

DEFENCE FOR CHILDREN INTERNATIONAL
DÉFENSE DES ENFANTS INTERNATIONAL
DEFENSA DE NIÑAS Y NIÑOS INTERNACIONAL



THE WORLDWIDE MOVEMENT FOR CHILDREN'S RIGHTS

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HUMAN RIGHTS

COUNCIL

ROUND-UP

21st June – 15th July 2021

Summary

The 47th session of the Human Rights Council took place from 21 June to 15 July 2021 and was opened by the UN High Commissioner for Human Rights, Michelle Bachelet:

The pandemic continues to pose an unprecedented threat to countries around the world, both in terms of the public health crisis as well as the long-term socioeconomic impact it has generated. COVID-19 has increased the amount of people living under extreme poverty and experiencing malnourishment and has heightened the vulnerabilities and discrimination experienced by the most vulnerable groups. Further, many have experienced their access to sexual and reproductive health and treatment for mental health has been curtailed. The response of states should be the development and implementation of health plans that incorporate and uphold human rights, as per the 2030 Agenda. Failure to do so risks severely undermining health systems and national economies. Based on solidarity, access to medicines, care and vaccines should be provided for all, regardless of private profit. States have a duty to invest all the resources at their disposal to guarantee the economic, social and cultural rights of their populations. They should also eliminate all legal and policy barriers that systemically marginalise and discriminate against vulnerable groups, including women, and tackle the root causes of such discrimination.

DCI-International Secretariat (DCI-IS) delivered a [statement](#) during the Interactive Dialogue with the Special Rapporteur on the human rights of migrants on behalf of the **NGO Panel on children deprived of liberty** to stress the detrimental impact of pushbacks on children's physical and mental health, and the need to develop comprehensive procedural safeguards in migration. DCI-IS also delivered a [statement](#) at the High-Level Panel on Prevention of and Response to FGM and prepared a joint [statement](#) for the Interactive dialogue with the Special Rapporteur on violence against women, its causes and consequences, both aiming to address gendered forms of child abuse and combat the impunity of its perpetrators through holistic, context-specific approaches that raise awareness on the dangers and prevalence of sexual violence affecting children.

DCI-IS co-signed two joint-statements during the Annual full-day discussion on the human rights of women: [one](#) delivered by Save The Children in the first panel on Violence against women and girls with disabilities to stress the disproportionate impact of the pandemic on girls and women with disabilities, and the need ensure health and child protection services are accessible and age-, gender- and disability-sensitive; the [second](#) was delivered on behalf of She Leads coalition by Plan International in the panel on Gender-equal socioeconomic recovery from the COVID-19 pandemic, to underscore that all COVID-19-related measures need to include the meaningful participation of girls, and be non-discriminatory, child-friendly and gender responsive. During the Interactive Dialogue with the Working Group on discrimination against women, DCI co-signed a [joint statement](#), acknowledging the rise in harmful practices, including FGM and child, early and forced marriage; and calling for quality age- and gender-responsive sexual and reproductive health services that systematically include the meaningful participation of affected populations, and take a survivor-centred approach.

Moreover, DCI-IS was involved with country situations related to the National Sections. DCI-IS followed the UPR Adoption of **Mauritania**, delivering a [statement](#) on behalf of DCI-Mauritania (AMSME) to highlight the high prevalence of sexual violence in the country, especially rapes and FGM, and the urgent need to enforce a long-overdue framework law that protects women and children against gender-based violence. Further, a [statement](#) was delivered on behalf of **DCI-Palestine** under Item 7 on the Human Rights situation in the OPT urging all Member States to demand that Israeli authorities refrain from using lethal force against children and immediately cease its practice of detaining Palestinian children under administrative detention orders. DCI-IS also prepared a [statement](#) on behalf of **DCI-**

Brazil (ANCED) during the Interactive dialogue on the report of the High Commissioner on the central role of the State in responding to pandemics, urging the State of Brazil to immediately provide timely, universal and adequate access to healthcare for its citizens. DCI also co-signed a [joint statement](#) delivered by OMCT during the Interactive dialogue with the Special Rapporteur on extrajudicial, summary or arbitrary executions, to denounce the violent repression of protests in Colombia by security forces and call for the Colombian authorities to respect and guarantee the right to life in the context of protests, document and investigate all cases of arbitrary executions.

UN High Commissioner on Human Rights

Interactive Dialogue on the report of the UN High Commissioner on State response to pandemics and other health emergencies, and on the Annual Report of the High Commissioner

The High Commissioner applauded the progress achieved at a national level on laws and policies on people facing multiple and intersecting forms of discrimination, including women and girls. She highlighted the Call to Action provided a key framework for all relevant stakeholders to tackle climate change and lead efforts to work for a healthy environment, a process which she emphasised would try to foster youth and child participation in decision-making related to the environment. The High Commissioner emphasised the need for multilateralism and global solidarity and cooperation. Only by working together we can come out with fairer, greener societies. Greater efforts to achieve equitable and universal access to covid vaccines are needed, especially for migrants. Vaccines must be treated as a public good available to all so everyone can benefit from this progress.

Upholding human rights and democratic principles while fighting the pandemic, to avoid undermining democratic system. Some of these measures were neither necessary nor proportional and directly undermined human rights and fundamental freedoms. Gender-sensitive recovery must address women security and independence, prevent and combat violence against women and girls. Equal opportunity for women and girls to meaningfully participate in decisions that affect them, is a key element in gender-sensitive response to the pandemic. Sanctions must be eased to allow all States to deal with the effects of COVID-19 and all citizens to enjoy their human rights. The vaccine must be treated as a global public good - everyone must be able to benefit from technological progress, and States must ensure universal and equitable access to vaccines in all countries.

Finally, **UN Women** addressed the insufficient government response to violence against women, with only 13% of economic response measures targeting women's economic security, and the social protection and jobs response failing to include unpaid care. To move from pandemic response to recovery, care work should be included in social protection, and more efforts need to be implemented to move women out of the informal economy.

Human Rights Watch (HRW) and **Amnesty International** remained alarmed about the grave human rights violations taking place in Tigray, Ethiopia, where women and girls have reportedly been subjected to rape and sexual violence and urged the Council to take action in order to prevent further abuses and bring the perpetrators to account.

In a [statement](#) delivered on behalf of DCI-Brazil (ANCED), DCI expressed concerns about the high death toll the virus is having on children in Brazil due to the lack of timely and adequate access to healthcare, and with school closures and the widening digital divide hindering children's access to education.

We urged the State of Brazil to:

- Provide universal, non-discriminatory health coverage founded in human rights.
- Uphold its international child rights obligations and include the best interests of the child in its decision-making process.
- Ensure that emergency measures that may result in restrictions on human rights are time-bound, non-discriminatory, legal, necessary, and proportional in compliance with international standards.

Thematic Priorities

Violence against children

Interactive dialogue with the Special Rapporteur on trafficking

Ms Siobhán Mullally, SR on trafficking in persons, especially women and children

The SR presented her report, with a focus on implementing the non-punishment principle in the context of human trafficking, as punishing the victims for unlawful acts committed in the context of trafficking entails the failure by states to recognise the need to provide victims with urgent assistance, protection and access to effective remedies. Non-application of this principle would entail contributing to the trauma of the victims and their fear of reprisals, persecution and punishment by traffickers. It also leads to the lack of accountability by traffickers, as it focuses on the victims rather than on the perpetrators, undermines the possible recovery of the victims, and prevents victims from exercising their right of access to justice. Further, failure to respect the non-punishment principle often leads to further violations such as “detention, forced returns and refoulement, arbitrary deprivation of citizenship, debt burden arising from the imposition of fines, family separation, and unfair trial.”

She regretted the limited state application of the non-punishment principle, as it makes victims more vulnerable to being “re-trafficked” and stressed the need to avoid re-victimisation of children who have been victims of trafficking, to treat them primarily as victims, rather than perpetrators, and to prioritise their rehabilitation and reintegration. Children should not be punished for unlawful acts committed in the context of trafficking, and family reunification and transition into child protection systems must be prioritized instead of punishment for children allegedly associated with armed groups.

States should not only guarantee safe access to justice, to avoid adding to the trauma of the victims, but increase the monitoring and sanctions for violations of the non-punishment principles to ensure accountability and contribute to the recovery of the victims. She stressed the need to incorporate the perspectives and participation of those affected by this phenomenon, victims and survivors, in the response strategies and policies to combat human trafficking. In her concluding remarks, she mentioned her report provided numerous state recommendations, including guaranteeing the provision of legal assistance as well as expunging criminal records and sentences.

Interactive dialogue with the Special Rapporteur on summary executions

Morris Tidball-Binz, SR on extrajudicial, summary or arbitrary executions

Despite progress achieved by some countries in terms of abolishing the death penalty and/or limiting its application, extrajudicial, summary, or arbitrary executions have not been entirely eliminated. To achieve the complete prohibition of arbitrary executions, states need to engage in collective cooperation and uphold their duty to protect, respect and uphold the right to life. In addition, he called for the implementation of international standards and best practices, like the Minnesota Protocol, and the need to maintain a victim-centred perspective.

In his concluding remarks, the SR supported the initiative brought by delegations to establish a commission that would trace missing migrants, and also expressed support for similar initiatives already in place in countries like Switzerland (through the Alliance for Missing Persons). He also noted that the lack of a proper investigation of extrajudicial killings violated the right to life and encouraged all delegations to work together with NGOs to tackle this global threat by using all tools at their disposal, especially by implementing the Minnesota Protocol whenever possible.

In a [Joint statement](#) with DCI and 7 other NGOs delivered by World Organisation Against Torture (OMCT), NGOs expressed their concern about the brutal repression of protests that began two months ago in Colombia. As of 28 June, human rights organisations have recorded 83 people who have lost their lives as a result of the action of security forces and armed civilians. The statement further called on the SR to urge the Colombian authorities to take the necessary measures to respect and guarantee the right to life in the context of protests; to document and investigate all cases of arbitrary deprivation of life, identifying those who gave the orders; and to ensure that those responsible are tried by a civilian judge and under no circumstances by a military court. In the same vein, it is urgent to support the Special Jurisdiction for Peace in the clarification of the more than 6000 extrajudicial executions under investigation, most of which were committed between 2002 and 2008, in order to guarantee their non-repetition.

Children and armed conflict

Interactive dialogue with the Special Adviser on the Prevention of Genocide

Alice Wairimu Nderitu, Special Adviser to the Secretary-General on the Prevention of Genocide

The Special Adviser addressed the long-lasting consequences of genocide, and the importance of increasing efforts on early action and prevention. She remained alarmed at the violence and instability in countries like Myanmar, Ethiopia or **Yemen**, which provide circumstances that increase the risk of atrocity crimes being perpetrated. Particularly, she addressed the rising human rights violations in **Central African Republic**, where violence has been perpetrated against communities and civilians have been subjected to forced displacement, all of which has the potential to increase the risks of atrocity crimes. She also expressed the importance of transitional justice and accountability in the country of **Colombia**, in order to ensure lasting peace, as well the need for an immediate response to the violence against human rights activists and former combatants.

In addition, and in the face of the recent escalation of violence in the **Occupied Palestinian Territories**, the Special Adviser stated her support to establish an international Commission of Inquiry to investigate all alleged violations of human rights in the territory. Such initiative, she said, would entail addressing the root causes of the violence, which is the only way to truly prevent further serious violations in the context of this conflict. In her final remarks, the Special Adviser stressed once more the need to increase efforts on prevention of atrocity crimes, something for which the work of CSOs and mechanisms such as the UPR were vital, given their contributions on identifying and addressing genocide and other atrocities.

Interactive dialogue with the Independent Expert on the situation of human rights in the Central African Republic

Mr. Yao Agbetse, Independent Expert on the situation of human rights in CAR

From December 2020 to June 30, 2021, armed elements of the Coalition of Patriots for Change (CPC), headed by former President François Bozizé have been responsible for at least 372 human rights violations/abuses affecting at least 641 victims, including the recruitment of children into its ranks, sexual violence and obstructions to humanitarian operations, arbitrary deprivation of liberty and occupation of schools. The process of national reconciliation and the extension of state authority throughout the national territory require the cessation of the activities of armed groups as part of a converging effort by the international community.

The conflict situation that has persisted for decades in CAR has worsened the distress of Central African youth overwhelmed by school dropout, idleness and unemployment, while they have enormous potential that must be developed. It is to insist on the reform of the education system, technical and vocational training of the country. To this end, a call for contributions was launched in April 2021 to better assess the impact of conflicts on the education and training of youth in order to better support the implementation of the Education Sector Plan 2020-2029. The report to be submitted to the Council at the 48th session will address this theme of **education and technical and vocational training** with information drawn from the contributions received. I am already making a strong appeal to the international community for sustained support for the education and vocational training sector.

The Independent Expert welcomed the creation of the Truth, Justice, Reconciliation and Reparation Commission (CVJRR), as it will contribute to determining the nature, causes and extent of human rights violations and to establish non-judicial responsibilities. No amnesty should be granted to perpetrators, and reparations should be established, including the fund guaranteeing the rehabilitation and reparation owed to the victims. He called for international cooperation in supporting the fight against impunity, the

restoration of State authority over the whole of the national territory, the strengthening of DDRR operations with imperative vetting and supporting the work of the CVJRR.

Central African Republic

The Government remains deeply concerned about the content of many reports on human rights violations in the Central African Republic, revealing serious human rights violations and abuses allegedly committed by the Central African Armed Forces (FACA) and their Russian allies. Following these denunciations, the Government took measures to sanction and put an end to these alleged violations of human rights by setting up on May 4, 2021, a special commission of inquiry in order to shed light on the alleged facts against the armed forces and their allied forces. The commission has 3 months to make public its report which will establish the responsibilities for the prosecution.

The government deplors all the atrocities perpetrated by the Coalition of Patriots for Change (CPC), including kidnappings, collective rapes of women, humiliating and degrading treatment and recruitment of children. The persistence and resurgence of human rights abuses and violations in the country, perpetrated by armed groups remain worrying and justify the need for the government to continue efforts in terms of the fight against impunity and transitional justice. The need to continue improving justice and the fight against impunity by building the capacities of the criminal justice system and facilitating access to justice throughout the territory in order to enable national courts and international organisations to prosecute the perpetrators, co-perpetrators and accomplices of violations of human rights and international humanitarian law remains a concern for the Central African government.

Interactive dialogue with the Special Rapporteur on Occupied Palestinian Territory

Mr. Michael Lynk, Special Rapporteur for the situation of human rights in the Palestinian territories occupied by Israel since 1967

In East Jerusalem, Israeli settler organisations sought to evict Palestinian families from their homes, primarily in the neighbourhoods of Silwan and Sheikh Jarrah, a practice that is both illegal and unacceptable. In mid-May, Israel responded disproportionately and indiscriminately to the confrontations in East Jerusalem with 11 days of heavy bombardment of Gaza. In the end, more than 250 Palestinians in Gaza, including 66 children and 40 women were killed. Gaza continues to suffer from a comprehensive 14-year-old blockade by Israel, that previous Secretary-Generals of the UN have called collective punishment, which is illegal under international law. Gaza suffers from endemic poverty and high unemployment, and from a constant lack of power.

The illegality of the Israeli settlements is one of the most settled and uncontested issues in modern international law. The UNSC, UNGA and the HRC have all made this determination repeatedly, and they have regularly demanded that Israel halt and unwind its settlement project. Yet, as long as the international community criticises Israel without seeking consequences and accountability, the occupation will not end, and the Palestinians will not realise their right to self-determination. In his report, the SR concluded the Israeli settlements do amount to a war crime, which compels the international community to decisively intervene to end the illegal occupation, to fully support the work of the ICC investigations of war crimes in the OPT, to develop a comprehensive menu of accountability measures to be applied to Israel and to ensure full accountability of Israeli political, military and administrative officials who are responsible for grave breaches of international law in the OPT.

State of Palestine

The occupying power has carried out repeated aggression against our people, especially in the city of Jerusalem and its attempt to Judaize it, enforced deportation and the threat of forced deportation of its residents, especially in the neighbourhoods of Sheikh Jarrah, Silwan and Batn Al-Hawa, which constitutes a war crime, in addition to the demolishing homes and villages in the West Bank regions. We have witnessed the assault on Christian and Islamic places of worship, targeting and killing of children, women and the elderly, the targeting and destruction of health and educational institutions, in addition to the siege imposed on the Gaza Strip 14 years ago.

The daily arrests carried out by the occupation forces have increased the number of detainees to more than 5,000 people, including hundreds of patients and administrative detainees, many detained without charges for considerable periods of time. This requires the international community and all the various international institutions to work to end the suffering of the prisoners and release them and give priority to the sick, the elderly, children, women and administrative detainees.

In an oral [statement](#), DCI highlighted that in the first six months of this year, Israeli forces have killed nine Palestinian children in the West Bank, surpassing the number of child killings that DCI-Palestine documented there in all of 2020.

Israeli forces routinely fire live ammunition killing Palestinian children with impunity in situations where intentional lethal force is not justified. Four Palestinian children are currently detained by Israeli authorities under administrative detention orders, which is permitted in strictly limited circumstances in only the most exceptional cases for “imperative reasons of security” when there is no other alternative. We strongly urged all member states to:

- Demand Israeli forces refrain from using lethal force against civilians, and children, who pose no imminent threat to life;
- Take urgent action to ensure accountability for violations by supporting efforts by the ICC to hold perpetrators accountable;
- Demand that Israel immediately end its practice of detaining Palestinian children under administrative detention orders

Children on the move

Interactive dialogue with the Special Rapporteur on the human rights of migrants

Felipe González Morales, Special Rapporteur on the human rights of migrants.

In his new report ([A/HRC/47/30](#)), Felipe González identified worrying global trends in the context of pushbacks, including a growing militarisation of border patrols, widespread use of force in pushback operations and the occurrence of pushbacks at sea, including delays in search and rescue and in disembarkation which have put the lives of thousands of migrants at risk and led to the tragic death of many, including women and children. The SR stressed the need to cease all pushbacks which are, in the absence of procedural safeguards like an individual assessment of each case, a violation of the prohibition of collective expulsion and *non-refoulement*, and risk further undermining other human rights. Further, while acknowledging the challenges brought by the COVID-19 pandemic and the necessary restrictions and various measures that may need to be implemented, any decision implemented must not result in denying effective access to asylum and protection under international law and can never be implemented in a way that violates the human rights of migrants.

The report also urged states to “comply with their obligation to respect, protect and fulfil the human rights of everyone on their territory or within their jurisdiction or effective control, irrespective of migration status and without discrimination of any kind”. The SR also called States to develop and implement a human rights-based approach to migration, which is gender-responsive as well as age- and child-sensitive, in order to uphold the rights of migrants in all situations. In addition to implementing serious investigations into the abuses generated by pushbacks, the SR called states to develop and implement monitoring mechanisms, whether national, regional or global, to ensure proper monitoring of migrants and their plight. In his concluding remarks, the SR stressed the need for international cooperation when it comes to rescues at sea. CSOs that carry out rescues at sea should not be criminalized, as they are providing humanitarian aid, and States should take a proactive role in saving lives of those migrants which find themselves at risk of losing their lives at sea.

In an oral [statement](#) delivered on behalf of the NGO Panel on Children Deprived of Liberty, DCI stressed that pushbacks violate children’s right to seek international protection and expose them to *refoulement*, unlawful violence and detention. Furthermore, children are affected by protection gaps in their access to asylum procedures and adequate reception, including the use of age-assessment procedures to delay child protection, lack of legal assistance or a lack of child-friendly information on rights and procedures.

We called on Member States to provide comprehensive procedural safeguards for all children in decision making affecting them, including in any screening, border, asylum, anti-trafficking and return instruments; and to comply with the recommendations of the [UN Global Study on Children Deprived of Liberty](#), which establishes that migration related detention is never in the best interest of the child and cannot be justified.

Gender

High-Level Panel on the Multi-Sectoral Prevention of and Response to Female Genital Mutilation

H.E. Ms. Amira Elfadil Mohammed Elfadil, Commissioner for Social Affairs of the African Union Commission highlighted the initiatives on FGM carried out by the African Union Commission, including projects on mobilising continental resources, monitoring, reporting and accountability, and has provided legal and technical guidance for its member states. Such initiatives have resulted in wider political will and greater visibility at the international level, which have generated momentum towards ending FGM. She called on Member States to further strengthen their reporting mechanisms and to adhere to agreed standards, including commitments to end gender-based violence.

H.E. Ms. Hélène Marie Laurence Ilboudo, Minister for Women, National Solidarity, Family and Humanitarian Action of Burkina Faso

FGM violates the basic human rights of women and girls by depriving them of their physical and mental integrity, their sexual and reproductive rights, their rights to bodily autonomy, their rights to an existence free from violence and discrimination, and in the worst case, their right to life. Despite initiatives like resolution 44/16 of the UNGA, which highlight the need for a global ban on FGM, the WHO reports that more than 200 million women and girls have already undergone FGM, and more than 50 million girls under the age of 15 are at risk of being subjected to this harmful and irreversible practice by 2030. With COVID 19 having increased the risk for women and girls to be subjected to this harmful practice, international cooperation, the implementation of national programs and initiatives banning this practice, and the successful implementation of the recommendations enshrined within resolution 44/16 are needed more than ever to end FGM.

Ms. Anna Widegren, Director of End FGM European Network

FGM is a problem affecting European countries too: there are over 600,000 FGM survivors in Europe, and 190,000 girls and women who are at risk of undergoing it in 17 European countries. The CoE and the EU need to foster greater political will and policy harmonisation to unify the efforts of European countries in regard to ending FGM. In her concluding remarks, she welcomed the comprehensive programmes implemented by the participants, particularly in regard to rehabilitation and protection of FGM survivors, as well as the support and calls for action made during the discussion. She emphasised that response and prevention policies must always be multi-sectoral and multidisciplinary, taking into account each cultural context and involving all stakeholders, particularly girls and women, to adequately respond to this practice and eventually put an end to it.

H.E. Ms. Michelle Bachelet, United Nations High Commissioner for Human Rights

Progress towards eliminating FGM was further slowed down due to the pandemic, as the number of girls that will not return to secondary school is estimated to increase, thus making them more vulnerable to FGM. In addition, the economic burden imposed by the practice on countries is estimated by the WHO to be close to USD 1.4 billion globally every year and is expected to increase over time. Action to eliminate FGM needs to be prioritised at all levels, and future initiatives need not only be innovative, but also include be a comprehensive and multidisciplinary rights-based and gender responsive plan that has the participation and involvement of girls and women to correctly eliminate the practice. Such efforts must involve governments, women's groups, religious leaders and all social actors from communities, to adequately balance culture and tradition with eliminating FGM and upholding the human rights of women and girls.

Ms. Natalia Kanem, Executive Director of the United Nations Population Fund (UNFPA)

There are approximately 3.9 million girls which are on average mutilated each year, a number which could increase to 4.6 million by 2030 if political will and further efforts are not quickly implemented. In

addition, the impact of COVID-19 on school closures and programme disruption could result in 2 million additional FGM cases in the coming years. Despite this, there have been good practices, like a general reduction in FGM prevalence in African countries, the adoption of legislation criminalising FGM by 14 countries, and UNFPA's Joint Programme which during 2020 provided health and socio-legal services to over 430,748 women and girls. FGM is a complex issue that requires not only political will, but also strong society engagement and support, as well as reliable accountability mechanisms. Further efforts are needed in terms of bringing perpetrators to account, and protection services are also in dire need of strengthening.

DCI statement

In **Liberia** with support from the EU Spotlight Initiative and UNICEF, DCI trained 300 Girl Clubs members in Montserrado and Grand Cape Mount Counties from 20 communities on the prevention and response to harmful practices. Currently, there is no law that expressly criminalises the practice of FGM in Liberia. More than 50% of girls and women in Liberia have been mutilated, but no perpetrator has ever been prosecuted for inflicting female genital mutilation on girls and women. Therefore, we urge the government of Liberia to develop a legal framework in the Penal Code that explicitly criminalises the practice of FGM; prioritise the Strategy for the Protection of Girls against Child Marriage (2016); intensify efforts to prevent and respond to SGBV to reach SDG target 5.3; and support practice change within communities by reaching out to local chiefs.

UN Women

The efforts towards ending FGM by 2030 have been hampered by the pandemic by an estimated 33% reduction in progress. In addition to a multi-disciplinary, rights-based approach that takes into account each cultural setting, all relevant stakeholders must be meaningfully engaged in the efforts towards ending FGM. Moreover, girls and women who are victims of the practice should be provided with prompt, quality and accessible health services, as well as comprehensive prevention mechanisms.

Interactive dialogue with the Working Group on discrimination against women

Melissa Upreti, Chairperson-Rapporteur, Working Group on Discrimination against Women and Girls

Mrs. Upreti presented her report on women's and girls' sexual and reproductive health rights (SRHR) in crisis, which identified factors that undermine the enjoyment of SRHR and hinder the autonomy of women and girls, before and during a crisis. Such factors included states' failure to prioritise sexual and reproductive health rights and lack of investment in this area, lack of engagement and accountability from the male community and discriminatory laws and practices. Life-saving sexual and reproductive health services are deprioritised or not provided at all, there is a lack of financial investment in SRHR services, thus predisposing women and girls to greater harm during a crisis event. The lack of accountability contributes to a culture of impunity for violations of the SRHR of women and girls, further exacerbated by a widespread ideological and religious opposition to SRHR .

Reportedly, 810 maternal deaths take place each day and approximately 47,000 deaths occur each year as a consequence of the more than 25 million unsafe abortions. Crises exacerbate already-existing challenges and often divert the focus away from the most vulnerable, especially women and girls, and the gendered impact of crisis are rarely fully understood and addressed. Gender equality is rarely a priority in the context of humanitarian crises, and in addition to the barriers imposed upon them, women and girls with disabilities, living in rural areas, members of the migrant community and adolescent girls often have to face additional discrimination, with some living in what the speaker identified as a "persistent state of crisis". Structural discrimination and gender inequality, often in the form of harmful practices such as forced and early pregnancy, are often linked to structural discrimination.

Thus, there needs to be a radical shift in the way we respond to crisis, to incorporate gender-responsive and intersectional approaches that "acknowledge the hidden trauma and life-long, as well as intergenerational, consequences associated with the non-fulfilment of women's and girls' sexual and reproductive health rights". Sexual and reproductive health and services must be prioritised, accessible, non-discriminatory, and include gender-sensitive approaches that guarantee the participation of women and girls.

Joint Child Rights NGO [statement](#)

The sexual and reproductive health and rights (SRHR) of women and girls are essential and life-saving services requiring full integration into crisis prevention, response, assessment, management, recovery, rehabilitation and reconstruction plans. The statement called on States and all humanitarian actors to recognise and fully fund SRHR of children as life-saving and essential in humanitarian settings, including access to quality age- and gender-responsive SRH services; promote and fully resource the systematic and meaningful participation of affected populations, in all decisions that affect their lives and ensure survivor-centred approaches that take into account the unique needs of children, adolescents and young people.

Interactive dialogue with the Special Rapporteur on violence against women, its causes and consequences

Ms. Dubravka Simonovic, SR on violence against women, its causes and consequences

The SR presented her thematic report on rape, which was focused on States' responsibility to prevent it, to change the prevalent rape culture of impunity for perpetrators and stigmatisation and lack of access to justice for victims. She also presented a Model Rape Law which, along with her report, encourages the harmonisation of national legislation and practices on rape with international standards, which follow a victim-centred approach and lead to the effective criminalisation and prosecution of rape. However, she regretted that national standards have so far failed to adhere to international standards on rape, either fully or properly. The differing national contexts has led to wide disparities in the level of protection afforded, often resulting in the normalisation of GBV against women and in providing impunity for the perpetrators. She called for the development of right-based strategies to prevent rape both during conflicts, but also in times of peace, and recommended all states to strengthen their monitoring and data-collecting efforts on rape and other forms of violence against women. The SR highlighted the need for member states to put rape at the top of the HRC agenda and ratify the Istanbul Convention.

DCI [statement](#)

Many gaps and challenges remain for victims of rape to be heard and supported: access to essential services, survivors and witness support and protection, poor investigation and lack of effective collaboration between police prosecutors at the magistrate courts and investigation officers, remain serious issues to be addressed. We urged States to criminalise rape with specific legislation in cases involving children, and covering gaps when rape occurs in the context of child marriage; explicitly include lack of consent and set the age of consent not below 15 years; address barriers to the reporting and to the accountability of perpetrators, particularly in rural areas, and protect survivors from re-victimisation.

Annual full-day discussion on the human rights of women – Panel 1 on Violence against women and girls with disabilities

Ms. Nada Al-Nashif, United Nations Deputy High Commissioner for Human Rights

There are over 700 million women and girls with disabilities in the world (1 in 5 women), who continue to remain excluded from taking part in the decisions that affect them. Such a situation makes them increasingly vulnerable to suffering gender-based violence, with 40- 68% of underage women with disabilities having been subjected to sexual violence. Institutions are a leading factor increasing the seclusion and isolation of women and girls with disabilities, often lacking proper monitoring or recourse mechanisms to report abuses, thus contributing to the prevalence of violence.

Adequate support systems, such as helplines, accessible legal services and shelters with universal design are essential to ensure the protection of women and girls with disabilities from gender-based violence. SDG 5 cannot be achieved without ending violence against women and girls with disabilities in all their diversity, and without a comprehensive, accessible, and inclusive approach to policies, programmes, and remedial measures at all levels.

Ms. Ana Peláez Narváez, Vice-Chair of the Committee on the Elimination of Discrimination against Women

Negative stereotypes and stigmas about women and girls with disabilities exposes them to a higher risk of violence. Violence is committed inside and outside the home, in residential institutions, in mental health centres and in other closed and segregated centres, especially in the field of disability. Violence is frequently perpetrated not only by their partners or ex-partners, but also by family members, personal assistants and professionals who care for them. Violence of which, despite its seriousness, hardly anything is known, or measures are taken to combat it. The COVID19 measures have condemned them to live with their aggressors and institutionalised women and girls with disabilities continue to be “locked up” in centres that are not being supervised by independent authorities, despite indications of violence committed by professionals and other residents. It is vital to ensure the gender perspective in disability legislation, policies and programmes, both at home and outside. Another element which remains of utmost importance is ensuring the recovery, rehabilitation and reintegration of women and girls with disabilities who are victims of violence, as well as accountability for perpetrators. Working directly with women and girls with disabilities via their own organisations was essential, as they often could not participate in these sessions - without inclusion, women and girls with disabilities would be left behind.

Mr. Jarrod Clyne, Human Rights Advisor, International Disability Alliance

Women and girls with disabilities are subjected to violence both within and outside the home, and by laws, policies and practices of the State which deny legal capacity, the right to bodily integrity and autonomy, and sometimes target women and girls with disabilities for forced sterilisation, forced abortion, forced contraception, and other forms of involuntary treatment including institutionalisation. Stereotypes that create discriminatory laws and practices and limit the lives and roles of women and girls with disabilities must be eliminated in order for women and girls with disabilities to be able to fully and effectively participate in society on an equal basis with others. Seeking remedies and accessing justice is often out of reach for women and girls with disabilities, as is their participation in violence prevention and protection programmes. Violence against women and girls with disabilities remains an emergency situation today; it is a cause and consequence of the violation of their rights and their continued marginalisation.

Annual full-day discussion on the human rights of women – Panel 2 on Gender-equal socioeconomic recovery from COVID-19

Ms. Michelle Bachelet, United Nations High Commissioner for Human Rights

Social and economic inequalities have been exacerbated due to COVID-19, undermining women's economic security and resilience against shocks. Advancing gender equality is imperative to overcoming crises. And, yet the majority of socioeconomic COVID-19 responses adopted by States are surprisingly gender-blind, often failing to address the specific needs of women, in part due to the large absence of women from decision-making. The High Commissioner joined the Secretary-General's call for a New Social Contract and a New Global Deal to create equal opportunities for all and respect the rights and freedoms of all.

Mr. Mohammad Naciri, UN-Women Regional Director for Asia-Pacific

Women and girls have had to juggle these burdens and hardships as support and protection were restricted. But now we can build back better. By improving women's economic inclusion through equal pay, better job protection, equal distribution of care work and expand social protection for caregivers. For an inclusive recovery, we must create a robust care economy to rectify the under-valuation and unequal share of care work, treating the care-economy as a real economy.

Ms. Maria Alesi, Feminist and development practitioner, Uganda

A key pillar for gender equal recovery is gender responsive financing, which is about financing through a human rights lens with focus on dismantling structures and systems that create and reinforce inequality. For gender equal recovery to happen, there is need to finance and protect spaces through which civil society actors and citizens can hold governments accountable. If governments are not

accountable, there will always be a breakdown of social and economic service delivery which disproportionately affects women.

Joint NGO [Statement](#) (on behalf of She Leads, which includes DCI, Plan International, TdH-International Federation, and on behalf of Save the Children, Child Rights Connect and World Vision International)

The pandemic has exacerbated pre-existing inequalities and jeopardized the right to live free from violence, the rights to education and health of girls, with up to 11 million more secondary school-aged girls estimated to not return to school after the pandemic. We called on the UN and Member States to apply a child rights-based and gender transformative approach to the pandemic recovery and to ensure that all COVID-19-related measures include the meaningful participation of girls and young women and are non-discriminatory, gender- and age sensitive, in without discrimination and with due consideration to age, gender, and diversity; to prioritise child-friendly and gender responsive support and protection services; and to support girls' and young women's right to safe, quality, inclusive education and their economic empowerment, including through gender-responsive social protection.

Deprivation of Liberty

Interactive dialogue with the Working Group on arbitrary detention

Elina Steinerte, Chair-rapporteur of the Working Group on Arbitrary Detention

The Special Rapporteur presented the WG report which dealt with arbitrary detention as a consequence of drug control laws and policies, where she found that drug users were at a heightened risk of being arbitrarily detained. States response to drug-control has often resulted in widespread human rights violations, including arbitrary deprivation of liberty and lack of fair trial guarantees and excessive sentences for individuals accused of drug-related offences. Such practices have also led to prison overcrowding, thus attempting against the inherent human dignity of those detained. The WG stated the need to decriminalise “the use, possession, acquisition or cultivation of drugs for personal use”, and the release of those detained for minor drug-related offences. She stressed that imprisonment for drug-related offences should only be a last resort relegated to the most serious offences, and instead states should prioritise non-custodial alternatives to prison for those accused or convicted of minor drug-related offences, and ensure the enforcement of fair, proportionate sentencing for drug-related offences by amending their domestic legislation and sentencing guidelines.

Child participation

Interactive dialogue with the Special Rapporteur on freedom of peaceful assembly and of association

Clément Nyaletsossi Voule, SR on the Rights to Freedom of Peaceful Assembly and of Association

The SR focused his report on access to justice and emphasised that children should always be considered as being in a situation of vulnerability in their access to justice. In times of COVID-19, the rights to peaceful assembly and association have been undermined, like the right to life and to health. There is a growing tendency amongst individuals to collectively fight these circumstances and demand respect and protection of their rights through numerous peaceful protests around the world. However, the SR expressed his concern over the response by many governments to such protests, including misusing state regulations and implementing an excessive use of force to respond to the pandemic to hinder human rights protection and the rights to freedom of peaceful assembly and association.

In particular, the SR stressed the importance to guarantee access to justice, an integral part of ensuring the rights to freedom of peaceful assembly and association and of guaranteeing accountability for those who violate these rights, a contribution to the prevention of similar incidents in the future, and the provision of compensation for the victims. With thousands of protestors around the world being injured, sexually assaulted or killed as a result of unlawful and excessive use of force by law enforcement officials, access to justice for all in the context of peaceful protests is more important than ever, especially given the fact that the perpetrators of such acts are rarely held accountable. To prevent the discouragement of civil society engagement as a result of such reality, independent monitoring mechanisms need to be established to investigate violations and guarantee accountability, and access to justice must be provided to victims.

Joint NGO [Statement](#) – DCI, Child Rights Connect, Plan International, Save the Children.

Age is a factor for discrimination when accessing justice and children are confronted with additional obstacles due to their special and dependent status in society. For example, most children lack knowledge of their rights as well as the legal capacity to initiate and participate in legal proceedings. Recognising this is a necessary step for States to ensure that children can access remedies for violations of all rights, including the rights to freedom of peaceful assembly and of association. There is also a generalised lack of understanding that children have, and are entitled to exercise, rights to freedom of peaceful assembly and of association and the right to access justice.

States should adopt and implement legal and policy frameworks guaranteeing all children's civil and political rights, building upon and including the views of children; remove practical and legal barriers that impede access to justice for children, as well as adopt the necessary reform measures to ensure redress mechanisms are accessible to all and tailored to the needs of children; and ratify the third optional protocol of the CRC as a way to enhance access to justice for children.

Interactive dialogue with the Special Rapporteur on freedom of expression

Irene Khan, SR on the promotion and protection of freedom of opinion and expression

The SR focused her report on disinformation and the way it threatens the right to freedom of opinion and expression, and its potential to generate social harm. It is a phenomenon that has significantly expanded due to technological advances, which has allowed for faster creation, dissemination and overall prevalence of disinformation at a global level. The SR highlighted that disinformation undermines freedom of expression and democratic institutions, generates social distrust and jeopardises human rights, and is being weaponised into harming the most vulnerable communities. Particularly harmful is the gender disinformation that targets women and makes them more vulnerable to online violence and harassment.

Resolutions and decisions¹

UPR Adoption of Mauritania

H.E. Mr. Cheikh Ahmedou Sidi, Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society

Mauritania accepted 201 recommendations, over 75% of the total recommendations, while the other 65 recommendations were noted due to contradictions with the provisions of their constitution. All recommendations related to combating **human trafficking** were endorsed. The government adopted Law 2020-017 on the prevention and punishment of human trafficking and the protection of victims and organised in June 2021 a round table on the implementation of Law 031/2015, which criminalises slavery, with the aim to identify the progress made in enforcement of the law and identify the most important obstacles to its effective implementation. Most recommendations in the field of promoting

¹ <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=27310&LangID=E>

women's rights were accepted, with measures already in place, like the establishment of the National Observatory for the Rights of Women and Girls by Decree 140-2020, implementing the national strategy for the institutionalisation of gender and women's access to decision-making positions, and the implementation of economic female empowerment programs. Mauritania expressed its commitment to adopt a new law to combat violence against women and girls, criminalising and punishing rape and laying out the legal and procedural foundations for effective protection of women and girls against all forms of violence. Programmes aimed at enhancing women's access to reproductive health services and promoting women's leadership in business, contracting and real estate ownership will be intensified.

With regard to the promotion of **children's rights**, Mauritania endorsed all 17 recommendations, and expressed its intention to develop policies aimed at increasing the schooling rate for girls, children with disabilities and children in rural areas, and will begin to evaluate the national plan of action to eliminate child labour and ensure the implementation of the recommendations of the study that was recently conducted to eliminate forced child beggary. All 6 recommendations on the promotion of the rights of **persons with disabilities** were accepted, with the government recently including insurance of health insurance for people with special needs and monthly cash transfers for children with multiple disabilities. In the field of protecting the **rights of migrants**, all 5 recommendations were endorsed, all related to the rights of migrant workers and members of their families and refugees, legal support and social integration for them.

DCI statement

Despite the efforts made in the area of children's rights, namely the general child protection code (2017) criminalising FGM, harmful practices remain highly practiced at 66%. Laws do not sufficiently define the crime of rape and other forms of sexual assault, although a bill on violence against women and girls, containing more specific definitions, is pending adoption. The sharp upsurge in sexual violence during the Covid-19 period has resulted in increased vulnerability of victims with the cessation of reception and assistance services, which has fostered total impunity for perpetrators. Faced with this worrying situation, DCI/AMSME recommends that the Mauritanian government intensifies prevention programs for FGM, enforces a framework law that protects children against gender-based violence, and ratifies the Optional Protocol to CEDAW, concerning communications.

RELEVANT RESOLUTIONS

In a resolution ([A/HRC/47/L.26](#)) on **the human rights of migrants**, adopted without a vote, the Council encourages States and regional and international organisations to enhance their cooperation with the Special Rapporteur on the human rights of migrants. The Council further encourages States to include, as appropriate, information on the implementation of their international obligations relating to the human rights of migrants in their national reports submitted to the Working Group on the UPR and to the treaty bodies.

In a resolution ([A/HRC/47/L.18/Rev.1](#)) on **accelerating efforts to eliminate all forms of violence against women and girls: preventing and responding to all forms of violence against women and girls with disabilities**, adopted without a vote, the Council calls upon States to take immediate and effective action to respond to all forms of violence against women and girls, and to support and protect all victims and survivors by, inter alia, ensuring that sexual and reproductive health and reproductive rights are fully realised, including for victims and survivors of sexual and gender-based violence, by addressing the social and other determinants of health, removing barriers, developing and enforcing policies, good practices and legal frameworks, and strengthening health systems that make quality comprehensive sexual and reproductive health-care services, information and education universally accessible and available and inclusive

In a resolution ([A/HRC/47/L.1](#)) on **civil society space: COVID-19: the road to recovery and the essential role of civil society**, adopted without a vote, the Council requests the High Commissioner to prepare a report to present to the HRC at its fifty-first session, examining in detail the key challenges that civil society faces, both online and offline, and also examining best practices.