**Check Against delivery**

**Statement by H.E. Ms. Nazhat Shameem KHAN**

**President of the Human Rights Council**

At the opening of the twenty-fifth session

of the Human Rights Council Advisory Committee

Monday, 15 February 2021, 1 p.m.

Palais des Nations, Salle XX

Distinguished Chair of the Advisory Committee,

Distinguished members,

Excellencies,

Ladies and Gentlemen,

It is with great pleasure that I address you for the first time this afternoon in my capacity as President of the Human Rights Council, and at the start of your first session ever held remotely.

Let me start by congratulating the **newly elected members** of the Advisory Committee - (i) Ms. Bernoussi (Morocco); (ii) Mr. Baek (RoK); (iii) Ms. Sasnal (Poland); and (iv) Ms. Van de Heyning (Belgium); and on their **re-election for a second term**: (i) Mr. Seetulsingh (Mauritius); (ii) Mr. Malhotra (India); and (iii) Ms. Salmón (Peru).

It is an honour to be with you here today, and I have no doubt that you will make valuable contributions to the work of the Advisory Committee throughout your term.

I am also very pleased to note that, following the last elections, the representation of women in your Committee has increased reaching an all-time high, with 7 women currently serving on your 18-expert Committee. We crossed a long way to reach a little over one-third in the gender representation in your Committee, but I hope in the near future, Member States nominating candidates to your Committee will help us in achieving gender balance in the Committee.

Distinguished Members,

Ladies and Gentlemen,

Since your Committee last met in February 2020, the world has been hit by an unprecedented global pandemic caused by the coronavirus disease (COVID-19). The pandemic very fast became also a human rights crisis as it exacerbated pre-existing human rights issues.

On 13 March 2020, the Council had to suspend its 43rd regular session until further notice due to pandemic-related restrictions. However, the Council and its mechanisms remained active during the lock-down: it held virtual informal conversations on human rights and the COVID-19 crisis, and also virtually negotiated and adopted, through silence procedure, a President’s statement on the human rights implications of the COVID-19 crisis.

I am very pleased to note that in spite of all the challenges posed by the pandemic, the Human Rights Council was able to adjust fast to the new realities. Driven by the objective of avoiding any protection gap and owing to its innovative approach, the Council was the first UN intergovernmental body to resume formal meetings as soon as possible in mid-June by adopting a new hybrid format of in-person meetings with remote participation. These extraordinary modalities of work allowed the Council to deliver its important mandate, to hold its usual three regular sessions and fully implement its programme of work for 2020.

As is customary, I would now like to provide you with an overview of the issues that the Council has considered since your last session, which are of relevance to your work.

Regarding the **43rd session**, I will only refer briefly to the **urgent debate on the current racially inspired human rights violations** held during the resumed43rd session in June. The urgent debate was prompted by the killing ofGeorge Floyd and resulted in the adoption of a resolution requesting the High Commissioner to prepare a report on systemic racism, violations of international human rights law against Africans and people of African descent by law enforcement agencies and to examine government responses to anti-racism peaceful protests. The High Commissioner provided an oral update on the preparation of her report to the Council at the last September session, and will provide another oral update during the upcoming 46th session.

The Council also held its general debate on human rights bodies and mechanisms under item 5 of its agenda on 15 June. Your Committee’s reports on (1) **technical assistance and capacity building in fostering mutually beneficial cooperation and promoting and protecting human rights** and on (2) **utilizing non-repatriated illicit funds with a view to supporting the achievement of the Sustainable Development Goals**, were also considered under this item. At the end of the 43rd session, the Council adopted a total of **43 texts**.

At the **June-July (44th) session,** the Council held **six panel discussions,** including on **the impacts, opportunities and challenges of new and emerging digital technologies with regard to the promotion and protection of human rights,** during which your former colleague, Mr. Changrok Soh, presented, on behalf of your Committee, an oral update on the preparation of the Committee’s report on new and emerging digital technologies.

The Council heard from **22** independent experts and groups, and from the commissions of inquiry on Burundi and Syria. At the end of the session, it adopted a total of **23 resolutions.**

The **September** **session** of the Human Rights Council is of particular importance for your Committee as it is the session at which the Council holds its annual interactive dialogue with the Chair of your Committee and reviews the reports on the Committee’s sessions as well as your research proposals. **Mr. Bouzid**, the outgoing Chair of your Committee, engaged in an interactive dialogue with the Council, and presented the progress on the mandates entrusted to your Committee, as well as the two reports that were submitted to the Council in September last year, namely on **national policies and human rights** and on **the importance of a legally binding instrument on the right to development.** I am confident that the recommendations contained in these reports will inform the work of the Council on these topics and be of particular assistance to all stakeholders.

The Council also held its annual discussion on the integration of a **gender perspective throughout the work of the Council** and that of its mechanisms. The discussion of the panel focused on gender and diversity: strengthening the intersectional perspective in the work of the Human Rights Council. In this context, the Council looks forward to the Committee’s report on current levels of representation of women in human rights organs and mechanisms to be submitted at the 47th session in June.

Last September, the Council also held its biennial panel discussion **on the right to development***.* The panel focused its discussion on strengthening international cooperation and solidarity in the fight against the COVID-19 pandemic.

Distinguished Experts,

To sum up the work of the Council at its 45th session in September last year, the Council heard from 19independent experts and groups and 7 international investigative mechanisms. The Council also heard a number of oral updates by the High Commissioner, including on the preparation of her report on systemic racism requested further to the urgent debate on the same issue held at the resumed 43rd session, I mentioned earlier. At the end of the session, the Council adopted a total of **37 texts**, including, the President’s statement (PRST/45/1), in which it took note of the report of your Committee on its twenty-fourth session and of its research proposal on practices affecting negatively the rights of migrants.

Excellencies, Ladies and Gentlemen,

Before I continue with what more is coming up at the Council’s 46th session, which starts next Monday, let me take this opportunity to outline some of the issues that will guide my Presidency.

The pandemic continues to pose important organizational challenges to the Council and to the wider United Nations. Though the virus does not discriminate, its impacts certainly do, and it has the effect of exacerbating existing inequalities and deepening poverty. It is the Council’s collective responsibility to draw attention and to respond to the deep inequalities that have been laid bare by the pandemic - and to ensure that human rights standards, in combination with the shared commitment to achieve the Sustainable Development Goals, will guide what can be done to recover from what is, a global health and a human rights crisis. I am committed to ensuring that the Council continues its work, and remains relevant and effective. It is necessary to continue and strengthen those processes, including the efficiency processes, which are designed to make the most efficient and effective use of the time and resources at the Council’s disposal.

I am also committed to prioritizing the safety of civil society space and to defending the rights of NGOs and human rights defenders who seek to cooperate with this body and its mechanisms.

This year begins the General Assembly’s five-year review of the status of the Human Rights Council in accordance with the General Assembly resolution 65/281. It is a priority to ensure that we have an inclusive consultation process to gather the views of the Council as to how the Council should contribute to the review process.

Distinguished experts and Excellencies,

**(Programme of work of HRC46)**

Allow me now to turn to the programme of work of the **46th session of the Council**.

Since COVID-19 restrictions prohibit public meetings of more than five participants, extraordinary modalities for plenary meetings will apply to the 46th session.   
The session, will open next Monday with statements by the President of the General Assembly, the Secretary-General, the High Commissioner for Human Rights and the Head of the Federal Department of Foreign Affairs of Switzerland as Host Country representative, and this will be followed by the high-level segment, at which over 120 dignitaries have registered and are expected to participate via pre-recorded video statements. This is the highest number we have received to date.

During the session, the Council will hold **seven panel discussions and thematic meetings**:

* **Annual high-level panel discussion on human rights mainstreaming,** focusing this year on the state of play in the fight against racism and discrimination 20 years after the adoption of the Durban Declaration and Plan of Action and the exacerbating effects the COVID-19 pandemic has had on these efforts;
* **The debate on the midterm review of the International Decade for People of African Descent**, as part of the annual commemoration of the International Day for the Elimination of Racial Discrimination, which is aimed this year at assessing the situation of global youth and the role of youth in combatting racial discrimination and taking stock of the impact of the COVID-19 pandemic on the education, development and empowerment of youth and children, in particular of African descent, with a focus on racial discrimination.
* **The annual interactive debate on the rights of persons with disabilities,** which will focus on participation in sport under article 30 of the Convention on the Rights of Persons with Disabilities;
* **The meeting on the role of poverty alleviation in promoting and protecting human rights;**
* **The biennial high-level panel discussion on the question of the death penalty,** with focus on human rights violations related to the use of the death penalty, in particular with respect to whether the use of the death penalty has a deterrent effect on crime rate*;*
* **The annual full-day meeting on the rights of the child** (two panels),which will focus on the rights of the child and the Sustainable Development Goals;

I am confident that the discussions of the first two panels I mentioned will inform the ongoing work of your Committee on the study on racial equality.

Distinguished Experts,

**(Reports to be transmitted to HRC in 2021)**

At this session, your Committee will be working on four mandates and finalizing its **reports** to be submitted to the Human Rights Council for consideration at its upcoming sessions, namely:

* Negative effects of terrorism on the enjoyment of human rights;
* Current levels of representation of women in human rights organs and mechanisms;
* New and emerging digital technologies and human rights; and
* The situation of racial equality in the world.

The Council looks forward to the presentation of these reports and to engaging in September with the Chair of the Committee to be elected for this year.

Distinguished Members,

Unfortunately, the Council entrusted no new mandate to your Committee in 2020. And if I understand correctly, once you complete work on your ongoing mandates, your Committee may be left with no or few mandates to work on at its August session. There is therefore a growing need for a better visibility and a better understanding among Member States of the work that your Committee does. This week may not present the best opportunity, but I would encourage you to hold discussions in the intersessional period within your Committee on how to enhance the visibility of the Committee’s work and how you, as Committee members, can strategize your advocacy efforts with Member States within your regional groups. Against the backdrop of geopolitical considerations; serious financial and liquidity crisis of the United Nations; ongoing efforts to increase efficiency and effectiveness of the Human Rights Council; and the necessity to avoid duplication and proliferation of mandates, I believe it is important for your Committee to be able to show how your work positively impacts on and contributes to improving the life of rights holders on the ground and that your Committee continues to remain relevant in fulfilling its role as the Council’s think-tank.

I therefore look forward to your discussions and I look also forward to meeting with you in-person at your next session, in a more informal setting, together with members of the HRC Bureau, and the regional and political group coordinators, COVID-19 permitting! As I come to the end of my remarks, I would like to express my appreciation for the work of your Committee and thank you for having resumed your work in spite of the challenges associated with the pandemic.

I thank you for the time that you spend in your various countries, focusing on research, which are sometimes on very controversial topics entrusted to your Committee by the Council. The Council is lucky to be able to count on your independent expertise and guidance on many issues, despite the different political positions of Member States on those same issues. Your commitment to promote and protect human rights through your work, and your efforts to engage with a broad range of stakeholders are very much valued.

It was a pleasure to address you this morning. I wish you a very fruitful session, and I look forward to meeting you in the future and exchange with you, hopefully in-person next time.

Thank you.

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