

INTERNATIONAL ORGANIZATION FOR THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (EAFORD)



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**37th Session of the UN Human Rights Council
26 February to 23 March 2018**

SUMMARY REPORT OF EAFORD'S INTERVENTIONS

EAFORD's Interventions during the 37th Session of the Human Rights Council



Introduction

The Thirty-Seventh Regular Session of the UN Human Rights Council (HRC) was held at the Palais des Nations in Geneva, Switzerland from 26 February to 23 March 2018. The Council addressed numerous grave human rights situations across the globe in a number of sessions with independent human rights experts, commissions of inquiries, working groups, investigative bodies, and advisory committees.

Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights, brought to the attention of the Council the emerging pattern, whereby political leaders are increasingly denying universal human rights. He stated that there is a need for these political actors to understand that only by accepting fundamental human rights durable peace and success in development will be possible. Zeid Ra'ad Al Hussein further asked the Council to ensure the rights of all, warning that “our rights, the rights of others, the very future of our planet cannot, must not be thrown aside by these reckless political profiteers.”

The Council adopted 42 resolutions on a variety of issues and also adopted the outcomes of the Universal Periodic Review (UPR) of 14 states; the Council extended six Country Mandates; renewed the Mandates on the

Right to Privacy, on Human Rights and the Environment, on Cultural Rights, and on People with Albinism; and also decided to hold a High-Level Panel on the Legacy of Nelson Mandela on 27 April 2018.

Opening Statement by the UN High Commissioner for Human Rights

The UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, in his Opening Statement to the Thirty Seventh Regular Session of the Human Rights Council, began by welcoming the unanimous decision by the Security Council in relation to a 30-day ceasefire in Syria while requesting caution noting that airstrikes continued in Eastern Ghouta that very morning. He went on to express concern about the human rights situation in other regions of the globe; “*other besieged areas in Syria; Ituri and the Kasais in the DRC; Taiz in Yemen; Burundi; Northern Rakhine in Myanmar*” saying that the horrors that have actualized because not enough was done early and in a collective manner to prevent them from taking place. He reiterated the efforts of his Office in bringing attention to the international community of violations of human rights but time and again little to no effort took place; time and again no preventive action was enforced.

“Time and again, my office and I have brought to the attention of the international community violations of human rights which should have served as a trigger for preventive action. Time and again, there has been minimal action.”



UN Photo/Violaine Martin – UN High Commissioner for Human Rights addressing the 37th Session of the Human Rights Council

Blunt but brave the High Commissioner in addressing the Council’s March Session for the last time said:

“Second to those who are criminally responsible – those who kill and those who maim – the responsibility for the continuation of so much pain lies with the five permanent members of the UN Security Council. So long as the veto is used by them to block any unity of action, when it is needed the most, when it could reduce the extreme suffering of innocent people, then it is they – the permanent members – who must answer before the victims.”

The High Commissioner continued by juxtaposing the will of physicists at CERN who dig deep, analyze, and investigate at the deepest level of science to understand the universe but we don’t do the same to understand the

human world. He said we must scrutinize at the level of the individual as the starting point of peace begins with “the rights of individuals”.

He brought to attention that “*Some States view human rights as of secondary value*” and this is evidenced in the budget and focus on geopolitics or GDP growth and the condescending view that Geneva is weak and not serious enough for those at the UN Security Council. When those in New York refuse to address a subject because it is “too sensitive” this usually means rights are involved and those unwilling to address such issues are often guilty in some fashion. Furthermore, oppression is again becoming fashionable and fundamental rights are taking a back seat. Xenophobia and racism are rising as evident in Europe.

Do they not know what happens to minorities in societies where leaders seek ethnic, national or racial purity? ... We give this disgraceful calumny so little attention, the question must be asked: have we all gone completely mad?

Zeid Ra'ad Al Hussein gave specific examples of grave and serious human rights violations that are repeated around the world such as arbitrary arrests, people who are deemed terrorists for criticizing the government, people awaiting execution for crimes they committed when they were a child, and black sites where people are tortured and killed. He also noted that women and the poor suffer terribly because of their situation or who they are; journalists are imprisoned for doing their job. He questioned the Council that despite all these examples, why do we do so little to stop them?

In conclusion, the High Commissioner, paid gratitude to “*our humanitarian colleagues that tend to the victims*” and human rights defenders; and that we will celebrate and defend most vigorously **70 years of the Universal Declaration for Human Rights** than ever before as it “incarnates” the most common rights and to stand up for these rights with moral courage, self-sacrifice, and the love for all human beings is “a very human thing to do”.

“Artificial intelligence will never fully replicate the moral courage, the self-sacrifice and, above all, the love for all human beings that sets human rights defenders apart from everyone else.”

Participation by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD)

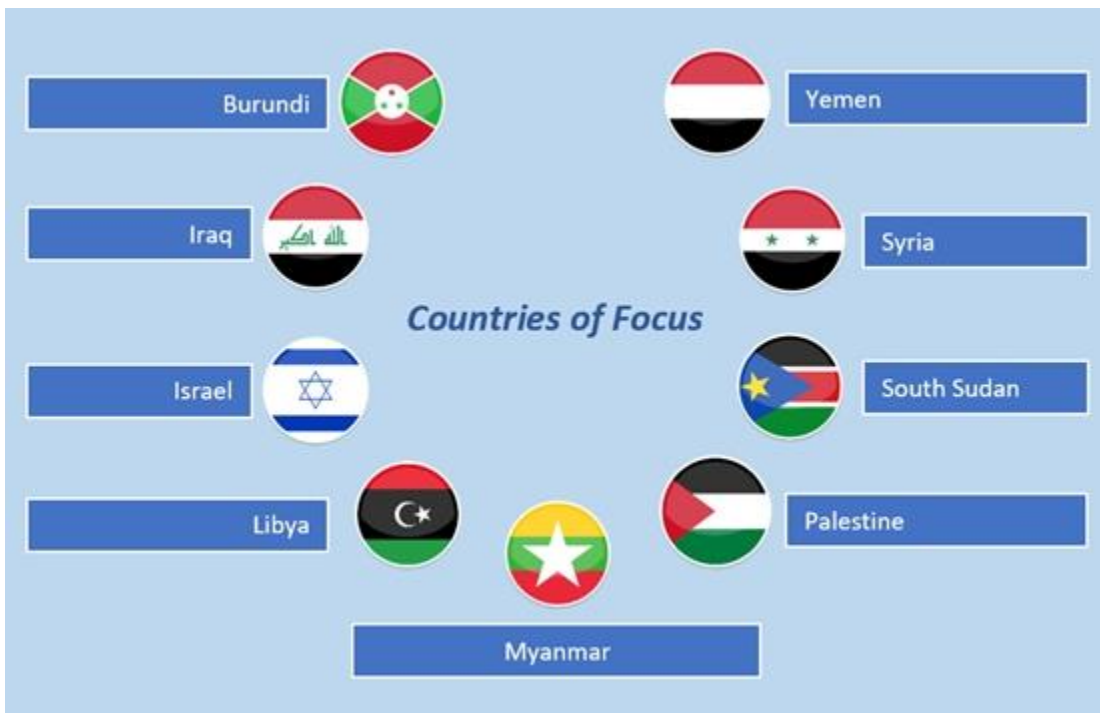
During its participation in the 37th session of the Human Rights Council, EAFORD, jointly with other organizations, delivered 14 oral statements, submitted 16 written statements, and co-organized a side event. The official copies of the written reports submitted to the Human Rights Council are available to download at the bottom of the page, alongside the summaries and videos of the oral interventions and side event.



During the Session, EAFORD participated in discussions under numerous Human Rights Council Agenda items. We addressed and brought to the Council’s attention several thematic issues concerning serious human rights violations and challenges faced by civilians and minority groups.



EAFORD also brought to the Council’s attention the grave human rights situations in certain countries and regions that have been a focus for EAFORD inside and outside the Council Sessions.



EAFORD's Joint Oral Statements

High-Level Segment

Oral Statement on Racism and Racial Discrimination - 28 February 2018 -

Delivered by: Gofran Sawalha



Ms. Gofran Sawalha was selected to speak at the High-Level Segment of the 37th Session of the Human Rights Council after being nominated by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Geneva International Centre for Justice, International-Lawyers.Org, and other NGOs to represent Civil Society. In her statement, she focused on the serious issue of institutional racism and racial discrimination, which was brought to the Council's attention. Historical roots of structured racism and the fight against racism and racial discrimination at the UN was reflected upon while the Council was called to act in more effective and practical ways.

Mr. President, distinguished members of the Council

It is alarming that institutional racism and racial discrimination continue to be widespread and pervasive in all regions of the globe. Human history is evidence enough that racism and racial discrimination translates into some of the worst atrocities imaginable.

Current racial divisions rooted in transatlantic slavery and colonialism require serious action to redress. We are deeply concerned over today's situation for African and Arab migrants who face increased vilification based purely on their ethnic origins. With racially based hate crimes on the rise, there is growing concern that hate speech, misinformation, and disinformation in the media, is the probable catalyst.

Moreover, political leaders and persons of influence are using hate speech, and incitement to hatred, to target, vilify, and isolate groups based on race. Negative perceptions and stereotypes de-humanize victims and can potentially lead to the most serious of crimes such as ethnic-cleansing or genocide.

Despite the existence of several international norms, treaties, and instruments that explicitly condemn all forms of racial discrimination there are numerous examples of discriminatory acts and laws currently in place and enforced. For instance, the 1982 Myanmar Citizenship Law restricts the Rohingya from exercising basic human rights such as freedom of movement or full political participation.

In other regions, innocent individuals and families lose their homes and their lands through forced evictions and demolitions that have devastated the lives of men, women and children. Indigenous communities such as the Maasai in Eastern Africa and First Nations people in North America are forcefully evicted and targeted as a result of these discriminatory laws.

In the Occupied Palestinian Territories, families and children have been devastated by unlawful demolitions of civilian properties for generations.

As a Palestinian, I have witnessed countless stories of the disenfranchisement, dispossession, and displacement suffered by my people under discriminatory Israeli laws and practices. Racially based actions everywhere continue to threaten the peace of local villages and communities as perpetrators, enjoy impunity.



[Racism Threatens World Peace as Perpetrators Enjoy Impunity](#)

Mr. President, distinguished members of the Council

The fight against racism and racial discrimination has been on the UN agenda since its beginning and is firmly based on the principles of the UN Charter. We already have the instruments and programmes needed for its elimination, but they are not implemented by states, and not even by the UN itself.

We now call on the Human Rights Council to act at this session on the specific request from the General Assembly to develop and adopt a multiyear programme of activities to provide for the renewed and strengthened outreach needed to inform and mobilize the global public in support of the Durban Declaration and Programme of Action (DDPA).

Finally, the full and effective implementation of the DDPA is critical, specifically the adoption of national legislation that combats incitement to hatred to prevent and punish crimes inspired by racial hatred and to put into action best practices to ensure the promotion and protection of human rights for all.

Item 2

General Debate on Item 2

“Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General” - 21 March 2018 -

Delivered by: Lisa-Marlen Gronemeier

During the General Debate on Item 2 we recognized discrimination against minorities and the various elements, such as ‘hate speech’ that contributes to its escalation; root causes and prevention was emphasized.

Thank you Mr. President

We appreciate the vital work by the Secretary-General and the High Commissioner and his Office. Acknowledging the importance of the OHCHR’s focus on combatting discrimination and strengthening accountability and the rule of law outlined in the Annual Report, we would like to highlight the interrelationship between conflicts; minority rights and the promotion of inclusiveness and stability.



Systemic Exclusion and Discrimination against Minorities

Indeed, when minorities experience practices and institutional arrangements that systematically discriminate against, denigrate and exclude them, tensions between minorities and the respective State are intelligible consequences. Unequal access to education, political participation, employment, and public services, violates minorities' individual and collective rights and creates a dual system that subverts democracy and social cohesion. If coupled with hate speech and incitement to hatred, minorities are deprived of their fundamental rights to life in safety and dignity and may fall victims to atrocity crimes such as ethnic cleansing or even genocide. The plight of the Rohingya in Myanmar is a gruesome example. With the social fabric torn by crimes committed against the marginalized, conflict is latent and ready to reoccur in ever more cruel forms. Seaming up the fabric of society and preventing or peacefully resolving conflicts necessitates first and foremost full respect for minority rights.

EAFORD and Geneva International Centre for Justice stress the importance of early warning efforts involving systemic exclusion of and discrimination and violence against minorities, through the OHCHR's cooperation with affected groups, civil society, and national and international stakeholders.

Item 3

Interactive Dialogue with the 'Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography' ([A/HRC/37/60](#)) - 6 March 2018 -

Delivered by: Mutua K. Kobia

In relation to the Special Rapporteur's report on surrogacy and the sale of children the disparities between the practice of surrogacy in high-income countries and low-income countries was addressed.

Mr. President

We welcome the timely and important report by the Special Rapporteur on surrogacy and the sale of children.

Commercial international surrogacy arrangements is a concern for EAFORD and Geneva International Centre for Justice as such activities and practices strips vulnerable children of their rights and puts them at risks by way of taking advantage of unequal capitalistic economic and social systems and further perpetuates them. Moreover, it encourages the exploitation of children as well as surrogate mothers living in poverty.

We are also deeply concerned that commercial international surrogacy arrangements mainly involves deals from persons of high-income countries who buy surrogate mothers from low-income countries. Furthermore, most high-income countries have banned several forms of surrogacy while most low-income countries allow such arrangements. It is clear that this practice of surrogacy goes against the Sustainable Development Goals (SDGs) and other international norms as it impedes human rights of women and children and their development, and worse still attempts to commodify children. Moreover, as noted in several reports, commercial surrogacy systems, and specifically unregulated surrogacy, involves various forms of abusive acts and illegal activities.



Exploitation of International Commercial Surrogacy

Mr. President

Commercial international surrogacy must be viewed as an interrelated issue as root causes stem from the lack of proper and equal economic opportunities. Thus, economic development, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women must be addressed in order to find adequate solutions to prevent exploitation and the illegal adoption and sale of children via international commercial surrogacy.

In conclusion, we urge the Council to seriously address root causes and inequalities and approach the sale of children from the perspective of the child.

General Debate on Item 3

“Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, including the Right to Development” - 9 March 2018 -

Delivered by: Lisa-Marlen Gronemeier

We are especially concerned about the lives of civilians during war and armed-conflict situations. In this light the civilians and victims of the Syrian civil war was addressed as well as the role of the international community.

Thank you Mr. President

The need to counteract systematic human rights violations is as dire as ever. Yet, EAFORD and Geneva International Centre for Justice are gravely concerned that even when the most atrocious of crimes against humanity occur before the eyes of the international community, their prevention takes a backseat behind some Member States’ geopolitical and other interests. The international community is failing to protect uncountable

civilians from persecution, untold suffering and death – in Syria, Yemen, Iraq, Sudan and Myanmar to name a few.

Seven years have passed since the beginning of the bloody Syrian civil war. Today, the suffering of civilians remaining inside the country is immeasurable – marked by deliberate starvation, airstrikes and ground-based attacks by various forces/militias and their allies.



[Human Rights Take a Backseat Behind Geopolitical Interests](#)

Syria's Eastern Ghouta is witnessing unprecedented massacres since mid-November, with hundreds of civilians being killed as air raids target civilian structures and as entire buildings sheltering families collapse with women, children and men trapped inside. The voracious aerial bombardment following the prolonged military siege on Eastern Ghouta is aimed at draining the life out of one of the last remaining of the so called opposition strongholds.

The international community has the responsibility to act as a united front to prevent atrocity crimes wherever they occur. The pledge of “never again” must motivate us to strengthen international cooperation on early warning and prevention of atrocity crimes, and on transitional justice mechanisms including accountability for perpetrators, in an effort to break cycles of impunity and marginalization and ensure non-recurrence.

Item 4

Clustered Interactive Dialogue with the:

‘Independent international fact-finding mission on the situation of human rights in Myanmar’ and the ‘Special Rapporteur on the situation of human rights in Myanmar’ ([A/HRC/37/70](#)) - 12 March 2018 -

Delivered by: Lisa-Marlen Gronemeier



During this Interactive Dialogue we accentuated the plight of Rohingya refugees with regards to international norms and laws as well as the role of key actors.

Thank you, Mr. President

We appreciate the update reports by the Fact-Finding Mission and the Special Rapporteur. We share the Special Rapporteur's grave concern at the Bangladesh-Myanmar Repatriation Agreement, which would force Rohingya refugees to return from camps in Bangladesh to so-called “temporary accommodation”, expected to be prison-like camps in Myanmar that Rohingya have been returned to previously.

Rohingya refugees are very clear that they will return to Myanmar only if their safety is assured by the international community, their lands returned, and houses rebuilt; if they are granted full citizenship and no longer subjected to discrimination and persecution. These conditions are not met. Moreover, Rohingya refugees were not consulted throughout the planning of their return. Bangladesh agreed to repatriate refugees to the state-sponsored system of apartheid that is still in place in Myanmar.

Refoulment is an absolute prohibition under international human rights and refugee law. EAFORD and Geneva International Centre for Justice consider the repatriation deal extremely immature and are convinced that it will result in further human rights violations against the Rohingya minority. To implement any repatriation plan, an unconditional end to violence and guarantees of non-recurrence must be ensured.



[The Rohingya Minority Faces Discrimination and Persecution](#)

Secondly, we are seriously concerned that refugees and international agencies, including the United Nations High Commissioner for Refugees (UNHCR) are excluded from all stages of this repatriation. Rohingya should play a key role in the planning and management of their return. Thirdly, the required verification process is contentious. The Myanmar authorities denied the Rohingya citizenship and deprived them of any possibility to prove their identity for decades. Under these circumstances, it is unreasonable to expect Rohingya refugees to present the necessary documents for voluntary repatriation.

Lastly, we are mindful of previous repatriations of tens of thousands Rohingya to Myanmar in the 1990s and early 2000s.

We call upon all relevant actors to ensure that Rohingya refugees are not forced back to Myanmar as long as they remain at risk of serious human rights violations. Eventual voluntary repatriation should take place under the supervision of international human rights monitors and the relevant UN agencies, in conditions that are – as stated by the Special Rapporteur - safe, dignified, and sustainable.

High-Level Panel Discussion on:

Human Rights Violations of Children in Syria ([A/HRC/RES/36/20](#)) - 13 March 2018 -

Delivered by: Mutua K. Kobia

A special high-level panel discussion was held to underscore the grave human rights violations and abuses of children in Syria. We addressed the most basic rights of children that are in peril focusing on health aspects.

Thank you, Mr. President

In the Syrian conflict, attacks against civilian facilities and indiscriminate killings of civilians persist. Over the last couple of weeks, the situation has further escalated, especially in the regions of Eastern Ghouta and Idlib. In these conditions, children are the most vulnerable, and they need special protection from all parties to the conflict.

The destruction of a high number of hospitals following the indiscriminate attacks has caused the deterioration of the healthcare systems, which has an extremely detrimental impact on the general health of Syrian children. However, the devastation of the medical infrastructure is not the only element that is putting the lives of children at risk. Their condition in besieged cities is particularly challenging. In fact, in these areas, access for humanitarian aid and assistance is especially difficult and a growing number of children are suffering from malnutrition.



[High Level Panel on Children in Syria](#)

Syrian children are facing multiple daily violations of their most basic human rights, such as the right to food, health, and to education. Furthermore, they are victims of excessive violence and forced recruitment by different parties to the conflict. As a result, children are suffering from devastating psychological consequences, including 'toxic stress', which can have a life-long impact on children's mental and physical well-being.

EAFROD and Geneva International Centre for Justice urge all parties to the conflict to respect and to comply with international human rights law and international humanitarian law to ensure access to humanitarian aid, especially in besieged areas, and stop the indiscriminate attacks against the civilian population that are causing the death of innocent people, including many children. The international community must take all possible measures to ensure that the basic human rights of Syrian children are protected and must ensure the provision of mental health and psychosocial support programming in refugee operations and inside Syria.

Interactive Dialogue with the:

Commission for Human Rights in South Sudan (A/HRC/37/71) - 13 March 2018 -

Delivered by: Mutua K. Kobia



The dire situation in South Sudan is of much concern and requires more attention by the international community. With regards to the report by the Commission for Human Rights in South Sudan we call for further investigation into root causes and external forces that contribute to the armed conflict.

Mr. President

The situation in South Sudan is deeply alarming to EAFORD and Geneva International Centre for Justice as we are especially concerned about the grave humanitarian situation, numerous violent attacks including sexual and gender-based violence, and various human rights abuses and the hundreds of thousands of residents forced to flee their homes and communities in search of refuge within the country and across its borders. Worse still, reports indicate that in many instances their villages are looted and torched leaving Internally Displaced Persons (IDPs) and refugees without a home to return to.

Emergence of new armed groups is caused by the spread of on-going violence further endangering the lives of many more civilians. The scale and severity of atrocities committed against civilians amount to crimes against humanity and without adequate assistance, advice, and support by the international community perpetrators will continue to enjoy impunity.

We welcome the report by the Commission but ask whether serious consideration was taken in investigating and addressing root causes of the power struggle and conflict at large?



[Root Causes of the Power Struggle in South Sudan](#)

External influences such as the role of transnational and international oil companies, alleged arms trade, and other internal influences such as corruption within the government must seriously be taken into consideration and investigated with means of accountability as their actions and operations are directly linked and contribute to the on-going abuses, violence, and violation of human rights in South Sudan.

Moreover, addressing these root cause are in line with the Commission's mandate and is absolutely crucial in ensuring adequate recommendations to prevent further deterioration of the situation with a view to its improvement and for sound transitional justice, truth and reconciliation.

We recommend the Commission to:

- **Fully investigate and identify** relevant root causes to prevent further violations, build accountability, and ensure protection of human rights and well-being of the people of South Sudan.

- *Investigate* elements and effects of corruption at all levels.

The East African community and the African Union to:

- *Enhance and provide* humanitarian support for South Sudanese victims and refugees.

Thank you.

As 2018 marks the fifteenth anniversary of the invasion of Iraq, many of the oral statements under the General Debate on Item 4 called for accountability and justice for this event. Alongside the oral statements delivered, a side-event was organized.

General Debate on Item 4

“Human Rights Situations that Require the Council’s Attention” - 14 March 2018 -

Delivered by: Marjon Tytgat

Mr. President

We wish to bring to this council’s attention the disastrous situation in Iraq. The 15 years that have passed since the U.S.-led invasion of Iraq have shown us that this illegal invasion resulted in a total destruction of the country.

The invasion of Iraq is classified as a war of aggression. As a consequence of the invasion and occupation millions of civilians lost their lives or were the target of torturing practices. Cities were destroyed, and vital infrastructure was damaged.

Many of the problems Iraqi civilians are still facing today can be traced to the 2003 invasion. Today, numerous human rights violations are being committed by the Iraqi authorities, and the pro-governmental militias, under the pretext of combating terrorism.



[15 Years since the Illegal U.S.-Led Invasion of Iraq](#)

Distinguished delegates

Now that 15 years have passed since the illegal invasion, it is time to hold the perpetrators of this crime of aggression accountable. Further, we urge the United Nations to improve their reporting practices on the human rights abuses in Iraq and to provide Iraqi civilians with the necessary protection. A special Rapporteur for Iraq must be appointed.

In relation to this, please join us at a side event on the 15th of March, starting at 12.00 O'clock in room 24.

Thank you.

General Debate on Item 4

“Human Rights Situations that Require the Council’s Attention” - 14 March 2018 -

Delivered by: Lisa-Marlen Gronemeier

Thank you Mr. President

Despite over 20 years of the existence and innovation of international criminal justice, the international community has hitherto failed to stop, investigate or prosecute international crimes committed in Iraq since the illegal invasion and occupation 15-years ago. Horrendous large-scale systematic violations of international human rights and humanitarian law by government and government-affiliated forces, ISIS and other non-state armed groups, and international forces, would be qualified as international crimes under the Rome Statute of the International Criminal Court or an ad-hoc international tribunal.

We are gravely concerned over the failure of efforts to promote criminal accountability. To build trust and stability in Iraq, the grievances of all groups affected by human rights violations and atrocity crimes must be addressed. EAFORD and Geneva International Centre for Justice call for the situation of Iraq to be referred to the International Criminal Court or an ad-hoc international tribunal, given the extent of committed crimes, the absence of a credible national judiciary, and obvious unwillingness of the State to prosecute perpetrators.



[Demands for Justice and Accountability in Iraq](#)

We urge the United Nations to take into account the evidence that has been brought to their attention over the years and to ensure accountability for acts committed by all actors to the conflict in Iraq. The most pressing priority must be to adopt necessary measures to ensure the protection and fundamental human rights of all civilians. The fulfilment of victims’ demands for justice and accountability are vital to any viable solution to achieve peace for the Iraqi people. Transitional justice is thus imperative for the years ahead.

Item 5

General Debate on Item 5

“Human rights bodies and mechanisms” - 15 March 2018 -

Delivered by: Mutua K. Kobia

The shrinking of civil society space at the UN Human Rights Council is a worrying and pressing issue; we remarked on several crucial aspects and concerns.

Mr. President

EAFORD and Geneva International Centre for Justice would like to bring this Council’s attention to the shrinking non-governmental organization (NGO) space at the United Nations and specifically at the UN Human Rights Council.

With respect to the UN Charter and the UN Human Rights Council (HRC) that calls for effective NGO contributions, UN Resolution 60/251 of the General Assembly acknowledges that, “non-governmental organizations play an important role at the national, regional, and international levels, in the promotion and protection of human rights”; this role must be reflected at the HRC.



[The Shrinking Civil Society Space at the UN Human Rights Council](#)

However, NGO registration to attend and contribute to the HRC contains several barriers most notably accessible internet access. Civil society members and organizations, particularly in developing countries, have limited to no internet access, and therefore, people in the most vulnerable situations suffer drawbacks and discrimination with regards to effective participation at the HRC Sessions.

Furthermore, there is a shared concern regarding the NGO oral statement online registration process, which we believe could be much improved and unprejudiced with increased transparency. Additionally, the limited number of accredited individuals, currently standing at 15, who wish to attend or participate at a side-event is not mentioned in the Practical Guide for NGO Participants and warrants addressing. Lastly, seating space for NGOs has steadily declined.

We thus recommend enhanced and accessible communication in all UN languages between the Council and civil society towards collective and practical solutions.

Thank you.

Item 7

General Debate on Item 7

“Human Rights Situation in Palestine and Other Occupied Arab Territories” - 20 March 2018 -

Delivered by: Mutua Kobia



[Adverse Human Rights Impacts as a Result of Israeli Illegal Settlements](#)

Mr. President

EAFORD and Geneva International Centre for Justice wish to call attention to the consequences of the Israeli illegal settlement activities on the Palestinian civilian population, which have been taking place since 1967.

These actions do not only have an impact by changing the demographic composition of the occupied Palestinian territory, but also gravely affect Palestinians' quality of life, as well as, their enjoyment of the most basic human rights. Additionally, women's mental health is gravely affected by the exposure to frequent military incursions and intense violence.

Land confiscation and house demolitions, which have been used by Israel to create and consolidate settlements, have forced a high number of Palestinians to leave their homes and properties. This has led to extensive internal displacement.

Through land confiscation, many Palestinians are deprived of their most important means of livelihood. Agriculture is in fact an important livelihood for a high number of individuals, especially for the population living in Area C, whose economic activity is principally based on herding and farming activities.

In addition, these illegal activities have a strong negative impact on Palestinians' right to education and access to healthcare, which are two of the most basic human rights.

We call on the international community and the Council to take all necessary measures to finally halt the illegal settlement activities that exposes Palestinians to a high degree of vulnerability and violates their inalienable rights, such as their right to self-determination and right of return to their homes and properties.

Thank you.

Item 9

General Debate on Item 9

Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance, Follow-up to and Implementation of the Durban Declaration and Programme of Action - 20 March 2018 -

Report of the Ad Hoc Committee on the Elaboration of Complementary Standards to the International Convention on the Elimination of All forms of Racial Discrimination

Delivered by: Lisa-Marlen Gronemeier



[Migrants' Significant Contribution to Society](#)

Thank you Mr. President

We are dismayed at the systemic discrimination, marginalization and stigmatization experienced by migrants and other minority groups on the basis of their ethnic origin, migration status or religion, particularly in the context of anti-terrorism measures. This is interlinked with negative populist perceptions perpetuated by governments and media discourses, which neglect migrants' significant contribution to society – in contravention of core provisions of the Durban Declaration and Programme of Action (DDPA).

Zero-tolerance to migration implies tolerance of racism and racial discrimination, at the expense of fundamental human rights, inclusion and integration. Counter-terrorism policies disproportionately affect people on the prohibited basis of their national, religious or ethnic origin, restricting their freedom of movement and right to nationality. Meanwhile, racial bias continues to undermine national justice systems, law enforcement institutions, and border control authorities.

Instead of negatively framing perceptions of those people fleeing war and hardship, discourses should be fact-based and should evolve around migrants as integral members of society and as equal rights holders, as stipulated by the DDPA.

EAFORD and Geneva International Centre for Justice urge Member States to enter partnerships with equality bodies, national human rights institutions, civil society, and regional organizations, to integrate the provisions of the DDPA in their policies, programs and strategies.

Only when minorities' fundamental rights are guaranteed can we pride ourselves on valuing human rights, peace and democracy.

Item 10

Interactive Dialogue: High Commissioner Update on Libya

The report of the High Commissioner on the Situation of Human Rights in Libya

“Technical assistance and capacity-building” - 21 March 2018 -

Delivered by: Lisette Alberti



[Interactive Dialogue with High Commissioner Update on Libya](#)

Thank you Mr. President

EAFORD and Geneva International Centre for Justice welcome the report on Libya. As repeatedly mentioned in the report of the High Commissioner, the weak judicial system is allowing for the exploitation, abuse and violation of the most basic human rights.

Although we appreciate the efforts of the Office of the High Commissioner through the United Nations Support Mission in Libya (UNSMIL), Human Rights, Transitional Justice and Rule of Law Division, in monitoring human rights in Libya, the effectiveness of these efforts is debatable. Violations of the right to life, and violations of basic rights of the most vulnerable Libyans remain the order of the day. In the report in chapter B.38, it is stated that children, three of whom were under the age of three, were arrested and detained for 10 days without sufficient food or hygiene. While the UN attempts at strengthening the judicial system, children continue to be detained and held under inhumane circumstances. It is crucial for the Office of the High Commissioner and the international community to step up its efforts.

Furthermore, we call on the Office of the High Commissioner to protect the press and human rights defenders who have been continually attacked and threatened. In spite of the Office's support provided to victims as stressed in the report, it is important to focus on preventing violations of the freedom of press and the freedom of expression.

Despite meetings of the Security Council on the topic, sufficient action has not been taken to protect Libya's most vulnerable and to restore peace and justice in the country. We would appreciate if the High Commissioner could encourage efforts in this regard.

28th Special Session of the UN Human Rights Council on the Deteriorating Human Rights Situation in the Occupied Palestinian Territory, including East Jerusalem - 18 May 2018 -

Delivered by: Mutua Kobia



[Adding Insult to Injury to the Plight of the People of Palestine](#)

Thank you Mr. President

EA Ford and Geneva International Centre for Justice strongly condemn the attacks on Palestinian protesters by the Israeli occupying forces and we urge the Council to launch an independent and transparent inquiry into these attacks.

It should be well noted that the plight of the Palestinian people did not begin on May 14th or March 30th but has been long-standing for several decades. This is due to non-compliance by Israel with UN resolutions.

We, therefore, call on the UN Security Council to institute Chapter 7 of the UN Charter with regard to the Israel-Palestine conflict, especially considering the severity and longevity of the occupation and the insistence of Israel of violating previous resolutions.

We also urge the Council and all other relevant stakeholders to recall Resolution 181 and Resolution 36/120 among others with regard to the US and other Embassy moves to Jerusalem in relation to the character and status of the Holy City of Jerusalem. This move is in violation of UN resolutions and its timing during the 70th Anniversary of Nakba only adds insult to injury to the plight and suffering of the people of Palestine.

To this end, we call on the international community to put pressure on Israel to comply with UN resolutions and ensure the protection of the human rights of the Palestinian people including the right to return and the right to association and peaceful assembly.

Finally, we urge the Council to take all necessary measures and action towards ending the illegal occupation and guaranteeing the Palestinian people their right to self-determination.

EAFORD's Joint Written Statements

[Democratic Space, Civil Society and Political Crisis in Burundi](#)



The democratic space in Burundi has continuously shrunk since 2013 and the political crisis has continued to worsen. Since Burundian President Pierre Nkurunziza in 2015 took a third term in office Burundi fell into political and civil turmoil that escalated to serious human rights abuses and violations. In addition, the current government of Burundi has left several critical international bodies such as the Rome Statute of the International Criminal Court and has weakened its cooperation with the Human Rights Council in so far as denying the Commission of Inquiry on Human Rights in Burundi access into the country. The current

government has also taken several legal and non-legal steps to silence any opposition especially by the media. This statement condemns such actions by the very authorities that are supposed to protect a democratic and civil society to freely express their opinions in a non-violent manner. Moreover, similar legal and non-legal measures were taken to prevent civilians' right to freedom of assembly and association. These actions have led to escalated violence including detentions, and even reports of enforced disappearances and torture particularly towards journalists. This statement also gives recommendations to the Human Rights Council and the government of Burundi towards improving democratic and civic space in Burundi.

[Link to full Written Statement](#)

[Libya: Human Trafficking and Slavery](#)



On 14th of November 2017, United Nations High Commissioner for Human Rights, Mr. Zeid Ra'ad Al-Husseini, expressed deep dismay regarding the appalling conditions of detention facilities in Libya. Additionally, he expressed concern over the plight of African migrants detained in these facilities further noting that the detention system in Libya is "broken beyond repair". On 20 November 2017, United Nations Secretary General, António Guterres spoke to reporters expressing his horror regarding news reports that showed alleged human slavery at an auction in Libya. The victims are African

migrants who were captured, trafficked, and/or tricked into slavery. This statement emphasizes the need to address the root causes of the human slave auctions in Libya including a serious investigation by a specialized UN mission guided by the UN Human Rights Council. Respect, dignity, and security for the human rights of African migrants en route to and under captivity in Libya must be protected. This statement also gives alternatives to detention and looks into international norms and customs on slavery, notable responses that

warrant tackling root causes, and recommendations for the Human Rights Council, the African Union, and the European Union.

[Link to full Written Statement](#)

[United Nations Response to Iraq's Humanitarian Crisis](#)



Iraq is being swept off the Earth by the hurricane of wars. The past decade is not an exception. The US-led invasion in 2003 led to increased armed violence and worsening of the situation in Iraq. The security environment in the country is deteriorating day by day. Continuous armed conflict had a negative impact on every person and every aspect of life within the Iraqi society. Serious widespread and systematic human rights violations are reported in the conduct of armed groups, the U.S.-led coalition forces and the Iraqi government. Sectarianism and the danger of disintegration remain. Terrorism and criminal violence have become part of daily life in many parts of the country.

Furthermore, the collateral damage of the fight against the Islamic State of Iraq and the Levant (ISIL, also known as ISIS) is simply ignored. The given statement states that the commissioned war crimes, crimes against humanity and genocide are not investigated, the perpetrators enjoy impunity and fear nothing, and victims are denied their right to remedy and reparation. These horrendous large-scale systematic human rights violations were and are being committed by the Iraqi governmental agents, security and military forces, government-allied militias, coalition military forces, ISIS and other non-state armed groups in Iraq. These widespread and systematic crimes could be qualified as international crimes set forth by the Rome Statute of the International Criminal Court. Lastly, this written statement concludes that the international community's response to the Iraqi crisis through the United Nations and the impact on the ground are not efficient.

[Link to full Written Statement](#)

[Children and Armed Conflict in Iraq](#)



The so-called 'war on terror' in Iraq is conducted in indiscriminate and brutal ways. The imperative of the Iraqi government, supported by the pro-governmental militias and international coalitions, worsens the situation on the ground by allowing security forces and militias to commit brutal abuses. As always, civilians are disproportionately affected by the conflict. Moreover, in Iraq children have a lot to endure. We recommend to the UN to prosecute perpetrators of violations against children and to allocate the adequate resources to reintegrate children, with specific attention to psychological support. Further we urged the UN Office in

Iraq to investigate the recruitment of children for training camps organized by the various parties to the conflict.

[Link to full written statement](#)

[Mosul: Rebuilding After Destruction and Bringing Accountability](#)



Months after the end of the so-called “liberation” campaign conducted by Iraqi forces with the support of the international coalition that was led by the United States of America, many civilians in Mosul, Iraq are still under the threat of Iraqi Security Forces (ISF) as well as the Iraqi Federal Police. Reports allege that civilians are being indiscriminately abducted under the suspicion that they may have been with or had ties with ISIS. As well, innocent civilians who have, or had relatives associated with ISIS are also under threat. The paramilitaries, primarily the Popular Mobilization Forces (PMF) who are mostly backed by Iran, also committed grave violations under the pretext of

liberating Mosul. Mosul is in desperate need of humanitarian assistance to restore stability, security, and peace. This statement looks at steps towards moving forward and the barriers it entails as well as accountability of perpetrators and ensuring justice for victims. It also touches on the role of civil society and their relationship with the government.

[Link to full Written Statement](#)

[No Safe Haven: Palestinian Children under Israeli Military Occupation](#)



This statement highlights that Palestinian children are among those whose most fundamental rights are violated on a consistent basis, as a result of Israel’s prolonged belligerent occupation. This statement focuses on the most fundamental of rights, namely the right to life and safety, which continues to be infringed upon due to Israel’s daily military activities and settler violence, as well as due to destructive military campaigns. These have a cumulative effect on children, often leaving those that survive with

lifelong injuries and psychological illnesses. The statement therefore recommends the international community to demand Israeli authorities to abide scrupulously by the State’s obligations under the CRC in all territories under its control and to comply with the Fourth Geneva Convention.

[Link to full Written Statement](#)

[Born into Injustice: The Impact of Institutionalized Discrimination on Palestinian Children](#)



In this statement, it is outlined that Palestinian children fall victim to a system that discriminates against them on the basis of their national belonging from the very day they are born. Palestinian children fall victim to a discriminatory system, under which fundamental rights such as a healthy upbringing in a stable home and family environment are gravely obstructed. Having discussed the detrimental impact on their right to home, family life, and residency; deprivation of liberty; and the right to health, the statement stresses that the full enjoyment of Palestinian children of their human rights will only be possible if Israel's occupation and institutionalized discrimination against

Palestinians is brought to an end.

[Link to full Written Statement](#)

[Obstruction of Human Rights: USA Recognition of Jerusalem as Capital of Israel](#)



The statement affirms that, whereas the US decision to officially recognize Jerusalem as capital of Israel can be viewed as attempt to legitimize Israeli control over the remaining Palestinian territory and to undermine Palestinians' legitimate historic, national, and legal rights in Jerusalem, it does not change the internationally recognized status of Jerusalem, according to which East Jerusalem is illegally occupied and is the future capital of Palestine. Having outlined in what ways the US move further deprives Palestinians of their inalienable rights, the statement reaffirms in the strongest manner that the

UN must take all necessary measures to pressure the US to rescind its decision and to finally bring an end to the illegal Israeli occupation.

[Link to full Written Statement](#)

[Exploitation and Control of Palestinian Natural Resources as Tools of Israeli Domination](#)



The statement recalls that numerous UN resolutions reaffirm permanent sovereignty by the Palestinian people over their natural resources, which is an essential element in the right of self-determination. However, Palestinian sovereignty is undermined by Israel's exploitation, damage and depletion of their natural resources, destruction of agricultural lands and orchards, and destruction, forced diversion or seizure of vital infrastructure such as water, sewage and electricity systems, and dumping of waste materials. Such activities exacerbate the already critical socioeconomic and human rights situation of Palestinians. Natural resources are described as another tool to

dominate and dehumanize Palestinians and to further undermine their prospects for self-determination. Therefore, the statement recommends to the relevant UN bodies to, *inter alia*, pressure Israel to end its policies of illegal appropriation and exploitation of Palestinian natural resources.

[Link to full Written Statement](#)

[Forcible Repatriation of Rohingya: Disregard to the International Prohibition of Refoulement](#)



The situation of Rohingya Muslim minority of Myanmar remains increasingly alarming. The mass atrocities against Rohingya continue to these days despite the international calls for immediate halt of violence. As a result of army crackdowns in Myanmar's northern Rakhine state in 2016 and 2017, approximately 750,000 Rohingya fled to Bangladesh. The atrocity crimes committed against Rohingya with an obvious intent to destroy this group may amount to the international crime of genocide. On 16 November 2017, the governments of Bangladesh and Myanmar signed repatriation agreement, according to which nearly 1 million Rohingya refugees in Bangladesh

will be repatriated back within 2 years. This written statement insists that the repatriation deal between Bangladesh and Myanmar is extremely immature and we are convinced that it will bring to more human rights violations against Rohingya minority. The main condition that must be met before any repatriation plan is implemented - an unconditional end to the violence and guarantees of non-recurrence. Moreover, refugees and international agencies, including UN, are excluded from all stages of this repatriation. Rohingya should play a key role in planning and management of their return. Lastly, the statement reminds of previous unfortunate repatriations of tens of thousands Rohingya to Myanmar in the 1990s and early 2000s.

[Link to full Written Statement](#)

[South Sudan: The Urgent Need to Resolve the Current Conflict](#)



In South Sudan the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Army in-Opposition (SPLA-IO) remain in conflict and continue to commit grave human rights violations against innocent civilians. United Nations reports and press releases have indicated that the atrocities committed may amount to crimes against humanity as it has even been reported that humanitarian camps, including UN camps, have been under attack by soldiers who also seize humanitarian aid and at times abduct residents from the camp. While it appears that the government is taking positive steps to alleviate the human rights violations committed, mainly by

soldiers, such as the recent introduction of registering SPLA soldiers into a biometric system¹, much more needs to be done to bring justice, healing and reconciliation to the victims. This statement looks into the humanitarian situation of children and the youth, witness testimony of victims who experienced or fled the conflict, and the environment of impunity with regards to the violent conflict situation in South Sudan. Lastly, this statement gives recommendations on technical assistance and capacity building towards improving the current situation in South Sudan and steps towards accountability and justice.

[Link to full Written Statement](#)

[Attacks on Public Health Workers in Syria](#)



What began as anti-government protests in Syria's capital, Damascus, in March 2011 has spiraled into a devastating civil war. Since the beginning of the war, an estimated 400,000 Syrians are reportedly dead or missing according to the United Nations and Arab League Envoy to Syria, over 5 million Syrians have fled the country and 12 million people are displaced internally. Over time, the conflict grew more and more complex with the involvement of the international community, Kurdish forces, terrorist organizations like ISIS and other opposition forces. According to the WHO, Syria is among the most dangerous countries for a health worker. Since the beginning of the conflict, 770 health care workers have been killed in Syria. During the same period, 147 humanitarian aid workers have

been killed. Not only is this a grave loss of innocent lives, it also prohibits those in need of medical attention from receiving proper care.

[Link to full Written Statement](#)

[Syria: UN Response to the Crisis](#)



The confrontation between the government and armed groups in Syria resulted in complex civil conflict with involvement of regional and world powers, the ISIS taking the advantage of the chaotic situation. It is estimated that more than half a million killed out of total population of 24,5 million since the beginning of the Syrian humanitarian crisis in March of 2011. In 2017, the Humanitarian Response Team of Whole Syria assessed that 13.5 million people require humanitarian assistance, including 4.9 million people in need, trapped in besieged

and hard-to-reach areas, where they are exposed to grave protection threats. Over half of the population has been forced from their homes, and many people have been displaced multiple times. Children and youth, millions of whom have known nothing but conflict, comprise more than half of the displaced, as well as half of those in need of humanitarian assistance. Horrendous large-scale systematic human rights violations were and are being committed by the governmental forces, coalition military forces, ISIS and other non-state armed groups. These widespread and systematic crimes could be qualified as international crimes set forth by the Rome Statute of the International Criminal Court. This statement aims to demonstrate the response of the international community to the Syrian crisis through the United Nations and assess the impact on the ground and advocates for more effective UN actions to alleviate the suffering and to protect civilians.

[Link to full Written Statement](#)

[Yemen: The Failure to Protect](#)



This statement aims to demonstrate the response of the international community to the Yemeni crisis through the United Nations and assess the impact on the ground and advocates for more effective UN actions to alleviate the suffering and protect civilians. The transition process after the coup d'état in Yemen prompted the fully-fledged civil war that continues to these days. The armed conflict further fuels sectarian divide in the region and destabilizes war-torn Middle East. The Houthi forces allied with the former president Ali Abdullah Saleh are fighting the forces loyal to the government of Abdrabbuh Mansur Hadi. It is clear that Iran provides

political, financial and military support to Houthis. The Iranian Quds Forces serve as military advisers, provide with arms and train the Houthi militia. The Saudi-led coalition in support to the President Hadi conducts a multinational military intervention against Houthis. All parties to the conflict in Yemen are well-aware of widespread and systematic attack. Grave violations of the provisions of 1948 Geneva Conventions by armed groups, Houthis and the Saud-led armed forces fulfil the elements of crimes against humanity and war crimes as defined by the Rome Statute of the International Criminal Court. The statement emphasizes that perpetrators that violate the provisions of international human rights law and international humanitarian law should be brought to justice. The commissioned war crimes and crimes against humanity should be investigated in a prompt, thorough and independent manner. The statement concludes that the actions of the international community through the United Nations fail to protect civilians.

[Link to full Written Statement](#)

[Yemen: Women and Girls in Conflict](#)

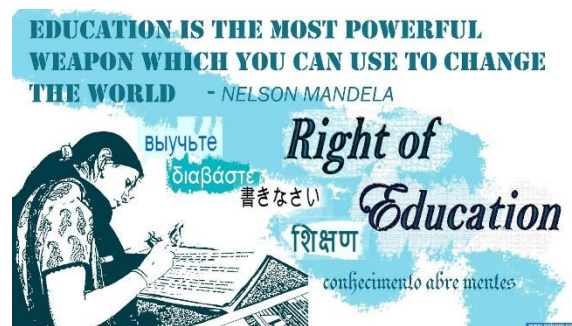


Yemenis have been experiencing an ongoing civil war since 2014 when the Houthis, an anti-government force, took control of the city of Sana'a. This fight became international with the 2015 intervention by the Saudi-led coalition. The conflict has quickly escalated into an extremely dire humanitarian crisis and in December 2017, it reached 1000 days of civil war. During these years of war, the Yemeni population has been witnessing multiple grave human rights violations, such as enforced displacements, enforced disappearances, abductions, indiscriminate killings and attacks on civilians. In this context, the statement considers

discrimination against women and human rights violations, international human rights and humanitarian law, the right to education, the right to healthcare, and child marriage.

[Link to full Written Statement](#)

[Proposals for the Focus of the 4th Phase of the World Programme for Human Rights Education](#)

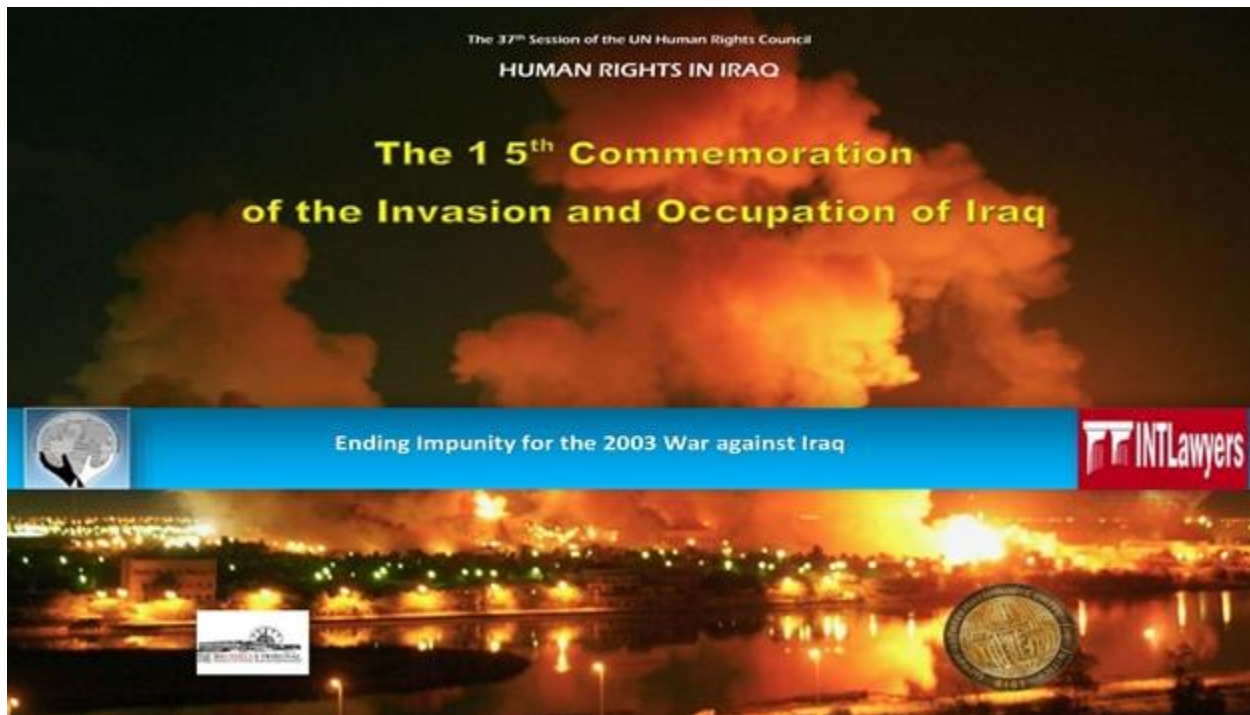


This statement reflects views expressed in discussions of the NGO Working Group on Human Rights Education and Training of the NGO Committee of Human Rights of the Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations (CoNGO). We draw attention to the requirement of the United Nations Declaration on Human Rights Education and Training in article 5 par. 3, providing that *Human Rights Education and Training should embrace and enrich, as well as draw inspiration from, the diversity of*

civilizations, religions, cultures and traditions as it is reflected in the universality of human rights. Par. 4 of the same article stresses that *human rights education and training should take into account different economic, social and cultural circumstances (...) in order to encourage ownership of the common goal of the fulfillment of all human rights for all.*

[Link to full Written Statement](#)

EAFORD Co-Sponsored Side-event at UN



The 15th Commemoration of the Invasion and Occupation of Iraq

The International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) co-hosted a side event entitled "Invasion and Occupation of Iraq" with Geneva International Centre for Justice (GICJ), International Lawyers.Org and other organizations at the Thirty-Seventh Session of the UN Human Rights Council. The event took place on 15 March 2018 from 12h00 to 14h00 in Room XXIV at the Palais des Nations in Geneva, Switzerland.

The side event was on the 'War in Iraq' which in 2018 marks 15 years since the invasion of 20 March, 2003. This war was an illegal war and a war of aggression without the support of the UN Security Council. The consequences of war must be remembered as it implicates a direct violation of the UN Charter and numerous adverse ramifications persist until today. There was significant opposition to the war, furthermore, the results of the invasion comprise millions of lives lost and the devastation of an entire country. Yet, there remains zero accountability.

Four panelists spoke during this side event. The first speaker, Mr. Jan Lönn, spoke about the actions he undertook with his organization in order to stop the war that was planned by the former United States of America (USA) President, George W. Bush, which he declared as a priority in his term in office. Mr. Ahmed Al-Quraishi highlighted what happened during the lead up to the War in Iraq as he reflected on his experiences as an on the ground journalist. The third speaker, Mr. Sabah al-Mukhtar, acknowledged that – unfortunately – accountability for the Iraq war is clearly not in sight. He compared the last 15 years in Iraq with the situation of the country before 2003 and noted that prior to the invasion and occupation of Iraq there was no al-Qaeda, no ISIS, and no internally displaced persons (IDPs) in the country. Finally, Mr. Inder Comar, stated that “democracy is dying” and that democratic norms are at great risk when there is an illegal war taking place and our democracy is at risk when governments remain silent about such a situation as that in Iraq.

Watch the full side-event in [Arabic](#) and [English](#). To read the full report [Click here](#)

[Full Report](#)

[Side-Event at UN: The 15th Commemoration of the Invasion and Occupation of Iraq](#)



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