

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



www.eaford.org

**40th Session of the UN Human Rights Council
25 February to 22 March 2019**

SUMMARY REPORT OF EAFORD'S INTERVENTIONS

EAFORD's Interventions during the 40th Session of the Human Rights Council



Introduction

The Fortieth Regular Session of the United Nations Human Rights Council was held at the United Nations in Geneva, Switzerland from 25 February to 22 March 2019. The session opened with a High-Level Segment featuring addresses by UN Secretary-General António Guterres, UN General Assembly President María Fernanda Espinosa Garcés, and High Commissioner for Human Rights Michelle Bachelet.

During the Fortieth Session, the Council focused on various serious and urgent human rights issues across the globe. The Council heard the presentation of over 100 reports that addressed 39 themes and 50 country-specific situations. The Council also heard from 33 independent human rights experts, working groups and investigative bodies; held four panel discussions, conducted an annual meeting on the rights of the child, and

heard statements by 93 dignitaries during the high-level segment; and adopted the outcomes of the Universal Periodic Review of 14 states.



The **President of the Council for 2019, Ambassador Coly Seck of Senegal**, opened the fortieth session and officially welcomed the various dignitaries who would be addressing the Council during the high-level segment and the following four weeks of the session. He also stressed the important contribution made by civil society to the work of the Council and emphasized that the Council would not tolerate acts of intimidation or reprisals against civil society as a result of participation in the Council or other human rights mechanisms.

Remarks of the UN Secretary-General

Mr. António Guterres began his remarks by identifying the Human Rights Council as the “epicentre for international dialogue and cooperation” on achieving human rights. He reminded attendees that human rights are inherent in each person and not dependent on nationality or any other classification. He said human rights inspire and drive progress, help sustain peace, and are vital to addressing the major problems in the world including the fight against terrorism.



UN Photo / Jean Marc Ferré

Mr. Guterres warned that human rights are “losing ground” in many areas of the world, but he also said there is hope due to powerful social justice movements by groups such as youth, indigenous peoples, and women. He highlighted several human rights issues where work is urgently required. He said gender equality has seen some progress but much more needs to be done. He asserted that gender equality is about power and there remains a very large gap in economic equality between men and women. He was seriously concerned about shrinking civic space and the targeting of human rights defenders. He called “outrageous” the near-impunity enjoyed by those who target journalists with abuses and noted that surveillance resulting from big data and advanced technologies is having a chilling effect on the exercise of human rights.



The Secretary-General highlighted the rise in xenophobia, including antisemitism and Islamophobia. He noted how these attitudes spread quickly through social media and public discourse that targets groups as “others”. He mentioned UN efforts to enhance responses to hate speech and the scapegoating of vulnerable groups like migrants. He remarked on the deepening economic divide between countries and within societies and noted that the exacerbation of inequalities hinders growth and leads to instability.

Finally, Mr. Guterres thanked the Council for addressing the issue of climate change. He noted that over 150 countries have recognized the right to a healthy environment and mentioned his call for a climate summit to bring together governments, businesses and civil society to address this issue. He closed by reiterating that human rights underpin development and international peace.

Remarks of the President of the UN General Assembly

Ms. María Fernanda Espinosa Garcés spoke about the increasing divisions in the world and the increasing threat of climate change. She asserted that the bases of multilateralism are being attacked, resulting in a threat to the international human rights framework. Increasing xenophobia and extreme nationalism is reminiscent of a past we should not repeat.



UN Photo / Jean Marc Ferré

She recalled the 70th anniversary of the UDHR – a “jewel” of multilateralism. The architecture of international human rights has been built up over the last 73 years, and now, she asserted, we must address the “implementation deficit” of our recognized human rights. For example, the Council’s UPR process should be optimized to promote cooperation within and between countries. Overall, she praised the productivity of the Human Rights Council over its 13 years, including the development of better monitoring systems and more accountability.



UN Photo / Jean Marc Ferré

Ms. Espinosa Garcés recalled several persistent human rights problems, such as major disparities between men and women, discrimination against indigenous peoples and people with disabilities. However, the major factor underlying human rights problems is inequality due to the extreme concentration of wealth. She stressed the need for the Council to be strong and to address issues without politicization. She called on the Council to equally address all human rights violations and abuses regardless of the perpetrator or location. She closed by stressing the need for the Council to protect the rights of each victim of a human rights violation to ensure that every person is able to live with dignity.



Remarks by the UN High Commissioner for Human Rights

Ms. Michelle Bachelet recalled two lessons she had learned as head of state. First, there was rarely a gap between the interests of humanity and the national interest of her country. She asked, “How can any state’s interest be advanced by policies that damage the well-being of all humans?” She noted that this applies to all issues, including climate change, discrimination, and inequalities.



UN Photo / Jean Marc Ferré

Her second lesson was that human rights-based policies are effective. She maintained that they deliver better outcomes by addressing grievances and suffering and building hope.

Overall, social justice policies help develop stronger economies and more robust development. However, she recognized that achieving outcomes in the real world requires balancing many issues. The balancing process is not easy, she said, nor is it about perfection, but applying courage and vision will lead to progress.

No country has a perfect human rights record, but she stated her belief that all states have the ability to meet the expectations and obligations to respect human rights. She offered the support of her office to all countries in their efforts to promote human rights.



She closed by rejecting attitudes of defeatism and noted how recent youth marches for climate policy have inspired her.

She commended the Council for its record in establishing special procedures as early warning mechanisms to investigate human rights issues and called for new efforts toward early action.

She said her office is ready to continue coordinating efforts of UN agencies and actions by states to support human rights.

She also stressed the need to engage with civil society to advance dignity, equality and justice for all.

EAFORD Participation at the Fortieth Session of the UN Human Rights Council

Oral statements

International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) delivered 12 joint oral statements during the Fortieth Session of the UN Human Rights Council. Several thematic issues and country-specific situations were addressed, including recommendations in most cases, under the various Agenda Items of the Council.

Agenda Items

- 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.
- Item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.
- Item 4: Human rights situations that require the Council's attention.
- Item 5: Human rights bodies and mechanisms.
- Item 6: Universal periodic review.
- Item 7: Human rights situation in Palestine and other occupied Arab territories.
- Item 8: Follow-up to and implementation of the Vienna Declaration and Programme of Action.
- Item 9: Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action.
- Item 10: Technical assistance and capacity-building.

Thematic Issues

ITEM 3 – General Debate

8 March 2019

Delivered by: Elisa Gazzotti, Soka Gakkai International

Thank you Madame Vice President.

I speak on behalf of 17 organizations¹

The Plan of Action for the fourth phase of the World Programme for Human Rights Education is currently in its preparation phase in consultation with all stakeholders and will be submitted during the forty-second session of the Human Rights Council. In this regard, the NGO Working Group on Human Rights Education

¹ This statement reflects views of the NGO Working Group on Human Rights Education and Learning (NGO WG on HREL) of NGO Human Rights Committee of CoNGO, comprising 55 NGOs.

and Learning would like to emphasize the following points:

- 1) The implementation of the three previous phases of the World Programme should be an integral part of the Plan of Action.
- 2) Human rights education methodologies including specific tools and indicators to measure the impact and progress of human rights education at local and national levels, also within the framework of target 4.7 of the SDGs should be further developed.
- 3) Adequate policies, including necessary resources and programmes to train educators with skills, knowledge and understanding of human rights to foster people that can be a model of human rights for young people should be prioritized.
- 4) National Human Rights Institutions (NHRI) and Parliamentarians play a key role for human rights education.
- 5) Young peoples' voices should adequately be reflected, taking in consideration the different needs that youth have to ensure an inclusive plan of action. Non-formal education plays a key role to enhance the aim of universal access for all youth to human rights education.

The NGO Working Group on Human Rights Education and Learning is fully willing to act as a bridge between the different actors in order to move towards a better implementation of human rights education.

Thank you Madame Vice President.

ITEM 9 – General Debate

19 March 2019

Delivered by: Giorgia Airoidi



Family members of worshippers killed in mosque shooting in Christchurch, New Zealand.

Photo Source: Washington Post

Mr. President,

EAFORD and Geneva International Centre for Justice wish to reiterate recommendations already made to initiate discussions and actions in preparation for the 20th anniversary of the Durban Declaration and Programme of Action.

The lack of commitment of the international community is evident in the increase of hate speech and hate-related crimes.

Hate speech by political representatives has a morally destructive impact on society, since it gives legitimacy to discriminatory attitudes and behaviors. It also contributes to widespread xenophobia and other forms of intolerance that play a crucial role in the increasing hate crimes around the world. The recent terrorist attack on the Mosque in New Zealand, which we strongly condemn, is just one example of this trend. The hate speech pronounced by a political representative clearly attempted to provide an excuse to violent acts, blaming the victims and the immigration system instead of rejecting the crime itself and framing such incidents as harmful and shameful to society.



Mr. President,

It is important that States engage themselves in the enactment of domestic legislation aimed at defining and criminalizing racist and xenophobic hate speech in accordance with international standards.

Country-Specific Issues

CENTRAL AFRICAN REPUBLIC

While commending the Central African Republic (CAR) for its developments amidst an armed crisis, EAFORD jointly raised concerns about accountability and justice for victims of serious human rights abuses in CAR. This issue was raised during CAR's Outcome Review of the Universal Periodic Review (UPR).

Item 6: Consideration of the UPR on Central African Republic

14 March 2019

Delivered by: Mr. Mutua K. Kobia

Thank you, Mr. President,

We welcome the Report of the Working Group on the Universal Periodic Review of Central African Republic. We note a number of significant advances and especially the establishment of the Special Criminal Court to investigate war crimes and crimes against humanity committed in the country since 2003. Furthermore, we acknowledge the criminal trial sessions held by the Bangui Court of Appeal.

However, EAFORD and Geneva International Centre for Justice remain concerned about perpetrators who continue to enjoy impunity for crimes of sexual and gender-based violence as well as justice for the victims of such crimes. If progress on accountability is not immediately made, the rights of civilians and the lives of the innocent, including women and children will continue to be threatened. We strongly urge the government of CAR to strengthen its justice system and to speed progress in opening further investigations of such crimes with the cooperation of the Commission of Inquiry and the International Criminal Court. Peace, stability, and security can only be achieved by realizing the full rights and fundamental freedoms of women and girls.



In addressing justice for victims, we note CAR's acceptance and implementation of the UPR recommendations and in particular the establishment of Truth, Justice, Reparation and National Reconciliation Commission.

While this is significant, we note concerns not only in its operations but also in guaranteeing and protecting the fundamental right to access to justice and right to a fair trial. Financial and technical assistance is therefore essential, and we strongly encourage CAR to enhance cooperation with its neighbors, the Eastern African Community, and UN Special Procedures in addressing this issue.

In conclusion, Mr. President, we commend CAR for its developments and cooperation especially amidst difficult situations and wish every success in fully implementing the accepted recommendations; and in achieving and realizing the rights for all women and girls especially considering the challenges and obstacles they face.

CHINA AND MYANMAR

EAFORD jointly addressed the various barriers in China and Myanmar that prevent victims of human rights abuses from achieving justice and enjoying fundamental freedoms.



Photo Source: UNHCR/Roger Arnold

ITEM 4 – General Debate

13 March 2019

Delivered by: Mr. Christopher Gawronski

Mr. President,

EAFORD and Geneva International Centre for Justice would like to echo calls for urgent action to be taken to address serious human rights situations in China and Myanmar.

As has been noted by the High Commissioner for Human Rights, several Special Rapporteurs and numerous NGOs, ethnic and religious minorities in China face ongoing threats from summary executions, discrimination, arbitrary detention and torture. The Uighur people of Xinjiang province are a case in point with millions of Muslims subjected to intense monitoring of personal activities, intimidation, and involuntary detention and torture in so-called “vocational education centers.” The Chinese government has gone to great lengths to convince the world that human rights are protected in Xinjiang. However, we wonder why China refuses to allow visits to the region by UN special procedures or other independent monitors.

Myanmar has also refused to allow visits by special procedures. Instead, the government persists with using a narrative of defending the State against terrorist elements to excuse the mass destruction of entire villages and the dislocation and ill treatment of millions of ethnic minorities in Rakhine State and other areas. Unfortunately, since the constitutional structure of the country gives the military a dominant role in politics and government, domestic human rights mechanisms will hardly be allowed to criticize the military and, therefore, will not result in full accountability for human rights violations.



Mr. President,

We call on the Council to continue to investigate and address these situations. We also urge China and Myanmar to allow UN special procedures to visit their countries. If, in fact, there are no human rights abuses occurring, then the visits should be welcome opportunities to demonstrate that fact to the world.

JORDAN

EAFORD jointly addressed a number of pertinent issues that need immediate progress in order to improve the human rights situation in Jordan. Namely, these were basic fundamental freedoms, the rights of women, and the right to participate in public and political life.

Item 6: Universal Periodic Review (UPR)

14 March 2019

Delivered by: Benedetta Viti

Thank you, Mr. President,

We welcome the Report of the Working Group on the Universal Periodic Review on Jordan and appreciate the progress made by the Jordanian Government in laws, practice and policy relating to human rights, which reflects a positive will; we hope it will continue to safeguard human dignity and fundamental freedoms.



Despite the official efforts made to advance the human rights situation, there are still a number of challenges that hinder progress in this area, in particular:

- The Rights of women: every year about 15 to 20 women still face a crime by a male family member in the name of contravening social norms of “honor” and the Penal Code still allows reduced sentences for those who murder their spouses when discovered committing adultery.
- Right to the fundamental freedoms and the right to participate in public and political life: the government’s restriction on connectivity and the passage of law that chills freedom of expression rights online. From June 2016 to May 2017, the telecom operators in Jordan continued to block VoIP calling features on various communication applications, including Viber, WhatsApp, and Skype.

For the above reasons, EAFORD and Geneva International Centre for Justice encourage the Jordanian Government to:

- Continue working on the effective implementation of the Comprehensive National Human Rights Plan until 2025, with the broad participation of civil society
- Strengthen programmes aimed at capacity building for judges, prosecutors, lawyers and officials responsible for compliance with the law, in application of international standards relating to women’s rights
- Provide shelter services and protection to vulnerable women threatened with honor crimes instead of protective imprisonment

Thank you, Mr. President.

IRAN

Execution of minors and restrictions of freedom of association and peaceful assembly in Iran are serious human rights violations that EAFORD jointly raised during the General Debate under Item 2.



Photo Source: Iran News Update

ITEM 2 – General Debate

20 March 2019

Delivered by: Mr. Christopher Gawronski

Mr. President,

We appreciate the report of the High Commissioner and wish to express concerns about the many human rights issues in Iran, especially regarding the ongoing execution of minors, campaigns against people who demonstrate for their basic human rights, and support for armed militias across the region.

The execution of minors is widely condemned, even by many countries that still use the death penalty. It is simply unconscionable that minors, who are still developing and do not fully understand the consequences of their actions, can be executed in the same fashion as adults.

In addition, people are protesting across Iran demanding their basic human rights such as an adequate standard of living, access to water, and decent wages. We are particularly concerned about the situation in Al Ahwaz, a region that contains great natural wealth, but with a predominantly Arab population that is desperately poor and subjected to systemic discrimination.

We are also concerned about the destabilizing actions taken by Iran throughout the region. In Iraq, Iran supports armed militias that foment violence and human rights violations across the country. In Yemen, Iran's support of the Houthi militia is in direct violation of Security Council resolutions and only serves to prolong the conflict and tragic humanitarian crisis in the country.

Mr. President,

EAFORD and Geneva International Centre for Justice call on Iran to end the practice of executing minors and to address the legitimate needs of its people, including the Arab population of Al Ahwaz. Also, we appeal to Iran to work toward peace in the region by ending its support of militias in Iraq and Yemen.

Thank you.

MALI

EAFORD jointly expressed concern over on-going impunity in Mali with regards to various human rights issues and recommended the creation of an independent and effective criminal justice system.



Photo Source: Amnesty International

Item 10: Dialogue with the Independent Expert on the situation of human rights in Mali (A/HRC/40/77)

19 March 2019

Delivered by: Pia Marie Siebert

Mr. President,

EAFORD and Geneva International Centre for Justice would like to thank the Independent Expert on the situation of human rights in Mali for his report. We are deeply concerned about the lack of implementation of the Agreement of Peace and Reconciliation in Mali.

The fight against impunity is central to achieve reconciliation and an indispensable prerequisite for increasing trust in State action.

The precondition for effectively holding perpetrators accountable is legislation, prohibiting all serious human rights violations. Therefore, we support the Independent Expert in urging Mali to enact a law, which incriminates all gender-based violence, including Female Genital Mutilation. Where there is no national legislation incriminating the harmful practice, all efforts towards banning FGM will remain rather futile.



Further, we appreciate the ongoing and past proceedings before the International Criminal Court. However, cooperation with the national judiciary is crucial to achieve a gapless fight against impunity. To that end, we perceive that the creation of an independent and effective national criminal justice system together with an effective anticorruption institution is a precondition for ending impunity.

Otherwise, the victims' trust in the justice system, and the State as a whole, will continue to shrink while peace and reconciliation will recede even further into distance. The creation of an independent and effective justice system must be a priority, both in government policy and financially.

EAFORD and GICJ call upon all states to:

- Firstly, support Mali in the protection of the civilian population;
- and secondly, contribute to the fight against impunity by not only providing financial resources but also helping to build capacity for the creation of an independent and effective criminal justice system.

Merci M. le Président.

OCCUPIED PALESTINIAN TERRITORIES

On the human rights situation in occupied Palestine, EAFORD jointly raised the issue of Palestinians being denied enjoyment of their own natural resources as well as the issue of environmental pollution. Another statement brought to attention the violation of the right of freedom of movement and the creation of the "Apartheid Road".



Photo Credit: Middle East Eye

**ITEM 7 – Interactive Dialogue with Special Rapporteur on the situation of human rights in the
Palestinian territories occupied since 1967**

18 March 2019

Delivered by: Mr. Christopher Gawronski

Mr. President,

We thank the Special Rapporteur for his report and echo his calls to address the problem of Palestinians being denied the benefit of their own natural resources.

The law of belligerent occupation, like much of international humanitarian law, is meant to protect civilians from the ravages of armed conflict. As a result, the law is very clear that the daily administration of an occupied territory must be done for the benefit of the local population. The occupying power is responsible for preserving local civic life and respecting the legal rights of all civilians in the territory. This responsibility has been clearly violated in the occupied Palestinian territories with regard to natural resources.

But not only have natural resources been expropriated from private individuals without proper compensation and degraded by deliberate environmental pollution, Palestinians are denied access to justice for these wrongs. The occupation arrangement put in place by Israel effectively prevents Palestinians from obtaining legal redress for these wrongful acts against them and their resources or for the resulting health and financial harm they cause.



The occupation administration results in under-resourcing local Palestinian judicial institutions, near-total denial of jurisdiction for Palestinian tribunals over Israeli parties, and, as a result, forcing Palestinians to resort to Israeli courts, which are widely viewed to have a systemic bias against Palestinian parties. We would like to know the Special Rapporteur's views as to what measures can be taken to provide Palestinians access to justice either within or outside the Israeli court system.

Mr. President,

Natural resources are literally the life support system of any country, including the occupied Palestinian territories.

EAFORD and Geneva International Centre for Justice call on Israel and the international community to enforce international humanitarian law by ensuring Palestinian civilians have effective access to justice to protect their lives, their communities, and their country.

Thank you.



Photo Credit: MPN News

ITEM 7: General Debate

18 March 2019

Delivered by: Georgia Eraldi

Mr. President,

We would like to draw the attention of the Council to the discriminatory and inhumane segregation system the Palestinian people are facing. We maintain that it constitutes the crime of Apartheid according to the Rome Statute.

The situation violates the right of movement of Palestinians due to a system of walls and checkpoints that prevent them from accessing essential services. Most recently, Israel created what has become known as the “Apartheid Road” where Palestinian and Israeli traffic are separated by a wall, which is an emblematic symbol of the Apartheid regime.



We argue that Israel’s decision not to renew the mandate of the Temporary International Presence in Hebron (TIPH) aims at conferring a powerful discretion, both on settlers and Israel Defense Forces (IDF), to act against Palestinians’ human rights. It therefore aims at increasing the limitations imposed on the daily life of Palestinians, pushing them to abandon the city of Hebron, thereby helping Israel’s annexation goals.

Mr. President,

EAFORD and Geneva International Centre for Justice strongly believe that the impunity of Israel for the crime of Apartheid should come to an end and accountability should prevail. We therefore call on this Council to take all the necessary actions to end the discrimination and segregation of Palestinians, and to support the right of self-determination of the Palestinian people.

SOUTH SUDAN

In addressing the most marginalized and affected persons in South Sudan, EAFORD jointly recommended technical and financial assistance, enhanced security, and positive engagement with relevant parties.

Interactive Dialogue with the Commission on Human Rights in South Sudan (A/HRC/40/69)

12 March 2019

Delivered by: Mutua K. Kobia

Thank you, Mr. President,

We thank the Commission on Human Rights in South Sudan for their latest report; and while we acknowledge the recent developments there is great concern about the overall human rights situation that deeply affects the marginalized and impoverished people in the country. Grave human rights violations and abuses that amount to war crimes and crimes against humanity continue to ravage the country, tear apart communities, and worse still perpetrators at all levels continue to enjoy impunity.

EAFORD and Geneva International Centre for Justice remain deeply concerned about atrocities of targeted sexual and gender-based violence and justice for the victims. As in the Commission's Report, we welcome the creation of a specialized sexual and gender-based violence court, notwithstanding its functionality and effectiveness that remains of deep concern.



While reconciliation and healing, both physical and psychological, is a monumental challenge, it is urgent and necessary, for the victims of horrible crimes and serious human rights violations including their families who are seriously affected. Humanitarian and aid workers and many who attend to those who are suffering are in dire need, not only of technical and financial assistance but of security as well.

Mr. President,

We strongly urge the government of South Sudan to advance, enhanced and steadfast communication with UN Special Procedures and the international community toward reparations and justice for victims. Additionally, we strongly recommend all parties involved in advancing peace efforts to take all necessary measures to include close cooperation and positive engagement with civil society organizations, and the full and effective participation of women and victims of human rights abuses.

In light of this, we ask the Commission on Human Rights in South Sudan, “what immediate challenges and obstacles exist that restrict access to and inclusion of the most marginalized and affected victims of the conflict in South Sudan?”

Thank you.

SYRIAN ARAB REPUBLIC

In addressing peaceful solutions and paths toward peace in Syria, EAFORD strongly recommended combating impunity and making good use of universal jurisdiction in collaboration with other states and NGOs.

Item 3: General Debate

11 March 2019

Delivered by: Pia Marie Siebert

Mr. President,

Since March 2011, civilians in Syria have had to face the most atrocious crimes: they have been killed, injured, displaced and their property destroyed. Whole families have disappeared. Numerous civilians have been arbitrarily detained and systematically tortured.

The responsibility to hold the perpetrators of these borderless crimes accountable is on each and every state. These crimes go to the core of our human dignity.



Apart from the creation of a special tribunal or referring to the International Criminal Court, universal jurisdiction is a powerful tool that allows each and every state to prosecute war criminals in its national courts and therefore, to tackle impunity and to ensure justice for victims.

EAFORD and Geneva International Centre for Justice would like to underline that accountability is a precondition for sustainable peace in Syria and other ongoing conflicts in the Middle East and it has to be the foundation of any peaceful solution.

We urge each and every state to assume its responsibility to combat impunity by:

- referring cases to the ICC
- creating ad hoc special tribunals
- Making effective use of the available powerful tool of universal jurisdiction in collaboration with other states and NGOs.

Je vous remercie M. le Président.

VENEZUELA

EAFORD jointly addressed the grave humanitarian situation millions of Venezuelans face in their country and cautioned against military intervention or sanctions, which will only worsen the situation for civilians in the country.

Item 2 — General Debate on HC/SG Country Reports

20 March 2019

Delivered by: Giulia Marini

Thank you, Mr. President,

We welcome the annual report and the oral updates of the UN High Commissioner for Human Rights. We would like to address to this Council our concerns about the situation in Venezuela.

As reported by the UN High Commissioner for Refugees, in the last few years over three million Venezuelans fled the country. This exodus, the largest in the recent history of Latin America, is due to the ongoing

humanitarian crisis affecting Venezuela. People continue to leave the country due to the lack of food, medicine, and essential services. In this regard, we hope that there would be no further actions worsening the humanitarian situation.



Our organization and Geneva International Centre for Justice are deeply concerned, by the growing calls for military intervention in Venezuela. Today marks the 16th anniversary of the invasion of Iraq. Until this day, the Iraqi people are suffering from the devastating aftermath of the invasion, occupation, and military campaigns. The international community cannot let the same thing happen in Venezuela.

Mr. President, we would like to remind the Council and its members that any military intervention can only worsen the current situation. Likewise, sanctions will lead to the starvation of the population and collapse of the health system. We agree with the Special Rapporteur on the negative impact of the unilateral coercive measures, that dialogue should be the foundation of peaceful settlement of disputes. Therefore, the international community should engage in constructive dialogue with the Government of Venezuela to find solutions to the very real challenges being faced.

Thank you.



EAFORD's Co-Sponsored UN Side Event

Environmental Injustice: Exploitation of Palestinian Natural Resources

THE 40th SESSION UNHRC

Human Rights in the Occupied Palestinian Territory

Environmental Injustice:
Exploitation of Palestinian Natural Resources



Tuesday, 19 March • 12:00 - 13:00 • Room XXVII

Speakers



Mr. Michael Lynk
*Special Rapporteur
on the situation of
Human Rights in
the Palestinian
Territory Occupied
since 1967*



Mr. Alfred de Zayas
*Former UN
Independent expert
on the promotion of a
democratic and
equitable
international order*



Ms. Daniela Dongsues
*Former Senior
Human Rights
Officer at Geneva
International
Centre for Justice*

Moderator

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



On 19 March 2019, the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) and partner organizations hosted an event on the exploitation of Palestinian natural resources by Israel.

Over the decades of occupation, the Palestinian people have been systematically deprived of their land, including its natural resources. Land confiscations, barrier walls and maritime security zones have all limited the ability of Palestinians to enjoy the full measure of the natural resources that are part of the occupied territories. In the case of the West Bank specifically, the UN Special Rapporteur on the Occupied Palestinian Territories put it plainly when he said that the natural resources “are largely controlled by Israel and primarily exploited for its benefit.”



In addition, Israeli businesses, citizens, and government actors are responsible for significant environmental pollution that has caused serious health impacts and loss of livelihood for thousands of Palestinians. Local data show elevated incidents of health problems, such as cancer, in areas subjected to severe air pollution, toxic waste, and the like. The continued presence of these pollutants causes cumulative effects leading to long-lasting environmental damage and long-term health problems for current and future generations of Palestinians.



This event featured two prominent experts on the nature of the issue and the prospects of addressing the problem at the international level: Mr. Michael Lynk, Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, and Mr. Alfred de Zayas, Former United Nations Independent Expert on the promotion of a democratic and equitable international order.

Mr. Michael Lynk is also Associate Professor of Law at Western University in London, Ontario, where he teaches labor law, constitutional law and human rights law. Before becoming an academic, he practiced labor law and refugee law for a decade in Ottawa and Toronto. Moreover, he worked for the United Nations on human rights and refugee issues in Jerusalem. Professor Lynk has written widely on labor law and human rights issues in Canada, and he has also published scholarly articles and research on the application of international law to the Middle East conflict. He has regularly acted as a labor arbitrator in Canada, he speaks frequently at labor law and industrial relations conferences and he has advised governments and international organizations on labor law and human rights issues. Professor Lynk received his B.A. and his LL.B. (with honors) from Dalhousie University, and completed his LL.M. at Queen's University in 2001.

Mr. Alfred de Zayas studied history and law at Harvard, where he obtained his J.D. He practiced corporate law with the New York law firm Simpson Thacher and Bartlett and is a retired member of the New York and Florida Bar. He earned a doctorate in history from the University of Göttingen in Germany. Mr. de Zayas has been visiting professor of law at numerous universities in Canada, Geneva, Chicago, Galway, and Germany. At present he teaches international law at the Geneva School of Diplomacy. In 2009 de Zayas was a member of the UN workshop that drafted a report on the human right to peace. He served as a consultant to the Office of the High Commissioner for Human Rights on the issue of mercenaries. De Zayas is an expert on civil and political rights and has published nine books on a variety of legal and historical issues. His scholarly articles encompass the prohibition of aggression, universal jurisdiction, the right to a homeland, mass population transfers, minority rights, refugee law, repatriation, legal aspects of the Spanish Civil War, indefinite detention, Guantanamo and the right to peace. He is fluent in six languages. He has received several awards, most recently the "Educators Award 2011" of Canadians for Genocide Education.

[Click here](#) for the full summary.



Written Statements

International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) submitted 12 joint written statements with other NGOs to the 40th Regular Session of the United Nations Human Rights Council (HRC). Eleven of the statements were published on the Human Rights Council website. The statement on Myanmar was submitted after the deadline for UN circulation, but it is included here. The statements covered several specific country situations and included recommendations to the Council, member states, and other relevant bodies and stakeholders.

CENTRAL AFRICAN REPUBLIC

Attacks on Aid Workers and Situation of Children in Central African Republic

Central African Republic (CAR) is a resource-rich country but poor in economic and development standards. Since December 2013, armed groups in CAR have been fighting over the resource-rich lands; however, they mostly target innocent civilians and basic facilities including sites where displaced people take shelter. For the year 2018, 396 incidents involving humanitarian workers were recorded, which was a 17.5% increase from the previous year. In early January 2019, violence broke out in Bambari, and violence and insecurity in Bakouma (Mbomou prefecture) caused 6,183 displacements. The security situation has also worsened in Alindao and other parts of the country.

The situation of children in CAR is extremely alarming and needs to be seriously addressed. One in four children are either displaced or a refugee. Worse still, the armed conflict has deteriorated the health and nutrition situation for children. The attacks on humanitarian and aid workers adversely impact their efforts toward attending to the needs of children. If progress on accountability is not immediately made, the threat to rights of civilians and the lives of innocent people, including women and children, will drastically increase.



International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) made the following recommendations to the Human Rights Council:

- Create a fund to support technical assistance and capacity building for the judiciary system and schools.
- Provide human rights training and education to government authorities and security forces.

[Link to full written statement](#)

IRAQ

Discrimination in Iraq



It is well-established that discrimination of any kind is prohibited under international human rights law. However, Iraq's government creates discriminatory policies and engages in acts of discrimination. A key law used to engage in discriminatory behavior is Iraq's Anti-Terrorism Law (Law No. 13 of 2005), which is often used to justify ethnically and religiously-motivated arbitrary arrests, executions, enforced disappearances and torture.

Iraq's government also supports the discriminatory behavior of the militias operating in Iraq, despite numerous and

repeated examples of human rights abuses by these militias. Shockingly, laws and government policy officially protect the militias from accountability. Thus, the militias engage in discrimination and countless other human rights violations with impunity.

After years of discriminatory policies, including a system of sectarian representation in the government, the anti-government demonstrations occurring around the country since 2011 have made it clear that most Iraqis have had enough. Therefore, International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) recommended that the government of Iraq:

- Create a law against hate speech by public officials.
- Ban militias.
- Seek justice and remedies for victims of discrimination.

[Link to full written statement](#)

Mosul – No Plan for Reconstruction or Reparations

It has been a year and a half since ISIS was driven from Mosul, yet much of Mosul's infrastructure and buildings remain in shambles and civilians are still in desperate need of humanitarian assistance. Everyone who fled during the occupation of ISIS are now facing harassment and humiliation from the Iraqi Security Forces and its affiliated militias when trying to return to their homes in the city. Tens of thousands of displaced people are residing in camps just outside the city while others are struggling to rebuild their homes and businesses despite ongoing security concerns.

Shockingly, citizens are left to rebuild the city or work out their relocation largely on their own. A national strategy and funding are needed to assist with relocation and rebuilding. The Iraqi government must recognize that the citizens of Mosul have a right to reparations aimed at restoring their dignity and all that was damaged

or destroyed during the ISIS occupation and government military campaign. Justice for Mosul should be encouraged and supported by the international community in a way that incorporates all relevant actors. Reconstruction and reparations cannot be completed overnight, but a start must be made soon.



International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) recommendations included:

- United Nations should establish an independent international commission of inquiry.
- Iraq should join the International Criminal Court to assist with prosecution of human rights violations.
- Iraqi government should ensure

protection and support to victims of human rights violations in Mosul and should dedicate resources to begin rebuilding the city. [Link to full written statement](#)

Threats to Human Rights Defenders in Iraq

Thanks to the efforts of human rights defenders, governments are held to account and victims of human rights violations can receive justice. However, in Iraq these defenders put themselves in harm's way every day through the simple act of advocating for human rights. Protest leaders, such as Mehdi Salah and Ghassan Abdul Hussein were detained, interrogated and beaten for their role in organizing and participating in demonstrations against the deplorable conditions now existing across Iraq. Human rights organizer Souad Al-Ali and lawyer Jabbar Abdul Kareem, both active in defending the rights of protesters, were killed in broad daylight.



Since 2003, Iraq has been the most dangerous country for journalists. Media workers covering demonstrations are accused of inciting unrest, and journalists are beaten, humiliated and threatened with arrest when reporting on protests. Media offices have been raided and lawsuits filed against broadcasters for reporting on corruption and other critical issues that reflect poorly on those in power. Some areas in the country have been entirely closed to the media and require a special permit

for journalists to do their work.

International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) made several recommendations to the government of Iraq, including:

- Cease punitive actions against human rights defenders.
- Hold perpetrators accountable for violating the rights of human rights defenders.
- Disband all militias.

[Link to full written statement](#)

MYANMAR

Myanmar: Continuing Violence, Impunity and Discrimination of Minorities

(Submitted for UN Circulation)

One year and a half since that gloomy August 2017 in Rakhine, the dramatic nightmare lived by Rohingyas and other persecuted ethnic minorities in Myanmar seems very far from a happy end. Not a single effort seems to have been deployed by the government of Myanmar to grant citizenship and fundamental rights and liberties to the Rohingya minority, which has been living in its territory for centuries. So, the decades-long discrimination continues unabated.

Concerning the desperate exodus of Rohingya fleeing from appalling acts of violence, we highlight the high risk of impunity for those who committed despicable crimes under international criminal law including genocide. Further concerns must be raised about the escalation of violence and the deteriorating security situation in certain areas of the country. We stress the imperative of delivering justice to victims and the urgent need to build democratic institutions for peaceful coexistence among various ethnic and religious groups living in Myanmar.



Recently arrived Rohingya refugees play at the UNHCR Transit Centre in Kutupalong, Bangladesh. © UNHCR/Adam Dean

Given the political instability in Myanmar and the risks of impunity for persisting discrimination and atrocities perpetrated against its minorities, International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), among its recommendations, urged the government of Myanmar to:

- Allow immediate and unimpeded humanitarian access, and fully cooperate with international community.
- Create adequate conditions for the safe return of Rohingyas, grant them full citizenship, full enjoyment of fundamental rights and liberties.
- Investigate and punish the perpetrators of sexual violence committed against Muslim women and girls living in Rakhine, Kachin and Shan States, and provide psychological and medical support for women and girls who have suffered sexual violence.

Furthermore, if the above joint efforts fail, refer the case to the International Criminal Court.

The following is the full written statement:

Introduction

This statement depicts the dramatic situation faced by Rohingyas and other persecuted ethnic minorities in Myanmar, where no serious effort has been deployed to grant citizenship and fundamental rights and liberties to the minorities living on its territory. Concerning the desperate exodus of Rohingya fleeing from appalling acts of violence, the statement intends to highlight the high risk of impunity for those who committed despicable crimes under international criminal law including genocide. The statement further raises concerns of escalating violence and deteriorating security situation in certain areas of the country, the imperative of delivering justice to victims and the urgent need to build democratic institutions to grant a peaceful coexistence among various ethnic and religious groups living on the territory of Myanmar.

Continuing violence and discrimination against minorities

Despite the readiness of repatriation centres to receive returnees from Bangladesh as indicated on the official website of the President of the Republic of Myanmar, clear and adequate conditions of repatriation are not in place yet.

During a press briefing held on 8 February 2019, UNHCR spokesperson Andrej Mahecic evoked reports of escalating violence and a deteriorating security situation in southern Chin State and Rakhine State. The government of Myanmar has not undertaken any measure to stop the vicious cycle of fighting and violence between the military and ethnic armed organizations with a view to initiating a genuine political dialogue. In a context of escalating fighting, it is furthermore condemnable that the government disallowed humanitarian access. This persisting climate of confrontation and violence between ethnic groups and the military is not at all conducive to a political dialogue and peaceful coexistence in the country. Considering the heavy humanitarian impact of continuing violence in Myanmar, together with the desire expressed by Rohingya to go back to the place they call home where they have been living for centuries, repatriation clearly seems not to be possible on the ground.

Furthermore, not only conditions on the ground, but also legal conditions for repatriation seem to be far from acceptable. In the framework of the agreement signed between Bangladesh and Myanmar, many Rohingyas have so far refused the repatriation conditions offered by the government of Myanmar. In particular, many Rohingyas have refused the National Identification Card issued by Myanmar in exchange for very limited freedoms. In her statement delivered on 25 January 2019, Ms. Yanghee Lee, UN Special Rapporteur on the situation of human rights in Myanmar, clearly points out that “the government of Myanmar is not working to

create the conditions for the return of the Rohingyas". She also welcomed the government's move to amend the constitution on 7 February 2019 while stating that "the current constitution of Myanmar is not democratic, and Myanmar cannot be considered a democracy without it being amended". The recent government's decision to amend the constitution must be seized as an opportunity to put an end to every form of discrimination against minorities in order to guarantee the same fundamental rights and freedoms to every human being living on the territory of Myanmar irrespective of religion or ethnicity. In the context of these democratic reform efforts, it is imperative to grant citizenship to Rohingyas and not simple residence cards or identification cards. Rohingyas must receive passports under the same conditions as the citizens of Myanmar, and they have to fully enjoy freedom of religion, freedom of movement, access to education and healthcare, protection from discrimination and hate speech, and equality of opportunity.

Accountability for serious crimes, including genocide

The crimes committed against the Rohingyas from the outbreak of violent confrontations between the Tathmadaw (the military) and the Arakan Rohingya Salvation Army can amount to the gravest crimes under international law, including genocide. On accountability for such crimes, genuine justice for victims cannot be delivered as long as the military shields itself behind laws providing for immunity and therefore total impunity. Considering the lack of independence of the domestic justice system and its inability to conduct fair trials in full observance of fundamental legal guarantees, it is not at all conceivable to leave in Myanmar's hands the responsibility to conduct effective investigations and independent trials in a very fragile political and legal framework. As the UN experts clearly pointed out, accountability for the military inside Myanmar is impossible.

For these reasons, we welcome the opening by the International Criminal Court (ICC) of a preliminary examination into Myanmar's alleged crimes against its Rohingya minority. However, the ICC can only exercise its jurisdiction over conduct that occurred on the territory of Bangladesh. Consequently, there is a high risk that justice will not be delivered for the alleged gravest crimes committed on the territory of Myanmar. The international community cannot just stand idly by and turn a blind eye to the persons accountable for the gravest crimes under international law, for this will set a very dangerous precedent. The UN Security Council must immediately refer the case to the ICC. In the past, international *ad hoc* criminal tribunals have been established by Security Council resolution to investigate serious criminal abuses (such as those that took place in Yugoslavia, Rwanda, Lebanon and Sierra Leone). However, the creation of a special mechanism through a resolution by General Assembly with the necessary consent by the State concerned is not the best option to deliver justice to the victims. As it is the core mandate of the Security Council to deal with peace and security issues, the responsibility to seize the ICC for the most despicable crimes rests on the Security Council so that the ICC will be granted full jurisdiction to carry out comprehensive investigations into all criminal acts committed against the Rohingya minority in both Myanmar and Bangladesh. In this context, the government of Myanmar must fully cooperate with international institutions by granting unrestricted access for international experts to all areas of the country the experts may deem relevant. As Myanmar is not able to deliver justice itself, the international community has an obligation towards the victims and their families to deliver justice as the most effective deterrent against future abuses.

Violence against Muslim women and girls

The scale of sexual violence, including rape, against Muslim women and girls living in Rakhine, Kachin and Shan States by State Security forces is simply appalling and may amount to war crimes under international criminal law. In its Committee on the Elimination of Discrimination against Women (CEDAW) extraordinary report submitted on 6 February 2019, the government of Myanmar denied the existence of

evidence of such crimes without even carrying out independent preliminary investigations and despite abundant evidence. We express deep concern over the future of those Muslim women and girls who bravely decided to bear children born of rape as they may face discrimination and stigma in their communities. According to UN Women, mothers raising children born as a result of rape often live in extreme poverty and are ostracized by their relatives. The children too are stigmatized and face severe social, psychological and socioeconomic consequences. To avoid this scenario, the government of Myanmar has to put at the disposal of women and girls having experienced such trauma adequate psychological support including a dialogue with their families and the communities they live in once resettled in Myanmar. It is also of vital importance to carry out independent and impartial investigations and bring perpetrators of such abhorrent abuses to justice.

Recommendations

The NGOs signatories to this statement are deeply concerned about the political instability of the country, the atrocities committed against minorities and the high risk of impunity for such acts. We therefore call upon the government of Myanmar and the international community to:

- Allow humanitarian access, put an immediate end to the fighting and the targeting of civilians;
- As a matter of urgency, amend the constitution, eliminate immunities for the military, reform the justice system;
- Fully cooperate with international mechanisms and organizations with a view to facilitating the documentation of crimes committed against Rohingyas and other ethnic minorities;
- As a matter of urgency, eliminate every form of discrimination – in law and in practice – against Muslims and ethnic minorities, and effectively sanction hate speech and anti-Rohingya propaganda;
- Create adequate conditions for the safe return of Rohingyas, grant them full citizenship, full enjoyment of fundamental rights and liberties, in particular freedom of religion, freedom of movement, access to education and healthcare;
- Investigate and punish the perpetrators of sexual violence committed against Muslim women and girls living in Rakhine, Kachin and Shan States, and put psychological and medical support at the disposal of women and girls who have suffered sexual violence;
- If the above joint efforts fail, refer the case to the International Criminal Court.

PALESTINE

Human Rights Situation in Palestine and Other Occupied Arab Territories

The Question of Palestine is inextricably linked with the history of the United Nations and is one of the longest unresolved issues on the UN agenda. Countless human rights violations have occurred since the onset of the Palestinian-Israeli conflict. As Israel marks 70 years of independence, there are some 5.4 million Palestinians living as refugees, the vast majority of whom are descendants of the people who fled or were expelled from their homes during the 1948 war that accompanied Israel's creation.



Health and well-being are rights for every person and family, including food, medical care, housing and education. Targeting these rights and restricting the supplies that support these rights is a serious violation of international law. Unfortunately, Palestinians experience these violations on a regular basis. Many health workers have been killed or injured in recent years. Palestinian-owned structures have been seized or demolished by Israeli authorities in East Jerusalem and Area C. People who are homeless or living in inadequate housing describe their experience as a struggle for dignity and life. Demolitions also include schools, which violates the right of all children to a primary education regardless of their location, ethnicity or status as a refugee.

International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) recommendations included:

- UN High Commissioner for Human Rights should ensure protection and support for health workers in war zones and improve Palestinians access to health services.
- All governments should ensure the effective integration of housing policy and social protection with core human rights obligations.
- Israel and all actors in the Occupied Palestinian Territory should put children's rights ahead of any other consideration, take immediate steps to protect Palestinian children's right to education, and ensure that children are never the target of violence. [Link to full written statement](#)

The Deteriorating Situation in Gaza

The current situation in the Gaza Strip of the Occupied Palestinian Territory requires an immediate response from the international community to put an end to the escalation of violence perpetrated by Israeli soldiers against Palestinian demonstrators. During the ongoing demonstrations by Palestinians in Gaza, which are part of the Great March of Return, Israel Defense Forces employed unjustified violence and excessive force against unarmed demonstrators near the border. The protests are legitimately calling for the implementation of Palestinians' right of return and for the end of the siege of Gaza, which began in 2007.

In spite of the establishment of a Commission of Inquiry in 2018 to investigate human rights violations against demonstrators, the wilful killing of Palestinians in Gaza has not stopped. We argue that this constitutes a war crime for which the Israel Defense Forces must be held accountable. In addition, the Gaza blockade is causing devastating effects upon Gaza's health system and a catastrophe for the economic system. The situation is the result of a planned policy carried out and intended by Israel.

Among its recommendations, International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), called on:

- The international community to strongly condemn the indiscriminate use of lethal force on unarmed demonstrators by Israeli forces.
- UN bodies to promote the respect of the fundamental rights to freedom of assembly and freedom of expression of Palestinian people.
- The international community to take appropriate measures against the impunity of Israeli soldiers regarding actions that clearly violate international law.
- All UN bodies, especially those competent on health issues, to make an unequivocal commitment for the protection of medical infrastructure in Gaza in order to ensure the fulfilment of the Palestinians' right to health and medical care.

[Link to full written statement](#)



Photo Credit: Ali Jadallah - Anadolu Agency

Israel's Segregation System

The policies and practices of racial oppression and segregation faced by the Palestinian people are due to a complex Israeli occupation system that includes separation walls, checkpoints, separate roads and settlements. The current situation in the Occupied Palestinian Territories perpetrated by Israel constitutes the crime of Apartheid as defined in the Rome Statute.

The separation wall, along with the associated regime of legal and administrative obstacles, was indeed the first “warning” of Israel’s intention to impose a system of segregation, precluding Palestinians’ right of freedom of movement and access to essential services. The recent opening of what has become known as the “Apartheid Road”, a road with a wall separating Palestinian and Israeli traffic, is an emblematic example of the restriction of movement and the segregation faced by Palestinians.

The decision of Israel announced in January not to renew the mandate of the Temporary International Presence in Hebron (TIPH) poses a serious threat to the security of Palestinian civilians and will increase the limitations imposed on their daily life and worsen the segregation they face.

In this context, International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) recommended:

- The international community to end the imposed segregation on the Palestinian people carried out through different measures by Israel.
- The international community take a clear position against the decision of Israel to end the Temporary International Presence in Hebron (TIPH) and to endorse the introduction of a permanent international presence in order to ensure the protection of Palestinian civilians in the West Bank against the abuses of Israelis.
- All UN Member States to satisfy their legal duty under international law to take proper action in order to prevent segregation policies, which might constitute the crime of apartheid.

[Link to full written statement](#)



Photo Credit: Olivier Fitouss in <https://www.haaretz.com>

East Jerusalem: The Eviction of Palestinians from Their Land

In East Jerusalem, Israel's attempts to completely evict Palestinians from the Holy City have worsened, especially since the decision by U.S. President Donald Trump to relocate his country's embassy to Jerusalem in December 2017. Last December witnessed several cases of arbitrary arrests, house demolitions and attacks on civilians, especially in the Al-Aqsa Mosque area.

Campaigns of arrests are carried out against Palestinians under the pretext of vague charges, in violation of the Fourth Geneva Convention and international standards, such as the right to be informed of the reasons of the detention, and the right to a legal defense. Investigations, prosecutions and court procedures are biased by an obvious racial discrimination against the Arab minority. Israel's house demolition policy is an attempt to expel Palestinians from the city by denying them building permits. Israel also criminalizes any Palestinian identity expression or popular celebrations in the city of Jerusalem and tries to prevent such nationalist manifestations by re-arresting former detainees.

In this context, International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) recommended:

- All concerned UN bodies to implement UN General Assembly Resolution 181 concerning the status of Jerusalem and pressure the government of Israel to take responsibility for the protection of Jerusalem and its Palestinian population as residents of an occupied territory.
- The international community to put pressure on Israeli occupation forces to stop the media campaign against Palestinian activists and young men, to stop the policy of house raids and searches, including the intimidation of women and children.
- The Human Rights Council to put pressure on Israel to stop the policy of racial discrimination against Palestinians in interrogation, prosecution and trial procedures.
- The international community to press for the abolition of the policy of administrative detention.
- The international community to dissuade the American administration from its arbitrary decision to relocate its embassy to Jerusalem.

[Link to full written statement](#)



Credit: AP Photo/Dan Balilty in <https://www.aljazeera.com>

SUDAN

Attacks against Freedom of Association and Assembly in Sudan

On 19 December 2018, the Sudanese population began protesting actions taken by the government of Sudan concerning the country's economic crisis. Government policies had led to a significant increase in prices and a shortage of basic services. After several days of protests, the demands of the protestors escalated beyond the economic issues to seeking a change in government by demanding that President Omar Al-Bashir, who has been the president of the Republic of Sudan for 29 years, step down. As soon as the protests escalated to demonstrations across the country, police and security used rubber bullets, tear gas, and live ammunition to disperse the crowds.



On the ground sources have revealed that from the start of the protests 54 people had been killed and 656 people had been arrested as of 3 February 2019. Regrettably, the numbers have increased since. Furthermore, as of 10 February 2019 the number of women arrested stood at 134. Unfortunately, the repression of the human rights to freedom of association and assembly is a long-standing issue in Sudan predating the protests that began on 19

December 2018.

Among its recommendations, International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) urged the government of the Republic of Sudan to:

- Remove all national laws that restrict the freedom to associate and peacefully assemble.
- Put in place measures, policies, and laws that promote and protect Sudanese citizen's right to freedom of association and assembly.

[Link to full written statement](#)

TUNISIA

Democratic Transition in Tunisia: Progress and Challenges

In recent years, the government of Tunisia has been pushing for progress toward democratic transition in the country. However, some obstacles continue to stand in the way of democracy and the full human rights enjoyment. Commendable actions include the creation of the Truth and Dignity Commission, the adoption of the anti-racism law, the abolition of certain discriminatory provisions against women, the creation of the national commission for the prevention of torture and the establishment of a national program against human

trafficking. Nevertheless, concerns remain about the prolonged state of emergency, restrictions on peaceful demonstrations, the population's frustration over unemployment and economic stagnation, and a sense of abandonment especially among young people and in disadvantaged areas.



*Tunisian President Beji Caid Essebsi, in a speech during the 40th regular session of the UN Human Rights Council
Photo credit ANSA*

International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) encouraged Tunisia to pursue the implementation of institutional reforms and new legislation in full compliance with international human rights standards and, among others, recommended that

Tunisia:

- Extend the mandate of the Truth and Dignity Commission and provide it with enough resources to thoroughly investigate all the complaints received.
- Elaborate a strategic plan for the de-radicalization of foreign fighters and take measure to fight against radicalization in overcrowded prisons.
- Initiate and maintain a dialogue with civil society on social grievances and economic concerns, and develop social and economic policies in favor of the most disadvantaged areas of the country.

[Link to full written statement](#)

YEMEN

Situation in Yemen

Yemen is a country in crisis. Most Yemenis – tens of millions of people – face destitution, famine, and cholera because of a civil war that has been precipitated and prolonged by the political ambitions of the Houthi militia. The best way to bring an end to the violence and instability in Yemen and give Yemenis a chance to create a long-term political resolution is to work within the legal framework established by the Security Council.

The Security Council framework includes three clear positions regarding important elements of the conflict. First, any solution for Yemen must be decided by Yemenis. The Security Council has provided explicit support to the National Dialogue Conference as well as regional efforts to aid the Yemeni government in developing a lasting political solution to the crisis. Second, there is only one legitimate government of Yemen. The Security Council has been unwavering in its attitude that the legitimate government of Yemen can only be one selected through a political process and not one imposed by force of arms. Finally, the Houthi militia must be prevented from threatening international peace and security. Since Houthis took control of the Yemeni capital in 2014, the Security Council and its Sanctions Committee have clearly identified the Houthi militia as the primary actor perpetuating war and instability in Yemen.

The international community has a responsibility to do more in Yemen than just document human rights violations and send humanitarian aid. We need to end the war. The key to ending the war is to understand and address its primary causes using the framework of the Security Council outlined above. Therefore, International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) recommended the following:

- All states comply with the Security Council's travel, finance and military supply embargo against the Houthi militia and its allies.
- All states support the legitimate government of Yemen in working toward a peaceful political solution to the crisis.
- All states and United Nations entities avoid actions that may prolong the conflict.

[Link to full written statement](#)



Photo Source: UNICEF