-year mandate** to: a) **investigate all crimes under international law and human rights violations and abuses**, including any gendered dimensions of such violations and abuses, by all parties in Afghanistan, including the Taliban; b) **contribute to efforts to bring all those suspected of criminal responsibility of crimes under international law to justice**, in fair trials before ordinary civilian courts and without recourse to death penalty, including by identifying those suspected of criminal responsibility, collecting and preserving evidence for future prosecutions, and making recommendations on necessary measures to end impunity and ensure accountability for serious crimes; c) **make recommendations** for concrete action to protect the rights of the people of Afghanistan, including women and girls, human rights defenders, journalists and other facing reprisals, discrimination and denial of their rights; d) **report regularly, including inter-sessionally**, to the HRC, as well as to the UN General Assembly (UNGA), the UN Security Council (UNSC), and other relevant UN organs and bodies. Such a mechanism, capable of conducting ongoing active monitoring, is critical to support the efforts of courageous human rights defenders, including women human rights defenders, who continue their work at significant risk; to ensure the international community has regular, evidence-based reporting to inform their ongoing response to the crisis; to send a clear message to perpetrators that their actions are being scrutinized; and to address the accountability gap that continues to fuel grave crimes across the country. In the course of the negotiations and during the special session, an appeal for such a mechanism was made clearly and consistently by a wide range of actors, including the Afghanistan Independent Human Rights Commission, the UN High Commissioner for Human Rights, Special Procedures, and a number of national, regional and international civil society organisations, including Amnesty International. Amnesty is dismayed by the shameful failure of the special session to deliver a credible outcome in this regard and urges states to ensure this failure is not repeated at HRC48. As noted by the Chairperson of the Afghanistan Independent Human Rights Commission in her opening address to the HRC, "Afghan activists on the ground, my colleagues on the ground, who face direct threats to their lives and the lives of their families, demand better, while they have everything to lose by putting this ask forward [...] Many I speak to in Afghanistan already fear that they may not have a tomorrow. In our worst moment, we call on you to do better." > **See Amnesty International [oral statement](#) and [reaction to outcome](#) of special session.**
- **Address the human rights crisis in Cameroon, through a resolution or action-oriented joint statement**, in follow up to the [joint statement on Cameroon](#), delivered by the United Kingdom (UK) on behalf of 38 countries in March 2019. Serious human rights violations and abuses continue to be committed by the security forces and armed groups. [OHCHR recently noted](#) reports of extrajudicial executions, torture, sexual and gender-based violence and abductions, and Special Procedures have expressed concern over the [ongoing crackdown on peaceful dissent and on critics of the Government](#) and [increased intimidation and aggression against human rights defenders](#). [Hundreds of thousands of people have been displaced due to violence](#). The HRC must take long-overdue action to address the crisis at HRC48, ideally by adopting a resolution that mandates monitoring and reporting on the situation. At the very least member states should issue an action-oriented joint statement, setting clear benchmarks to be fulfilled by the Government of Cameroon to ensure measurable progress on human rights. > **See [joint letter by civil society organisations urging action to address the human rights crisis in Cameroon](#).**
- **Convene an Urgent Debate and launch a remote monitoring and reporting mechanism to address the increasingly alarming human rights situation in China**, building on joint statements delivered by [Canada on behalf of 44 states](#) at HRC47, the [UK on behalf of 27 states](#) at HRC44 and by [Germany on behalf of 39 states](#) at the Third Committee in October 2020. Amnesty International urges those states that continued to use their voice to defend China's record at HRC47 to re-evaluate their stance as the [evidence of grave human rights violations against Uyghurs, Kazakhs and other predominantly Muslim ethnic groups in Xinjiang](#) continues to mount and the [crackdown continues](#)

[in Hong Kong](#). Given China's continued blanket denials in the face of mounting credible evidence, HRC action is overdue. The organization urges states from all regions to work together to convene a Special Session or an Urgent Debate to address the human rights situation in China, and to launch a remote monitoring and reporting mechanism, in line with the clear and strong [call by an unprecedented number of Special Procedures](#) mandate-holders and [hundreds of civil society organisations from all regions](#).

- **Address the human rights crisis in Colombia through individual and joint statements**, supporting efforts at regional level to urge the authorities to unequivocally order the security forces to end the violent repression of protesters, to promptly, independently, and impartially investigate all human rights violations committed by the security forces in the context of the protests, to allow full and unfettered access to regional and international human rights monitors, and to immediately comply with the [recommendations](#) of the Inter-American Commission on Human Rights. In recent months, Amnesty has documented cases of arbitrary detentions, torture, [excessive and unnecessary use of force by the security forces against peaceful demonstrators and attacks by armed civilians](#), accompanied and tolerated by the National Police, against demonstrators and human rights defenders, thus constituting expressions of urban paramilitarism. Amnesty International hopes the High Commissioner will continue to keep the HRC updated on the situation and urges member states to pay close attention to the development of the situation and use the HRC as a forum to address it, including through individual and joint statements.
- **Establish a monitoring and reporting mechanism on the human rights situation in Egypt**. The [joint cross-regional declaration](#) delivered at the HRC on 12 March 2021 was an important first step to defending the survival of the human rights movement in Egypt. Since, the organization has seen some positive impact, including the release of a number of arbitrarily detained human rights defenders, journalists, and politicians. In response, the government has attempted to whitewash its human rights record by promising to develop a “national human rights strategy.” At the same time, the Egyptian government has renewed its effort to defend and distort its alarming human rights record, denying the scale and gravity of the violations and making it clear that, as of yet, it is unwilling to undertake fundamental reform. For example, the authorities have failed to hold to account a single member of the security forces for killing at least 900 people during their [violent dispersal of sit-ins in Rabaa al-Adawiya and Al-Nahda squares](#) eight years ago, while twelve men are facing imminent execution and hundreds of others are serving lengthy prison terms over their involvement in the protests. Continued and enhanced public pressure is the best way for the HRC to promote a meaningful improvement in the human rights situation in the country, and to urge the authorities to unshackle freedoms, including as set forth in a [joint call](#) by 64 organisations to President Abdel Fattah al-Sisi.
- **Raise concern over the ongoing crackdown on human rights in India, and urge the authorities to take urgent remedial measures**, responding to concerns raised consistently by civil society, the High Commissioner,¹ and Special Procedures. Despite India's commitment in its [membership pledges](#) to “foster the genuine participation and effective involvement of civil society in the promotion and protection of human rights,” Amnesty has witnessed an alarming crackdown on civil society in India and excessive use of force, arrests and arbitrary detention of peaceful protesters since assuming its seat on the HRC.² Since June 2018, 16 human rights defenders have been arrested and put in jail on fabricated charges. One of them, 84-year-old Father Stan Swamy, died in prison last month. Despite having a critical health condition, he was denied bail. His death and the continued incarceration of other defenders is a tragic indictment of India's human rights record. HRC48 will mark one year since Amnesty International India was forced to shut down operations,³ when the authorities froze its bank account following years of targeting the organisation and its staff for its

¹ OHCHR, Bachelet dismayed at restrictions on human rights NGOs and arrests of activists in India, 20 October 2020, available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26398>.

² See for example Special Procedures communication AL IND 3/2020, 28 February 2020, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25080>.

³ On 21 October, a group of UN Special Procedures sent a communication to the Indian government, expressing concerns about the allegations of police and judicial harassment of Amnesty India, in part, as retaliation for its human rights work in the country and the incompatibility of the FCRA with international human rights standards. See: Special Procedure communication AL IND 17/2020, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25633>.

human rights work. In addition to the crackdown on civic space and the targeting of human rights defenders, the organization has been alarmed by increased discrimination against minorities – particularly Muslims – across the country, including through the weaponization of the National Population Register and the Foreigners Tribunals by the Citizenship Amendment Act (CAA). States should raise these concerns at HRC48 and urge India to take urgent remedial measures. States should also urge India to take urgent remedial measures to protect and respect the rights of people in Indian-administered Jammu and Kashmir, where arbitrary detentions under draconian Public Safety Act, clamp down on journalists, critics, and activists through vague and overbroad media policy, and impunity for Security forces under Armed Forces (Special Powers) Act continued even after the abrogation of Article 370 in August 2019. The long-drawn suspension of high-speed internet services from August 2019 also hampered access to information, thereby affecting peoples' right to health, education, and livelihoods in the context of the pandemic.

- **Establish an impartial, independent mechanism on Iran to address entrenched impunity for the most serious crimes under international law, with a mandate to collect, consolidate, preserve, and analyse evidence for future investigations and, if there is sufficient admissible evidence, prosecutions.** The crimes under international law and human rights violations requiring investigation by such a mechanism include the [unlawful killing of hundreds of unarmed men, women and children](#), and widespread commission of arbitrary detention, [torture and enforced disappearance](#) since the crackdown on nationwide protests in November 2019.⁴ They also include past and ongoing crimes related to prison massacres in 1988, which a group of UN experts stated in a September 2020 [communication](#) “may amount to crimes against humanity.” The experts stated that should Iran “continue to refuse to uphold its obligations under international law, we call on the international community to take action ... through the establishment of an international investigation.” The Special Rapporteur on Iran has publicly [supported](#) the creation of such a probe. In addition to committing the crime against humanity of murder in 1988 by extrajudicially executing thousands of political dissidents in secret, the Iranian authorities continue to commit the crimes against humanity of enforced disappearance, torture, persecution and other inhumane acts, including by systematically concealing the fate and whereabouts of the victims.⁵ Failure to investigate all those against whom there is evidence of direct involvement with these crimes, who include the former head of the judiciary and current president [Ebrahim Raisi](#), has not only further entrenched impunity, but also facilitated the repetition of such crimes. The Iranian authorities also have had a history [of targeting dissidents abroad](#), through abductions and executions, in an effort to silence them. Moreover, the Iranian authorities have used the [death penalty](#) as a weapon of political repression against dissidents, protesters and members of ethnic minority group and for alleged offences by children. Security forces [have recently used mass arrests, live ammunition and birdshot](#) to crush mostly peaceful protests taking place in various locations across Iran including [Khuzestan, Kermanshah and Western Azerbaijan](#), leaving at least 11 protesters and bystanders, including a teenage boy, dead, and scores – including children – injured. Until the international community begins to take this crisis of impunity more seriously, such violations are likely to continue unabated. In his [July 2021 report](#) to the General Assembly, the Special Rapporteur on Iran “urges the international community to call for accountability” and stresses that “[t]he absence of domestic remedies highlights the international community’s important role in ensuring accountability for gross human rights violations in the Islamic Republic of Iran.” For these reasons, Amnesty International has joined with nine other organisations to call for the HRC to establish an independent investigatory and accountability mechanism to collect, consolidate, preserve, and analyse evidence of the most serious crimes under international law committed by the authorities of the Islamic Republic of Iran.

⁴ Amnesty International, Iran: Details released of 304 deaths during protests six months after security forces' killing spree, 20 May 2020, <https://www.amnesty.org/en/latest/news/2020/05/iran-details-released-of-304-deaths-during-protests-six-months-after-security-forces-killing-spreed/>; Iran: At least 23 children killed by security forces in November protests – new evidence, 4 March 2020, <https://www.amnesty.org/en/latest/news/2020/03/iran-at-least-23-children-killed-by-security-forces-in-november-protests-new-evidence/>; Iran: Trampling Humanity - Mass arrests, disappearances and torture since Iran's 2019 November protests, 2 September 2020, Index number: MDE 13/2891/2020, <https://www.amnesty.org/en/documents/mde13/2891/2020/en/>.

⁵ Amnesty International, Iran: Blood Soaked Secrets Why Iran's Prison Massacres are Ongoing Crimes Against Humanity, 4 December 2018, Index number: MDE 13/9421/2018, <https://www.amnesty.org/en/documents/mde13/9421/2018/en/>.

- **Take concrete steps to establish a fact-finding mission to ensure the rights to truth, justice, and remedy for victims of the 4 August 2020 explosion at the port of Beirut in Lebanon.** Amnesty International issued a [detailed statement](#) in support of such a mission in the immediate aftermath of the explosion.⁶ Since then, the case for such an internationally-led investigation has only strengthened, as authorities have actively obstructed the domestic process throughout the past year, failing to guarantee and conduct effective, independent, or impartial investigations, and to guarantee effective remedy and reparations. One year after the blast, Lebanese [authorities continue](#) to obstruct the course of justice, by claiming immunity rights for high-level officials. The HRC must take meaningful steps to create the type of investigation that is lacking at domestic level. [> See joint appeal by a coalition of over 50 Lebanese and international organisations, as well as 62 survivors and families of victims, calling for an international investigative mission.](#)
- **Urge Russia to fulfil its international obligations and to meet its commitments as a member of the HRC to promote the highest standards of human rights and to cooperate with the HRC and its mechanisms.** HRC48 will occur against the backdrop of a wide-scale clampdown on human rights and dissent in Russia. Amnesty International notes with alarm that since the important [cross regional statement](#) delivered by 45 states at HRC46, the Russian authorities appear to have further accelerated their crackdown on dissent, including through the increased abuse of “anti-extremism”, “foreign agent” and “undesirable” organizations legislation and a raft of further legislative amendments designed to facilitate such abuse. Russia, through the use of increasingly repressive measures to restrict and suppress peaceful protests, is [no place for protest](#). In this context, the HRC must ensure continued and heightened attention to the human rights situation in Russia moving forward, as set out in a [joint open letter issued by Amnesty together with other organisations in July](#). At this stage, a resolution on the human rights situation in the country is warranted.
- **Establish a monitoring and reporting mechanism on the human rights situation Saudi Arabia.** The series of joint statements on the human rights situation in Saudi Arabia at [HRC40](#), [HRC42](#), and [HRC45](#) has brought much-needed attention to the situation and identified clear benchmarks for improvement.⁷ These declarations, combined with the attention generated during Saudi Arabia’s presidency of the G20, and the brave work of human rights defenders in Saudi Arabia, had forced the government to take some measures, but mostly as attempts to burnish its image. These include releases of some prominent women human rights defenders, including Loujain al-Hathoul and taking some initial steps to improve major human rights concerns related to the guardianship system and the death penalty. The organization has not, however, seen institutionalized and sustained improvement on the benchmarks identified related to freedom of expression and human rights defenders, and legal reforms related to the death penalty. On the contrary, Amnesty International’s [research](#) indicates that, since the end of their G20 presidency and once the spotlights have died down, the Saudi authorities have intensified their harassment of human rights defenders and dissidents in 2021. This crackdown has included further harsh extended prison sentences against human rights defenders and activists who have expressed opinions or dissent. While all women human rights defenders were released in recent months, they all face travel bans and risk re-arrest at any moment should they continue their human rights work. The authorities have also executed over 40 individuals so far this year. Additionally, with the scale of continuing repression on human rights defenders, there is a continuing lack of access to independent monitors and international organizations to the country.

⁶ Lebanon: Only an International Investigation can Ensure Beirut Explosion Victims’ Rights to Truth, Justice and Remedy, 7 September 2020, Index number: MDE 18/2997/2020, <https://www.amnesty.org/en/documents/mde18/2997/2020/en/>.

⁷ Joint statement on Saudi Arabia delivered at HRC40 by Iceland, available <https://www.government.is/library/01-Ministries/Ministry-for-Foreign-Affairs/Myndir/Joint%20Statement%20on%20Saudi%20Arabia%20-%207%20March%202019.pdf>; Joint Statement on Saudi Arabia delivered by Australia at HRC42, available at <https://www.dfat.gov.au/sites/default/files/42nd-hrc-joint-statement-human-rights-saudi-arabia.pdf>; Joint statement on Saudi Arabia delivered by Denmark at HRC 45, available at <https://fngeveve.um.dk/en/news/newsdisplaypage/?newsid=f80a37c6-260f-46f9-b4a6-30d07198d2f8>.

KEY PRIORITY SITUATIONS ON THE AGENDA OF THE HRC

Regarding situations already on the agenda that require further follow-up, we urge member states to:

- **Express public support for the newly established OHCHR Examination on Belarus, in the context of the interactive dialogue on Belarus, and explore concrete ways to support the Examination and other justice initiatives.** The Belarusian authorities continue their crackdown on civil society, including most recently by dissolving at least 46 human rights and civil society organisations effective 23 July 2021. The day prior, Belarus's President Alyaksandr Lukashenka addressed the Cabinet with a message comparing NGOs to “bandits and foreign agents” and saying that a “clean-up” was underway.
- **Take as a starting point of any negotiations on Burundi the renewal of the Commission of Inquiry (CoI).** Crimes under international law and serious human rights violations continue in Burundi. While some violations declined in number and intensity and there were promises of reform following the change of president in 2020, in recent months there has been a worrying increase in arbitrary arrests of political opponents, torture, enforced disappearances and targeted killings. All the structural issues the CoI has identified remain, including widespread impunity for violations and abuses. Investigations into, monitoring of and public reporting on Burundi's human rights situation remain necessary, especially in the absence of a strong independent human rights movement and institutions in Burundi. These investigations should be conducted by an independent mechanism that has a mandate to advance justice and accountability, including through establishing responsibilities and identifying those suspected of criminal responsibility. The CoI is the only independent international mechanism mandated to document ongoing human rights violations and abuses (including on their extent and whether they may constitute crimes under international law), monitor, and publicly report on the situation in Burundi, with sufficient resources and experience. It has a solid track record of using thorough and professional documentation methodologies and continues to provide critical oversight of the human rights situation. Delegations must ensure that any change in the HRC's approach to the situation in Burundi comes only in response to demonstrable progress on key human rights concerns, including ensuring meaningful justice and accountability for violations and abuses. Such progress should be substantive, measurable, and tangible, based on the key indicators identified by the CoI. There should be a clear implementation plan and timeframe, and concrete time bound commitments. The Burundian government should acknowledge human rights challenges explicitly and grant access to and cooperate with independent human rights mechanisms. [> See joint civil society letter urging HRC to continue its scrutiny and pursue its work towards justice and accountability on Burundi.](#)
- **Renew the mandate of the Special Rapporteur on Cambodia and ensure that the resolution on Cambodia adequately reflects the severe deterioration of the human rights situation in the country.** Amnesty International has documented how Cambodian authorities have undertaken a relentless crackdown on all forms of dissent for the past five years, encompassing supporters and officials of opposition parties, human rights defenders, journalists, and other independent voices. This year in particular has seen a spate of arbitrary arrests, charges and convictions of human rights defenders and activists, especially [environmental activists](#) and [youth](#). [Indigenous Peoples](#) have also been targeted with harassment and exclusion while illegal logging and environmental crimes are allowed to run rampant. This severe repression, which has come to characterise Cambodia's human rights situation, should not be normalised by the international community but rather should be reflected in the HRC resolution, especially with another election cycle coming up next year. The resolution should include additional monitoring and reporting on the rights situation by the Geneva HQ OHCHR, to support the Special Rapporteur in fulfilling his mandate and the OHCHR country office to provide the protection needs of persons at risk during the elections. The resolution should also include clear benchmarks for improving the human rights situation on the ground.
- **Continue to encourage the authorities of the Democratic Republic of Congo to prioritize the issue of accountability,** including through supporting OHCHR activities in country and through renewing the mandate of the International Team of Experts, while expanding the geographic scope of the team's mandate to cover all other regions in the country in addition to the Kasais.

- **Engage actively in interactive dialogue on the human rights and humanitarian crisis in Ethiopia's Tigray region; and ensure appropriate follow up action as necessary.** Amnesty International has documented a string of possible crimes under international law and serious human rights violations and abuses, including possible war crimes and crimes against humanity. Sexual violence, along with other grave human rights violations, has been a defining element of the conflict in Tigray since its outbreak in November 2020. A recent [report](#) by Amnesty International has documented how forces aligned to the Ethiopian government have committed widespread rape, including gang rape, and sexual enslavement of ethnic Tigrayan women and girls, amounting to war crimes and possibly crimes against humanity. [The High Commissioner for Human Rights](#) has also reported that her “preliminary analysis of the information received indicates that serious violations of international law, possibly amounting to war crimes and crimes against humanity, may have been committed by multiple actors in the conflict” and expressed concern that “without prompt, impartial and transparent investigations and holding those responsible accountable [...] violations will continue to be committed with impunity.” While resolution [47/13](#) was an important first step to address the crisis, much more concrete action will be needed in light of the findings presented by the OHCHR to HRC48. Amnesty International remains convinced that a robust UN investigation, with synergies with important efforts by the African Commission on Human and Peoples’ Rights, will be critical to advancing accountability and sending a warning message to all those suspected of criminal responsibility for war crimes and crimes against humanity that they will be brought to justice in fair trials before ordinary civilian courts and without recourse to death penalty. We urge the HRC to take this action at HRC48, as we approach one year since the crisis broke out, and to ensure the ACHPR’s COI has a role in the discussions on next steps. > **See recent Amnesty [International report on rape and sexual violence in the conflict in Tigray, Ethiopia.](#)**
- **Engage actively in the interactive dialogue with the Fact-Finding Mission (FFM) on Libya, renew its mandate and ensure that it has sufficient resources and time to conduct its mission.** The organization welcomes the establishment of the FFM in June 2020, as a long overdue and necessary step, but is concerned that UN budgetary constraints and difficulties related to the Covid-19 pandemic have hampered its ability to become operational and conduct its work. This only magnifies the importance of renewing the FFM. Respect for human rights and the establishment of pathways for accountability, including international investigative mechanisms such as the FFM, are key elements for restoring the rule of law and ending the rampant impunity in Libya. For example, in addition to the violations witnessed in direct relation to the armed conflict, Amnesty International has recently documented the horrific treatment of migrants and refugees in Libya, including those forcibly returned from sea to abusive state detention. For these reasons, Amnesty International has joined 26 Libyan, regional, and international organisations to call for the [full renewal of the mandate](#) of the FFM.
- **Engage actively in the interactive dialogues with the High Commissioner and the Special Rapporteur on Myanmar, as well as the Independent Investigative Mechanism for Myanmar (IIMM),** to urge the military to immediately end their ongoing crackdown, to express support for more robust action by the UN Security Council, and to underline the need for the international community to hold all those suspected of criminal responsibility of international crimes to account and urgently ensure humanitarian access to populations affected by escalating armed conflict and violence and [Covid-19](#). States from all regions should speak up to express outrage at the use of extrajudicial executions to target overwhelmingly peaceful protesters and bystanders, and to condemn the torture and deaths of detainees in custody, including activists.⁸ They should urge the military to immediately release all those arbitrarily detained and to uphold the rights to freedom of expression and access to information. They should raise concerns and call for the protection of civilians and humanitarian access to displaced communities amid escalating armed conflict nationwide. They should commit to redoubling efforts – including at the Security Council – to holding all the military personnel suspected of criminal responsibility to account for their crimes and violations and doing all they can to protect the rights and lives of the people of Myanmar.

⁸ For up to date information see AAPPB daily briefings on situation, available at: <https://aappb.org/?cat=109>.

- Take long-overdue action to launch an investigation into unlawful killings and other serious violations in the Philippines.** HRC48 will mark one year since HRC resolution [45/33](#), which fell far short of repeated calls by [civil society](#) and [UN experts](#) for an independent, international investigation into the serious and ongoing human rights violations in the country and was a [missed opportunity to seek justice for thousands of unlawful killings](#) documented in the [landmark OHCHR report](#) presented in June 2020. Since the resolution was adopted, committing the Philippines to a programme of “technical assistance” from OHCHR, the violations identified in the report have continued unabated. Amnesty International continues to receive reports of unlawful killings of people suspected of using and selling drugs and President Duterte continues to publicly endorse and incite violence.⁹ Amnesty International is aware of only one known prosecution of police involved in just one of thousands of suspected extrajudicial executions, while the Office of the President has yet to allow the release of the findings of an interagency group set up to review over 5,000 killings in police anti-drug operations. There has also been an upsurge of violations including a wave of killings, threats, and harassment of activists and human rights defenders, as well as Indigenous peoples, lawyers and judges, journalists, government critics and others who have been “red-tagged” or labelled as “communists” under the government’s “counter-insurgency” campaign. In June, the Prosecutor of the International Criminal Court (ICC) announced that she has requested judicial authorisation to proceed with an investigation into suspected crimes in the country. This decision was made on the basis that her preliminary examination “determined that there is a reasonable basis to believe that the crime against humanity of murder has been committed on the territory of the Philippines between 1 July 2016 and 16 March 2019 in the context of the Government of Philippines “war on drugs” campaign.” The government immediately stated it would not cooperate with the investigation. A full international investigation into human rights violations, launched by the HRC, remains urgently needed to address the pervasive impunity that continues to fuel these serious violations and address the widening human rights crisis beyond the temporal scope of the ICC’s investigation. States must take steps at HRC48 towards a more robust approach to the situation, in line with the High Commissioner’s recommendation that “in the absence of clear and measurable outcomes from domestic mechanisms,” the HRC should “consider options for international accountability measures.”¹⁰
- Engage robustly in discussion with the High Commissioner in the context of her oral update on Sri Lanka,** including to raise the use of Covid-19 restrictions and counter-terror laws by Sri Lankan law enforcement authorities to further restrict the space for dissent, and the continuing discrimination and marginalisation of the Muslim community, including by the state. Amnesty International has continued to document these cases of human rights violations and the lack of accountability and the impunity with which these incidents occur. The HRC and all UN member states must respond robustly to reprisals and urge the Sri Lankan government to desist from these abusive practices.
- Support an update to, and continuation of, the approach set forth in the HRC45 resolution on technical assistance and capacity-building to further improve human rights in the Sudan,** including through technical assistance through the OHCHR country office and field presences, and an annual written report and enhanced interactive dialogue.
- Engage actively in the interactive dialogue with the High Commissioner on Venezuela and continue to press Venezuela to take concrete steps to put an immediate end to its policy of repression,** particularly recent measures taken against civil society organisations, and to allow full access to the country to the FFM. In recent months, Amnesty International has continued to receive reports of [attacks on humanitarian](#) and [non-governmental organisations](#), politically motivated [arbitrary detentions](#), alleged mass [extrajudicial executions](#), and harassment of media outlets.
- Establish an international criminally focused investigative body for Yemen, while simultaneously ensuring the continuity of the Group of Eminent Experts on Yemen through an ongoing or multi-year mandate.** Amnesty International’s most recent [research](#) details the campaign by Huthi de facto authorities since 2015 of arbitrary arrests and detention against individuals exercising their right to expression, opinion and religious belief perceived to oppose their rule, and the conditions under

¹⁰ OHCHR, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Philippines, 4 June 2021, UN doc. A/HRC/44/22, para 88.iii.

which individuals were released as part of political deals in 2020, after being unlawfully detained and tortured for up to seven years. Upon their release, the Baha'is were forced into exile, with the UN facilitating their departure, and eight other detainees were banished to other parts of the country. The HRC must further engage with and respond to the Group's recommendations made last September as to how to bridge the "acute accountability gap that persists in relation to the conflict in Yemen" (A/HRC/45/6, ¶ 99), including regarding the conduct of criminal investigations and prosecutions, and the expansive exercise of jurisdiction where possible.

- Renew the mandates of the Independent Expert on the situation of human rights in **Somalia** and the Independent Expert on the situation of human rights in **Central African Republic**.

THEMATIC PRIORITIES

Regarding global thematic issues, we encourage states to:

- **Engage in a coordinated matter so that the HRC, at the earliest possible opportunity, recognizes the right to a safe, clean, healthy, and sustainable environment and establishes a Special Procedure mandate on human rights and climate change.** It is through coordinated action with respect to both of these important and urgent initiatives that states can elevate the work of the HRC and help states to address the urgent threats to human rights posed by the climate emergency.
- **Support the development and adoption of a strong resolution on the question of the Death Penalty, with a focus on the need for greater transparency, and counter any initiatives to undermine it.** Building on UNGA Resolution 75/183, the resolution should specifically call on states to ensure: the publication of relevant and aggregated information on the use of the death penalty; information on clemency procedures and outcomes are publicly made available; prior and adequate notice of executions are given to family members and legal representatives; the family members and legal representatives of death row prisoners are informed of the location of their detention; bodies of executed prisoners are returned to their families; and in cases where the bodies have already been buried, the families are informed of where the burial sites are located. Amnesty International's [latest report](#) on the global use of the death penalty illustrates how the lack of transparency in the use of the death penalty has direct consequences for the human rights of people sentenced to death and for other affected persons. The death penalty is a violation of the right to life as proclaimed in the Universal Declaration of Human Rights and is the ultimate cruel, inhuman and degrading punishment.
- **Work together to revive regular OHCHR reporting and space for dialogue on the question of the impact of the Covid-19 pandemic on the enjoyment of human rights** (following on from PRST 43/1). It is critical to create a regular space for dialogue on key human rights issues stemming from or exacerbated by the pandemic, including for example the use of emergency measures; the policing of lockdown regulations;¹¹ the protection of frontline workers and their inclusion in decision-making processes;¹² international cooperation and assistance to ensure universal access to Covid-19 diagnostics, treatments and vaccines to all, without discrimination, giving priority to at-risk groups;¹³ and other emerging issues requiring urgent international attention and cooperation. Given the PRST presented at HRC47 was unilaterally blocked by Russia, we encourage states to present the initiative again as a resolution which we hope could be adopted by consensus, or at least with near total support from HRC members.
- **Adopt a strong resolution on the right to privacy, which should, *inter alia*:**
 - Address the global scale of human rights abuses involving cyber surveillance companies, like NSO Group and governments clients, that use such technologies to violate human rights by urgently committing to implementing a global moratorium on the export, sale, transfer, and use of surveillance technology until a human rights compliant regulatory framework is in place. The

¹¹ Amnesty International, COVID-19 crackdowns: police abuse and the global pandemic, 17 December 2020, Index number: ACT 30/3443/2020, available at: <https://www.amnesty.org/en/documents/act30/3443/2020/en/>.

¹² Amnesty International, Oral statement on 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/download/Documents/IO4030462020ENGLISH.pdf>.

¹³ See Amnesty International, A fair shot: Ensuring universal access to COVID-19 diagnostics, treatments and vaccines, 8 December 2020, Index number: POL 30/3409/2020, available at: <https://www.amnesty.org/en/documents/pol30/3409/2020/en/>.

[Pegasus Project](#) has recently revealed how NSO Group’s spyware – Pegasus – has been used to facilitate human rights violations around the world on a systematic scale. Targets of unlawful surveillance include numerous activists, journalists and human rights defenders, with Amnesty International’s Security Lab exposing confirmed targeting through forensic evidence. The fact that diplomats and heads of states themselves were also themselves potential targets of surveillance using Pegasus spyware should serve as a long overdue wake-up call for states worldwide to step up and regulate this industry. While NSO Group asserts its spyware is only used for legitimate criminal and terror investigations, it has become clear that its technology facilitates systemic abuse. As the [UN High Commissioner for Human Rights has said](#), “if the recent allegations about the use of Pegasus are even partly true, then that red line has been crossed again and again with total impunity.” Given the breadth and scale of these findings, there is an urgent need to halt surveillance technology enabled activities of all states and companies, until human rights regulatory efforts catch up, as called for by [a group of Special Procedures](#) and a [group of 146 civil society organizations and 28 independent experts](#).

- Urge states to conduct immediate, independent, transparent and impartial investigations into any cases of unlawful surveillance and, where appropriate, pursue legal avenues to provide remedies to victims and hold perpetrators to account, in accordance with international human rights standards. This is critical to protect the space for human rights work that is being negatively impacted by the unchecked use of unlawful targeted surveillance and to protect human rights defenders, journalists and activists.
- Urge states to ban the use, development, production, sale and export of facial recognition and remote biometric recognition technologies that enable mass surveillance and discriminatory targeted surveillance by state agencies and private sector actors, as [recommended by over 200 organisations, including Amnesty International](#).
- Encourage states to enact and enforce strong digital regulation and data protection laws, that tackle surveillance-based business models in the tech sector, including to: impose stricter limits on the ability of tech companies, like Facebook and Google, to target ads and other content at people based on the processing of personal data; ensure algorithmic systems used by online platforms to show people content are not based on profiling by default and require an opt-in instead of an opt-out; and ensure people can practically choose rights-respecting alternatives to the dominant tech platforms, including by requiring these services to be interoperable with other platforms.
- Build on UNGA resolution 75/176 to recognise the importance of encryption and anonymity tools to protect the right to privacy, freedom of expression, peaceful assembly and association.

INSTITUTIONAL ISSUES

From an institutional perspective, we encourage states at HRC48 to:

- **Engage substantively and specifically with the Secretary General’s report on *Cooperation with the United Nations, its representatives and mechanisms in the field of human rights*** in the context of the interactive dialogue with the Assistant Secretary General for human rights, including in relation to specific cases of reprisals detailed therein, and work to negotiate and adopt a strong resolution in that regard.
- **Counter efforts to attack or undermine the independence of Special Procedures** through timely cross regional partnerships to resist attempts to introduce political oversight by the HRC and support the Special Procedures in their own initiatives to enhance their effectiveness.
- **Remain vigilant and oppose any other attacks on the international human rights system or framework.**
- **Actively and meaningfully consult civil society and affected communities** working on key issues and situation at local and national level, as well as those with a presence in Geneva, and ensure all processes are inclusive of their perspectives and reflective of their concerns.

UNIVERSAL PERIODIC REVIEW

We call on states to participate actively in the UPR adoptions under Item 6, including by making substantive statements during the 14 adoptions of review outcomes of countries that were reviewed during the 38th session of the UPR Working Group in May 2021.¹⁴ States should encourage the states reviewed to act on recommendations to address human rights violations and strengthen the protection of human rights and, wherever possible, work with them over the next five years to assist in their implementation. States under review should report back on progress towards implementation of accepted recommendations through submission of voluntary mid-term review and an update to the Council in an Item 6 debate. Mid-term reviews should be conducted with the participation of civil society in all its diversity.

¹⁴ Amnesty International produced briefings on its concerns in [Belgium](#), [Denmark](#), [Mozambique](#), [Paraguay](#), [Sierra Leone](#), [Singapore](#) and [Somalia](#) as well as additional [recommendations](#) on these countries ahead of the review.