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 **Human Rights Council Advisory Committee**

**Twenty-sixth session**

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**Opening remarks by**

**Mr. Eric Tistounet**

**Chief**

**Human Rights Council Branch**

**Office of the United Nations High Commissioner for Human Rights**

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Palais des Nations, room XX

Madame President of the Human Rights Council,

Distinguished Chair of the Advisory Committee,

Distinguished Members of the Committee,

Excellencies,

Ladies and Gentlemen,

It is my distinct honour to address you today at the opening of the twenty-sixth session of the Advisory Committee – the first-ever hybrid session of the Committee. I am particularly pleased that owing to much awaited but yet modest progress in the fight against the COVID-19 pandemic, 12 experts of the Committee are present in Geneva today with us to participate in the session in person. The other 5 experts could only join us virtually via Zoom. I would like to wholeheartedly thank all experts yet again for their flexibility and commitment to the work of the Committee in these ever-changing circumstances dictated by COVID-19.

Allow me to also convey, on behalf of the High Commissioner and her Office, our sincere condolences and deepest sympathy to the family of the Committee expert Mr. Cheikh Tidiane Thiam of Senegal. Mr. Thiam will be remembered for his exemplary career in international law and his contribution to human rights as Member of this Committee.

The President of the Human Rights Council has just given you an overview of the activities of the Council. For my part, as per our established practice, I will inform you of certain recent developments in the work of the Office of the High Commissioner for Human Rights (OHCHR), and also generally within the United Nations; developments which may be of particular relevance to the activities and priorities of your Committee.

Distinguished Members,

At the outset, I would like to join the President of the Council in warmly congratulating the Committee for its successful completion this year of the four mandates entrusted to it by the Council, in spite of all the challenges brought about by the COVID-19 pandemic.

The Committee has just submitted to the Council’s 48th session its **study on appropriate ways and means of assessing the situation regarding racial equality in the world.**

In this context, the President referred to the consideration by the Council of the landmark report of the High Commissioner on systemic racism, violations of international human rights law against Africans and people of African descent by law enforcement agencies and the adoption of Council resolution 47/21 establishing the international independent expert mechanism.

The High Commissioner has been very vocal about the scourge of racism and racial discrimination. In her report to the Council and in various public statements, the High Commissioner addressed the “compounding inequalities” and “stark socioeconomic and political marginalization” faced by Africans and people of African descent, underscoring that the disproportionate impact of COVID-19 on people of African descent once again demonstrates the structural discrimination they face. She honoured the courage and resilience demonstrated by people of African descent in their struggles for equality over many generations, and emphasized the need for a transformative change: dismantling racism, ending impunity, confronting past legacies and delivering redress and for far stronger action to advance racial justice and equality in all fields of life.

I am confident that your report and the recommendations contained therein will serve as an important resource and will inform the work of the Council in advancing its anti-racism agenda and of OHCHR in the implementation of the agenda towards transformative change for racial justice and equality annexed to the High Commissioner’s report presented on 12 July 2021.

Allow me to also refer to other developments at the United Nations relating to efforts aimed at addressing racism and racial discrimination, the legacy of the past, and their contemporary forms and manifestations.

Ladies and Gentlemen,

2021 marks the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action. The upcoming one-day high-level meeting to commemorate the anniversary will takes place on 22 September in New York, and is dedicated to the theme of “Reparations, racial justice and equality for people of African descent”.

I would also like to mention that the General Assembly convened on 22 July the Midterm Review of the International Decade for People of African Descent 2015–2024. The International Decade was proclaimed by the General Assembly with the theme "People of African descent: recognition, justice and development" and has served as an important platform for global efforts in addressing the scourge of racism and racial discrimination. Three interactive panel discussions under the themes of the International Decade (recognition, justice, and development) were held at the midterm review meeting to take stock of the steps taken to date and the way forward in the implementation of activities of the Decade.

In her statement at the General Assembly midterm review, the High Commissioner referred to a number of concrete measures taken by States to implement the programme of activities of the International Decade and combat the discrimination faced by people of African descent. She regretted however that no State has yet adopted comprehensive measures that sufficiently acknowledge, address or mitigate the crimes of the past and their living legacy in discrimination, exploitation and suffering, and emphasized that there is still a great deal of work to do on all these issues as centuries of racism cannot be dismantled in one decade.

Lastly, I am pleased to draw your attention to another positive development in this area. On 2 August, the General Assembly adopted a landmark resolution (75/314) establishing the Permanent Forum for People of African Descent thereby further strengthening the United Nations anti-racism architecture. The Permanent Forum will act as a consultative mechanism as a platform for improving the safety and quality of life and livelihoods of people of African descent, as well as an advisory body to the Human Rights Council.

The Assembly mandated the Permanent Forum to inter alia:

* Contribute to the full political, economic and social inclusion of people of African descent in the societies;
* Consider the elaboration of a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent; and
* Identify and analyse best practices, challenges, opportunities and initiatives to address the issues highlighted in the Durban Declaration and Programme of Action relevant to people of African descent.

The Permanent Forum will consist of 10 members and meet annually for four days as of next year. It will also report annually to the General Assembly and to the Human Rights Council.

Distinguished Members,

I am pleased to note that after four years of hard and dedicated work, the Committee has finalized and submitted to the 48th session of the Council its **report on the negative effects of terrorism on the enjoyment of human rights**. This is a highly specific and complex subject matter that gives rise to divergent opinions. I would therefore like to congratulate the Committee warmly for having reached consensus on such a politically and legally charged topic. The report was much awaited by all stakeholders – States and civil society alike – and I am confident that the report and the recommendations made therein will elicit much interest among all concerned.

Let me also refer to some recent developments in the United Nations in the area of human rights and counter-terrorism.

On 30 June, the General Assembly unanimously adopted resolution 75/291 on the seventh review of the United Nations Global Counter-Terrorism Strategy, which marks its 15th anniversary. The resolution notably calls on Member States to take appropriate measures to address the threats posed by the rise in terrorist attacks on the basis of xenophobia, racism and other forms of intolerance, or in the name of religion or belief; and stresses the need to prevent and counter terrorists’ use of information and communications technologies and other new and emerging technologies. It also recognizes the role that victims of terrorism can play, including in countering the appeal of terrorism.

On 29 June, The Second UN high-Level Conference on ‘Countering and Preventing Terrorism in the Age of Transformative Technologies: Addressing the Challenges of the New Decade’ was held in the context of the 7th review of the Global Counter Terrorism Strategy. In her address at the conference, the High Commissioner emphasized that counterterrorism measures that are not rooted in human rights and rule of law are counterproductive and perpetuate the cycle of violence, and she stressed the importance of implementing the Counter Terrorism Strategy with full protection of civic space, respecting the freedoms of opinion and expression, offline and online. She noted that digital technologies, including artificial intelligence and machine learning capabilities, have many beneficial applications but also cautioned against the increasing risks of misuse of these tools by terrorist groups, and also noted that some counter terrorism practices by States and tech companies have the potential of infringing on people’s human rights.

These very last points by the High Commissioner on the power of digital technology resonate very much with another very important and topical subject addressed by your Committee, this time in your report on **possible impacts, opportunities and challenges of new and emerging digital technologies on human rights** that was submitted to the 47th session of the Council. As the President mentioned in her opening remarks, the Council welcomed the work of the Committee and took note of this report in its resolution 47/23 adopted in July this year.

As the Secretary-General stated in his statement at the Digital Assembly High-Level Ministerial Conference held on 1 and 2 June in Portugal, the COVID-19 pandemic has increased our dependence on digital technologies, but it has also highlighted the stark divide between the digital haves and have-nots. He also underlined that recovery from the pandemic must include urgent action to close a digital divide that is fast becoming the new face of inequality.

On other occasions, the High Commissioner also stressed that equality is one of those commitments we have been failing to implement, noting that despite the significant benefits of digital technology half of the world's population is still not even connected to the internet, and that, disproportionately, they are women and members of ethnic, religious and linguistic minorities.

In light of the importance of addressing the digital divide in the context of the COVID-19 pandemic and the Sustainable Development Goals, the President of the General Assembly organized the UN’s first-ever High-Level Thematic Debate on Connectivity and Digital Cooperation, on 27 April 2021. The debate sought to generate political commitments to address the widening digital divide as pandemic recovery efforts align with the push to achieve the Sustainable Development Goals.

Strengthening human rights in the digital space and ensuring that the digital space works to uphold and advance human rights remain essential priorities. Allow me to recall in this respect two initiatives launched by the Secretary-General in 2020 that continue to guide UN’s efforts in the area of digital technology and digital space. The first one is the Secretary-General’s Road Map for Digital Cooperation,which “seeks to foster cyber trust, security and inclusion, while recognizing and protecting human rights in the digital domain”. The second is his[Call to Action for Human Rights](https://www.un.org/en/content/action-for-human-rights/index.shtml), which inter alia calls for the development of a human rights-based framework for the digital space.

As a follow-up to these initiatives, OHCHR has developed the [United Nations Hub for Human Rights and Digital Technology](https://www.digitalhub.ohchr.org/) that represents a compilation of reports, analysis, and recommendations from the United Nations human rights mechanisms that seek to address human rights issues in the digital age.

I would also like to draw your attention to the thematic report mandated by Council resolution 42/15 and currently being prepared by the High Commissioner on how artificial intelligence, including profiling, automated decision-making and machine-learning technologies may, without proper safeguards, affect the enjoyment of the right to privacy.

Distinguished Experts,

No doubt, your report on possible impacts, opportunities and challenges of new and emerging digital technologies on human rightsis highly relevant and timely and will strengthen the understanding of the opportunities offered by new technologies for promoting and protecting human rights but also the challenges and risks they pose, as well as provide valuable insights into the existing gaps in the current human rights framework and the best ways to address them.

Distinguished Experts,

Ladies and Gentlemen,

The sixty-fifth session of the Commission on the Status of Women that took place in March 2021 considered as its priority theme “Women’s full and effective participation and decision-making in public life, as well as the elimination of violence, for achieving gender equality and the empowerment of all women and girls”. The High Commissioner highlighted to the Commission that women's equal representation in political life is advancing very slowly, and that at the current rate, gender parity will not be reached in national legislatures before 2063, and among the Heads of Government before 2150. She encouraged all leaders to appoint 50% women to their Cabinets, and inter alia stressed the need to make greater use of temporary special measures in politics and government and greater investment to prevent violence against women in public life. In his remarks at the opening of the session, the Secretary-General referred to the devastating impact of the pandemic on women and girls, stressing that “COVID-19 is a crisis with a woman’s face” and provides yet another opportunity for men to dominate decision-making. In its agreed conclusions, the Commission expressed inter alia its concern that the COVID-19 pandemic is having a disproportionate impact on women and girls and is deepening pre-existing inequalities that perpetuate multiple and intersecting forms of discrimination, as well as warned that the pandemic is rolling back the limited progress made towards the achievement of gender equality.

Allow me to recall that gender equality and equal rights for women is one of the seven thematic areas of action included in the Secretary-General’s Call to Action for Human Rights, and temporary special measures to fast track the equal representation and meaningful participation of women in decision-making features as a human right tool to achieve this goal. One of the first priorities of the Secretary-General upon taking office was to bring more women into leadership positions in his Senior Management Group and among Resident Coordinators and Special Envoys. As a result, gender parity at the senior-most levels had been achieved last year – two years ahead of planning.

This brings me to the Committee’s **report on current levels of women’s representation in UN human rights bodies and mechanisms** that was submitted to the 47th session of the Council. This report is of crucial importance and I am confident that the report, the good practices relating to nomination, election and appointment of candidates and the recommendations contained therein will provide a better basis for addressing the challenges to achieving parity in UN human rights organs and mechanisms.

I would also like to draw your attention to the Global Report on Gender Equality in Public Administration, launched on 8 July by UNDP and University of Pittsburgh. It provides an overview of key trends and analysis on women’s participation and leadership in public administration. Among its key findings, the report reveals that women around the world continue to be underrepresented in decision-making levels: women are 38 percent of managers and 31 percent of top leaders and, overall, these averages reveal a familiar pattern: as the level of decision-making power and influence increases, women’s numbers decline. Furthermore, worldwide, women play a limited role in health policy decision-making, including on taskforces charged with responding to COVID-19 pandemic: women average 27 percent of COVID-19 task force positions and make up of only 18 percent of taskforce leadership. Only 6 percent of COVID-19 task forces are at or near gender parity, and 11 percent consist exclusively of men.

Distinguished Members,

Excellencies,

Ladies and Gentlemen,

The President has also referred in her opening statement to the recent action of the Council on the negative impact of corruption on the enjoyment of human rights – a topic that was the subject of one of the Committee’s past mandated reports. In this context, I would like to inform you that the General Assembly convened from 2 to 4 June 2021 its first-ever special session on challenges and measures to prevent and combat corruption and strengthen international cooperation, in accordance with Assembly resolution 73/191 of 17 December 2018. The special session culminated in the adoption of the political declaration entitled “[Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation](https://undocs.org/A/S-32/2/ADD.1)”. The Declaration will guide States’ efforts in fighting corruption and money-laundering and in recovering assets and preventing illicit financial flows in order to achieve the goals contained in the 2030 Agenda for Sustainable Development.

At the time of the Assembly’s special session, on 3 June, States also launched in Vienna the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network), which offers a platform for secure information exchange between frontline anti-corruption law enforcement practitioners in all countries across the globe, providing the knowledge, resources and tools needed to track, investigate and prosecute cases of cross-border corruption.

Distinguished Members,

Ladies and Gentlemen,

Let me conclude here by assuring you the full support of the Secretariat for your activities. I wish you very fruitful deliberations at the present session.

Thank you.

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