



# General Assembly

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## Human Rights Council

### Forty-fifth session

14 September–2 October 2020

Agenda item 1

### Organizational and procedural matters

## Agenda and annotations\*

### Agenda

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

### Annotations

#### 1. Organizational and procedural matters

##### *Date and venue of the session*

1. The Human Rights Council will hold its forty-fifth session from 14 September to 2 October 2020 at the United Nations Office at Geneva.
2. In accordance with rule 8 (b) of the rules of procedure of the Human Rights Council, as contained in section VII of the annex to Council resolution 5/1, the organizational meeting for the forty-fifth session will be held on 31 August 2020.

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\* Agreement was reached to publish the present document after the standard publication date owing to circumstances beyond the submitter's control.



*Agenda of the session*

3. The agenda of the Human Rights Council is contained in section V of the annex to Council resolution 5/1. The Council will have before it the present annotations relating to items included in the agenda for the forty-fifth session.

*Composition of the Human Rights Council*

4. The composition of the Human Rights Council at its forty-fifth session is as follows:<sup>1</sup> Afghanistan (2020); Angola (2020); Argentina (2021); Armenia (2022); Australia (2020); Austria (2021); Bahamas (2021); Bahrain (2021); Bangladesh (2021); Brazil (2022); Bulgaria (2021); Burkina Faso (2021); Cameroon (2021); Chile (2020); Czechia (2021); Democratic Republic of the Congo (2020); Denmark (2021); Eritrea (2021); Fiji (2021); Germany (2022); India (2021); Indonesia (2022); Italy (2021); Japan (2022); Libya (2022); Marshall Islands (2022); Mauritania (2022); Mexico (2020); Namibia (2022); Nepal (2020); Netherlands (2022); Nigeria (2020); Pakistan (2020); Peru (2020); Philippines (2021); Poland (2022); Qatar (2020); Republic of Korea (2022); Senegal (2020); Slovakia (2020); Somalia (2021); Spain (2020); Sudan (2022); Togo (2021); Ukraine (2020); Uruguay (2021); and Venezuela (Bolivarian Republic of) (2022).

*Bureau of the Human Rights Council*

5. At its organizational session, held on 6 December 2019, the Human Rights Council elected the following members of the Bureau for its fourteenth cycle, which will run from 1 January to 31 December 2020:

<i>President</i>	Elisabeth Tichy-Fisslberger (Austria)
<i>Vice-Presidents</i>	Nasir Ahmad Andisha (Afghanistan)
	Socorro Flores Liera (Mexico)
	Juraj Podhorský (Slovakia)
<i>Vice-President and Rapporteur</i>	Yackoley Kokou Johnson (Togo)

*Selection and appointment of mandate holders*

6. In accordance with paragraph 47 of the annex to Human Rights Council resolution 5/1, paragraph 22 of the annex to Council resolution 16/21 and the requirements set out in Council decision 6/102, the Consultative Group for the period from 1 April 2020 to 31 March 2021 is composed of Ahmad Makaila (Chad), Jiang Duan (China), Sabina Stadler Repnik (Slovenia), Erika Gabriela Martínez Liévano (Mexico) and Carlos Dominguez Díaz (Spain). The Group will propose to the President of the Council a list of candidates for: (a) the Independent Expert on the situation of human rights in the Sudan;<sup>2</sup> (b) the Special Rapporteur on the human rights to safe drinking water and sanitation; (c) the Special Rapporteur on the rights of persons with disabilities; (d) two members of the Working Group on Arbitrary Detention, respectively from African States and from Latin American and Caribbean States; (e) a member of the Working Group on discrimination against women and girls, from Latin American and Caribbean States; (f) a member of the Working Group on Enforced or Involuntary Disappearances, from African States;<sup>3</sup> (g) a member of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, from Asia-Pacific States; and (h) the Special Rapporteur on the situation of human rights in Eritrea – an unforeseen vacancy that has arisen due to the resignation of the current mandate holder.

<sup>1</sup> The term of membership of each State expires in the year indicated in parentheses.

<sup>2</sup> A mandate holder will be appointed provided the mandate itself is extended by the Human Rights Council at its forty-fifth session.

<sup>3</sup> A mandate holder will be appointed provided the mandate itself is extended by the Human Rights Council at its forty-fifth session.

7. In accordance with the procedure stipulated in paragraphs 52 and 53 of the annex to Human Rights Council resolution 5/1, the appointment of special procedure mandate holders will be completed upon the subsequent approval by the Council. The mandate holders in question will be appointed before the end of the forty-fifth session.

*Election of members of the Human Rights Council Advisory Committee*

8. At its seventh session, the Human Rights Council conducted the first elections of the 18 members of the Advisory Committee. Four members were elected for a one-year term, seven for a two-year term and seven for a three-year term.

9. Pursuant to Human Rights Council decision 18/121, the term of office of seven members of the Advisory Committee will end on 30 September 2020.

10. At its forty-fifth session, the Human Rights Council will elect Advisory Committee members for seven vacant seats: two for the Group of African States, two for the Group of Asia-Pacific States, one for the Group of Eastern European States, one for the Group of Latin American and Caribbean States and one for the Group of Western European and other States.

11. Pursuant to paragraph 70 of the annex to its resolution 5/1, the Human Rights Council is to elect the members of the Advisory Committee, in secret ballot, from the list of candidates whose names have been presented in accordance with the agreed requirements.

12. Pursuant to paragraph 67 of the annex to resolution 5/1, the Human Rights Council adopted decision 6/102 containing technical and objective requirements for the submission of candidatures for members of the Advisory Committee with the aim of ensuring that the best possible expertise is made available to the Council.

13. In accordance with paragraph 71 of the annex to Human Rights Council resolution 5/1, the list of candidates for the seven vacant seats and relevant information will be made available to Member States and to the public in a note by the Secretary-General (A/HRC/45/59).

*Report on the session*

14. At the end of its forty-fifth session, the Human Rights Council will have before it for adoption a draft report containing a technical summary of the proceedings of the session.

**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**

15. All reports of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Secretary-General are submitted under agenda item 2, which remains an open-ended item throughout the session. The Human Rights Council will consider the reports under the relevant agenda items, as appropriate. The specific timing of their introduction will be reflected in the programme of work.

*Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers*

16. In its resolution 43/1, the Human Rights Council requested the High Commissioner to provide an oral update on the preparation of her report on systemic racism, violations of international human rights law against Africans and people of African descent by law enforcement agencies, especially those incidents that resulted in the death of George Floyd and other Africans and of people of African descent. In the same resolution, the Council also requested the High Commissioner to include updates on police brutality against Africans and people of African descent in all her oral updates to the Council. The Council will hear the oral updates of the High Commissioner.

*Human rights implications of the COVID-19 pandemic*

17. Pursuant to President's statement PRST 43/1, the Human Rights Council will hear an oral update of the High Commissioner on the human rights impact of the coronavirus disease (COVID-19) pandemic during an enhanced interactive dialogue.

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

18. Pursuant to its resolution 42/1, the Human Rights Council will consider the report of the High Commissioner on the geographical composition of the staff of OHCHR (A/HRC/45/4).

*Situation of human rights in the Bolivarian Republic of Venezuela*

19. In its resolution 42/4, the Human Rights Council requested the High Commissioner to provide an oral update on the situation of human rights in the Bolivarian Republic of Venezuela to the Council at its forty-fifth session. The Council will hear the oral update by the High Commissioner.

20. Reference is made to the oral update of the High Commissioner on the situation of human rights in the Bolivarian Republic of Venezuela requested by the Council in its resolution 42/25 (see para. 78 below).

*Promotion and protection of human rights in Nicaragua*

21. Pursuant to its resolution 43/2, the Human Rights Council will hear the oral update of the High Commissioner on the situation of human rights in Nicaragua.

*Situation of human rights of Rohingya Muslims and other minorities in Myanmar*

22. In its resolution 42/3, the Human Rights Council requested the High Commissioner to follow up on the implementation of the recommendations made by the independent international fact-finding mission on Myanmar, including those on accountability, and to continue to track progress in the situation of human rights in Myanmar, including of Rohingya Muslims and other minorities, and to present a written report thereon to the Council at its forty-fifth session, to be followed by an enhanced interactive dialogue. The Council will consider the report of the High Commissioner (A/HRC/45/5).

23. In its resolution 39/2, the Human Rights Council decided to establish an ongoing independent mechanism to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011, and to prepare files in order to facilitate and expedite fair and independent criminal proceedings, in accordance with international law standards, in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes, in accordance with international law. In the same resolution, the Council also requested the mechanism to report on an annual basis to the Council. The Council will consider the report of the Independent Investigative Mechanism for Myanmar (A/HRC/45/60).

*Human rights situation in Yemen*

24. In its resolution 42/2, the Human Rights Council decided to renew the mandate of the Group of Eminent International and Regional Experts for a further period of one year, and requested the Group to present a comprehensive written report to the Council at its forty-fifth session, to be followed by an interactive dialogue. The Council will consider the report of the Group of Eminent International and Regional Experts (A/HRC/45/6).

25. Reference is made to the report of the High Commissioner on the implementation of technical assistance in Yemen (A/HRC/45/57) (see para. 114 below).

*Preventable maternal mortality and morbidity and human rights*

26. Reference is made to the report of the High Commissioner on good practices and challenges to respecting, protecting and fulfilling all human rights in the elimination of preventable maternal mortality and morbidity (A/HRC/45/19) (see para. 65 below).

*Question of the death penalty*

27. Reference is made to the yearly supplement to the Secretary-General's quinquennial report on capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (A/HRC/45/20) (see para. 49 below).

*The right to development*

28. Reference is made to the consolidated report of the Secretary-General and the High Commissioner on the right to development (A/HRC/45/21) (see para. 55 below).

*Human rights and indigenous peoples*

29. Reference is made to the report of the High Commissioner on the rights of indigenous peoples (A/HRC/45/22) (see para. 59 below).

30. Reference is made to the note by the Secretariat on the intersessional round table on possible steps to be taken to enhance the participation of indigenous peoples' representatives and institutions in meetings of the Human Rights Council on issues affecting them (A/HRC/45/58) (see para. 63 below).

*The role of prevention in the promotion and protection of human rights*

31. Reference is made to the study of OHCHR on the contribution of the special procedures in assisting States and other stakeholders in the prevention of human rights violations and abuses (A/HRC/45/23) (see para. 72 below).

*World Programme for Human Rights Education*

32. Reference is made to the final report of OHCHR on the implementation of the third phase of the World Programme for Human Rights Education (A/HRC/45/24) (see para. 73 below).

*Marking the twenty-fifth anniversary of the Beijing Declaration and Platform for Action*

33. Reference is made to the summary report of the High Commissioner on the high-level panel discussion to commemorate the twenty-fifth anniversary of the Beijing Declaration and Platform for Action, held on 25 February 2020 (A/HRC/45/25) (see para. 66 below).

*The right to privacy in the digital age*

34. Reference is made to the report of the High Commissioner on the effects of artificial intelligence, including profiling, automated decision-making and machine-learning technologies, on the enjoyment of the right to privacy (A/HRC/45/26) (see para. 50 below).

*Terrorism and human rights*

35. Reference is made to the report of the High Commissioner on the negative impact of terrorism on the enjoyment of all human rights and fundamental freedoms and on alleged violations of human rights and fundamental freedoms while countering terrorism and violent extremism conducive to terrorism (A/HRC/45/27) (see para. 74 below).

*Human rights of migrants*

36. Reference is made to the report of the Secretary-General on the human rights of migrants (A/HRC/45/30) (see para. 67 below).

*Cooperation with the United Nations, its representatives and mechanisms in the field of human rights*

37. Reference is made to the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/45/36) (see para. 90 below).

*National human rights institutions*

38. Reference is made to the reports of the Secretary-General on the implementation of Human Rights Council resolution 39/17 on national human rights institutions (A/HRC/45/42), and on the activities of the Global Alliance of National Human Rights Institutions in accrediting national institutions in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (A/HRC/45/43) (see para. 100 below).

*From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance*

39. Reference is made to the midterm report of the High Commissioner on her activities in follow-up to the implementation of the programme of activities within the framework of the International Decade for People of African Descent (A/HRC/45/47) (see para. 103 below).

*Cooperation with and assistance to Ukraine in the field of human rights*

40. Reference is made to the oral presentation by the High Commissioner on the situation of human rights in Ukraine (see para. 105 below).

*Technical assistance and capacity-building in the field of human rights in the Democratic Republic of the Congo*

41. Reference is made to the comprehensive report of the High Commissioner on the situation of human rights in the Democratic Republic of the Congo (A/HRC/45/49) (see para. 107 below).

*Cooperation with Georgia*

42. Reference is made to the report of the High Commissioner on developments relating to and the implementation of Human Rights Council resolution 43/37 on cooperation with Georgia (A/HRC/45/54) (see para. 112 below).

*Advisory services and technical assistance to Cambodia*

43. Reference is made to the report of the Secretary-General on the role and achievements of OHCHR in assisting the Government and the people of Cambodia in the promotion and protection of human rights (A/HRC/45/56) (see para. 109 below).

**3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**Economic, social and cultural rights**

*The human rights to safe drinking water and sanitation*

44. In its resolution 42/5, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the human rights to safe drinking water and sanitation for a period of three years, and requested the Special Rapporteur to continue to report, on an annual basis, to the Council. In the same resolution, the Council requested the Special Rapporteur to compile good practices at the local, national, regional and international levels in order to promote the progressive realization of the human rights to safe drinking water and sanitation, and to report thereon to the Council at its forty-fifth session. The Council

will consider the reports of the mandate holder, Léo Heller (A/HRC/45/10 and Add.1–3 and A/HRC/45/11).

*Environmentally sound management and disposal of hazardous substances and wastes*

45. In its resolution 36/15, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes for a period of three years, and invited the Special Rapporteur to report to the Council in accordance with its programme of work. The Council will consider the reports presented by the new mandate holder, Marcos A. Orellana (A/HRC/45/12 and Add.1–2).

**Civil and political rights**

*Contemporary forms of slavery*

46. In its resolution 42/10, the Human Rights Council renewed the mandate of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, for a period of three years, and requested the Special Rapporteur to submit reports on the implementation of the mandate to the Council in accordance with its annual programme of work. The Council will consider the reports of the new mandate holder, Tomoya Obokata (A/HRC/45/8 and Add.1).

*Enforced or involuntary disappearances*

47. In its resolution 36/6, the Human Rights Council decided to extend the mandate of the Working Group on Enforced or Involuntary Disappearances for a further period of three years, in conformity with the terms set forth in Council resolution 7/12. The Council will consider the reports of the Working Group (A/HRC/45/13 and Add.1–4).

*Arbitrary detention*

48. In its resolution 42/22, the Human Rights Council decided to extend the mandate of the Working Group on Arbitrary Detention for a further period of three years. The Council will consider the reports of the Working Group (A/HRC/45/16 and Add.1–2).

*Question of the death penalty*

49. In its decision 18/117, the Human Rights Council requested the Secretary-General to continue to submit a yearly supplement to his quinquennial report on capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty. The Council will consider the report of the Secretary-General (A/HRC/45/20) (see para. 27 above).

*The right to privacy in the digital age*

50. In its resolution 42/15, the Human Rights Council requested the High Commissioner to prepare a report on how artificial intelligence, including profiling, automated decision-making and machine-learning technologies, could affect enjoyment of the right to privacy, and to submit it to the Council at its forty-fifth session. The Council will consider the report of the High Commissioner (A/HRC/45/26) (see para. 34 above).

*Truth, justice, reparation and guarantees of non-recurrence*

51. In its resolution 36/7, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence for a period of three years, and requested the Special Rapporteur to continue to report annually to the Council. The Council will consider the reports of the mandate holder, Fabián Salvioli (A/HRC/45/45 and Add.1–3).

**Right to development**

52. Pursuant to its resolution 42/23, the Human Rights Council will hold a biennial panel discussion on the right to development (see annex).

53. In its resolution 42/23, the Human Rights Council decided to extend for a period of three years the mandate of the Special Rapporteur on the right to development. The Council will consider the reports of the mandate holder, Saad Alfarargi (A/HRC/45/15 and Add.1).

54. Pursuant to its resolutions 9/3, 39/9 and 42/23, the Human Rights Council will have before it the note by the Secretariat on the report of the Working Group on the Right to Development on its twenty-first session (A/HRC/45/17).

55. Pursuant to Human Rights Council resolution 42/23 and General Assembly resolution 74/152, the Council will consider the consolidated report of the Secretary-General and the High Commissioner on the right to development (A/HRC/45/21) (see para. 28 above).

56. In its resolution 42/23, the Human Rights Council decided to establish the Expert Mechanism on the Right to Development to provide the Council with thematic expertise on the right to development in searching for, identifying and sharing best practices with Member States and to promote the implementation of the right to development worldwide. In the same resolution, the Council requested the mechanism to present an annual report to the Council on its work, to be followed by an interactive dialogue. The Council will consider the report of the expert mechanism (A/HRC/45/29).

57. Reference is made to the research-based report of the Advisory Committee on the importance of a legally binding instrument on the right to development (A/HRC/45/40) (see para. 93 below).

**Rights of peoples and of specific groups and individuals***Human rights and indigenous peoples*

58. Pursuant to its resolutions 18/8, 39/13 and 42/19, the Human Rights Council will convene an annual half-day panel discussion on the rights of indigenous peoples on the theme "Protection of indigenous human rights defenders" (see annex).

59. In its resolution 42/19, the Human Rights Council requested the High Commissioner to continue to submit to the Council an annual report on the rights of indigenous peoples containing information on the relevant developments in human rights bodies and mechanisms and activities undertaken by OHCHR at headquarters and in the field that contribute to the promotion of, respect for and the full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and follow-up on the effectiveness of the Declaration. The Council will consider the report of the High Commissioner (A/HRC/45/22) (see para. 29 above).

60. In its resolution 42/20, the Human Rights Council decided to renew the mandate of the Special Rapporteur on the rights of indigenous peoples for a period of three years, and requested the Special Rapporteur to submit a report on the implementation of the mandate to the Council in accordance with its annual programme of work. The Council will consider the reports presented by the new mandate holder, José Francisco Cali Tzay (A/HRC/45/34 and Add.1 and Add.3).

61. Reference is made to the report of the Expert Mechanism on the Rights of Indigenous Peoples on the repatriation of ceremonial objects, human remains and intangible cultural heritage under the United Nations Declaration on the Rights of Indigenous Peoples (A/HRC/45/35) (see para. 88 below).

62. Reference is made to the annual study of the Expert Mechanism on the Rights of Indigenous Peoples (A/HRC/45/38) (see para. 89 below).

63. In its resolution 42/19, the Human Rights Council decided to hold an intersessional round table on possible steps to be taken to enhance the participation of indigenous peoples' representatives and institutions in meetings of the Council on issues affecting



them, and requested the co-chairs and OHCHR to prepare a summary report on the round table and to present it to the Council at its forty-fifth session. The Council will have before it the note by the Secretariat on the intersessional round table (A/HRC/45/58) (see para. 30 above).

*The human rights of older persons*

64. In its resolution 42/12, the Human Rights Council decided to extend the mandate of the Independent Expert on the enjoyment of all human rights by older persons for a period of three years, and requested the Independent Expert to report regularly to the Council in accordance with its programme of work. The Council will consider the reports presented by the new mandate holder, Claudia Mahler (A/HRC/45/14 and Add.1–2).

*Preventable maternal mortality and morbidity and human rights in humanitarian settings*

65. In its resolution 39/10, the Human Rights Council requested the High Commissioner to prepare a follow-up report on good practices and challenges to respecting, protecting and fulfilling all human rights in the elimination of preventable maternal mortality and morbidity, including through the utilization of the technical guidance by States and other relevant actors, and to present it to the Council at its forty-fifth session. The Council will consider the report of the High Commissioner (A/HRC/45/19) (see para. 26 above).

*Marking the twenty-fifth anniversary of the Beijing Declaration and Platform for Action*

66. Pursuant to its resolution 42/14, the Human Rights Council will have before it the summary report of the High Commissioner on the high-level panel discussion to commemorate the twenty-fifth anniversary of the Fourth World Conference on Women, with a particular focus on the implementation of the Beijing Declaration and Platform for Action and the outcome documents of its review conferences, as well as on achievements, best practices and challenges in this regard, held on 25 February 2020 (A/HRC/45/25) (see para. 33 above).

*Human rights of migrants*

67. In its resolution 74/148, the General Assembly requested the Secretary-General to submit to the Human Rights Council a comprehensive report entitled “Human rights of migrants”, covering all aspects of the implementation of that resolution. The Council will consider the report of the Secretary-General (A/HRC/45/30) (see para. 36 above).

**Interrelation of human rights and human rights thematic issues**

*The need for an integrated approach to the implementation of the 2030 Agenda for Sustainable Development for the full realization of human rights, focusing holistically on the means of implementation*

68. In its resolution 37/25, the Human Rights Council invited the President of the Economic and Social Council, commencing in 2018, to brief, on an annual basis, the Council, during one of its regular sessions, on the discussions of the high-level political forum, including on gaps, challenges and progress in the implementation of the 2030 Agenda for Sustainable Development, focusing on the means of implementation taken together as an integrated package. The President of the Economic and Social Council will be invited to provide the briefing to the Council.

*Human rights and unilateral coercive measures*

69. In its resolution 36/10, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights for a period of three years. In its resolution 43/15, the Council requested the Special Rapporteur to focus on the resources and compensation necessary to promote accountability and reparations for victims in her report to the Council at its forty-fifth session. The Council will consider the report of the new mandate holder, Alena Douhan (A/HRC/45/7).

*The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination*

70. In its resolution 42/9, the Human Rights Council renewed for a period of three years the mandate of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, and requested the Working Group to report its findings to the Council at its forty-fifth session. The Council will consider the reports of the Working Group (A/HRC/45/9 and Add.1)

*Open-ended intergovernmental working group to elaborate the content of an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies*

71. In its resolution 36/11, the Human Rights Council established an open-ended intergovernmental working group, for a period of three years, with a mandate to elaborate the content of an international regulatory framework, without prejudging the nature thereof, to protect human rights and ensure accountability for violations and abuses relating to the activities of private military and security companies. In the same resolution, the Council requested the working group to submit an annual progress report to the Council in conformity with its annual programme of work. The Council will have before it the note by the Secretariat on the report of the intergovernmental working group on its second session (A/HRC/45/18).

*The role of prevention in the promotion and protection of human rights*

72. In its resolution 42/6, the Human Rights Council requested OHCHR to prepare a study, to be presented to the Council at its forty-fifth session, on the contribution of the special procedures in assisting States and other stakeholders in the prevention of human rights violations and abuses. The Council will consider the OHCHR study (A/HRC/45/23) (see para. 31 above).

*World Programme for Human Rights Education*

73. In its resolution 42/7, the Human Rights Council requested OHCHR to submit a final report on the implementation of the third phase of the World Programme for Human Rights Education, based on national evaluation reports, to the Council at its forty-fifth session. The Council will consider the OHCHR report (A/HRC/45/24) (see para. 32 above).

*Terrorism and human rights*

74. Pursuant to its resolution 42/18, the Human Rights Council will consider the report of the High Commissioner on the negative impact of terrorism on the enjoyment of all human rights and fundamental freedoms and on alleged violations of human rights and fundamental freedoms while countering terrorism and violent extremism conducive to terrorism (A/HRC/45/27) (see para. 35 above).

75. Reference is made to the note by the Secretariat on the report of the Advisory Committee on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms (A/HRC/45/41) (see para. 94 below).

*Promotion of a democratic and equitable international order*

76. In its resolution 42/8, the Human Rights Council requested the Independent Expert on the promotion of a democratic and equitable international order to submit to the Council, at its forty-fifth session, a report on the implementation of that resolution. The Council will consider the report of the mandate holder, Livingstone Sewanyana (A/HRC/45/28).

*National policies and human rights*

77. Reference is made to the study of the Advisory Committee on national policies and human rights (A/HRC/45/39) (see para. 92 below).

#### 4. Human rights situations that require the Council's attention

##### *Situation of human rights in the Bolivarian Republic of Venezuela*

78. In its resolution 42/25, the Human Rights Council requested the High Commissioner to continue to monitor and report on the situation of human rights in the Bolivarian Republic of Venezuela, including through the presentation of an oral update to the Council at its forty-fifth session. The Council will hear the oral update by the High Commissioner (see para. 20 above).

79. In its resolution 42/25, the Human Rights Council also decided to establish, for a period of one year, an independent international fact-finding mission to investigate extrajudicial executions, enforced disappearances, arbitrary detentions and torture and other cruel, inhuman or degrading treatment since 2014 in the Bolivarian Republic of Venezuela, and requested the mission to present a report on its findings to the Council during an interactive dialogue at its forty-fifth session. The Council will consider the report of the independent international fact-finding mission (A/HRC/45/33).

##### *Situation of human rights in Myanmar*

80. In its resolution 43/26, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in Myanmar for a further period of one year, and requested the Special Rapporteur to present an oral progress report to the Council at its forty-fifth session. The Council will hear the oral progress report of the mandate holder, Thomas Andrews.

##### *Situation of human rights in South Sudan*

81. In its resolution 43/27, the Human Rights Council decided to extend the mandate of the Commission on Human Rights in South Sudan for a period of one year, renewable as authorized by the Council. In the same resolution, the Council requested the Commission to present an oral update to the Council at its forty-fifth session during an enhanced interactive dialogue, with the participation of representatives of the African Union. The Council will hold an enhanced interactive dialogue on the oral update by the Commission.

##### *Situation of human rights in the Syrian Arab Republic*

82. In its resolution 43/28, the Human Rights Council decided to extend the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic for a period of one year, and requested the Commission of Inquiry to present an updated written report during an interactive dialogue at the forty-fifth session of the Council. The Council will hold an interactive dialogue on the updated written report of the Commission of Inquiry (A/HRC/45/31).

##### *Situation of human rights in Burundi*

83. In its resolution 42/26, the Human Rights Council decided to extend the mandate of the Commission of Inquiry on Burundi in order for it to deepen its investigations, including into respect for and observance of political, civil, economic and social rights in the electoral context, with particular reference to the economic underpinnings of the State, until it presents a final report to the Council during an interactive dialogue at its forty-fifth session. The Council will hold an interactive dialogue on the final report of the Commission of Inquiry (A/HRC/45/32).

#### 5. Human rights bodies and mechanisms

##### *Complaint procedure*

84. In its resolution 5/1, the Human Rights Council established the complaint procedure as contained in section IV of the annex to that resolution. In paragraph 98 of the annex to resolution 5/1, the Working Group on Situations was requested, on the basis of the information and recommendations provided by the Working Group on Communications, to present the Council with a report on consistent patterns of gross and reliably attested

violations of human rights and fundamental freedoms and to make recommendations to the Council on the course of action to be taken.

85. At its forty-fifth session, the Council will consider the report of the Working Group on Situations on its twenty-fifth session, held in closed meetings from 27 to 31 January 2020.

*Methods of work of the Consultative Group of the Human Rights Council*

86. In its decision 43/117, the Human Rights Council requested the President of the Human Rights Council to conduct open consultations with States and relevant stakeholders, aiming to formulate draft methods of work of the Consultative Group of the Human Rights Council, in full compliance with Council resolutions 5/1 and 16/21, and to update the Council on progress at its forty-fifth session. The Council will hear the update of the President on the progress.

*Special procedures*

87. The Human Rights Council will have before it the communications report of special procedures (A/HRC/45/3).

*Expert Mechanism on the Rights of Indigenous Peoples*

88. In its resolution 33/25, the Human Rights Council decided that the Expert Mechanism on the Rights of Indigenous Peoples should report at least once a year to the Council on its work, and keep the Council fully informed of developments on the rights of indigenous peoples. The Council will consider the report of the Expert Mechanism on the repatriation of ceremonial objects, human remains and intangible cultural heritage under the United Nations Declaration on the Rights of Indigenous Peoples (A/HRC/45/35) (see para. 61 above) and the note by the Secretariat on the annual report of the Expert Mechanism (A/HRC/45/61).

89. In its resolution 33/25, the Human Rights Council also requested the Expert Mechanism on the Rights of Indigenous Peoples to prepare an annual study on the status of the rights of indigenous peoples worldwide in the achievement of the ends of the United Nations Declaration on the Rights of Indigenous Peoples, focusing on one or more interrelated articles of the Declaration, to be decided by the Expert Mechanism. The Council will consider the annual study of the Expert Mechanism, entitled "Right to land under the United Nations Declaration on the Rights of Indigenous Peoples: a human rights focus" (A/HRC/45/38) (see para. 62 above).

*Cooperation with the United Nations, its representatives and mechanisms in the field of human rights*

90. In its resolution 12/2, the Human Rights Council invited the Secretary-General to submit a report to the Council at its fourteenth session, and annually thereafter, containing a compilation and analysis of any available information, from all appropriate sources, on alleged reprisals against those who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms, as well as recommendations on how to address the issues of intimidation and reprisals. Pursuant to its resolution 36/21, the Council will consider the report of the Secretary-General (A/HRC/45/36), followed by an interactive dialogue (see para. 37 above).

*Human Rights Council Advisory Committee*

91. Pursuant to paragraph 80 of the annex to Human Rights Council resolution 5/1, Council resolution 16/21 and decision 18/121, the Council will consider a note by the Secretariat on the annual report of the Advisory Committee (A/HRC/45/37) during an interactive dialogue with the Chair of the Committee.

92. In its resolution 35/32, the Human Rights Council requested the Advisory Committee to prepare a study that could help States to implement the 2030 Agenda for Sustainable Development by integrating human rights into national policies, and to present

it to the Council at its forty-fifth session, on the occasion of the fifth anniversary of the adoption of the 2030 Agenda. The Council will consider the report of the Advisory Committee on the study (A/HRC/45/39) (see para. 77 above).

93. In its resolution 39/9, the Human Rights Council requested the Advisory Committee to prepare a research-based report on the importance of a legally binding instrument on the right to development and to present the report to the Council at its forty-fifth session. The Council will consider the report the Advisory Committee thereon (A/HRC/45/40) (see para. 57 above).

94. In its resolution 34/8, the Human Rights Council requested the Advisory Committee to conduct a study and prepare a report on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms, with a particular focus on economic, social and cultural rights, including as a result of diverting foreign direct investment, reducing capital inflows, destroying infrastructure, limiting foreign trade, disturbing financial markets, negatively affecting certain economic sectors and impeding economic growth, and to present the report to the Council at its thirty-ninth session, to be discussed during an interactive dialogue. Further to the decisions adopted by the Council on 6 July 2018 and 27 September 2019, the deadline for the submission of the report was extended until the forty-fifth session. The Council will have before it a note by the secretariat of the Advisory Committee thereon (A/HRC/45/41) (see para. 75 above).

## **6. Universal periodic review**

95. The Working Group on the Universal Periodic Review held its thirty-fifth session from 20 to 31 January 2020. On 30 June 2020, the Human Rights Council decided that the outcomes of 12 States examined during the thirty-fifth session of the Working Group, namely, Armenia, Grenada, Guinea, Guinea-Bissau, Guyana, Kenya, Kiribati, Kyrgyzstan, the Lao People's Democratic Republic, Lesotho, Sweden and Turkey, would be considered and adopted at its forty-fifth session, based on the expressed agreement by or in the absence of objections from those States.

96. At its forty-fifth session, the Human Rights Council will consider and adopt the final outcomes of the review of Kyrgyzstan (A/HRC/44/4), Guinea (A/HRC/44/5), the Lao People's Democratic Republic (A/HRC/44/6), Lesotho (A/HRC/44/8), Kenya (A/HRC/44/9), Armenia (A/HRC/44/10), Guinea-Bissau (A/HRC/44/11), Sweden (A/HRC/44/12), Grenada (A/HRC/44/13), Turkey (A/HRC/44/14), Kiribati (A/HRC/44/15) and Guyana (A/HRC/44/16).

97. Pursuant to President's statement PRST 9/2 on modalities and practices for the universal periodic review process, the outcomes of the review are adopted by the Council at its plenary session by a standardized decision. The outcomes comprise the report of the Working Group, the views of the State under review concerning the recommendations and/or conclusions, and the voluntary commitments made and replies presented by the State under review, before the adoption of the outcome by the plenary, to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

## **7. Human rights situation in Palestine and other occupied Arab territories**

98. No reports are to be submitted under agenda item 7 at the forty-fifth session.

## **8. Follow-up to and implementation of the Vienna Declaration and Programme of Action**

### *Integrating the human rights of women throughout the United Nations system*

99. In accordance with its resolution 6/30, the Human Rights Council will hold an annual discussion on the integration of a gender perspective throughout its work and that of its mechanisms (see annex).

*National human rights institutions*

100. In its resolution 39/17, the Human Rights Council requested the Secretary-General to submit to the Council, at its forty-fifth session, a report on the implementation of that resolution that included examples of best practices among national human rights institutions, and a report on the activities of the Global Alliance of National Human Rights Institutions in accrediting national institutions in compliance with the Paris Principles. The Council will consider the reports of the Secretary-General (A/HRC/45/42 and A/HRC/45/43) (see para. 38 above).

**9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action**

*Working Group of Experts on People of African Descent*

101. In its resolution 36/23, the Human Rights Council requested the Working Group of Experts on People of African Descent to submit an annual report to the Council on all activities relating to its mandate. The Council will consider the reports of the Working Group (A/HRC/45/44 and Add.1–2).

*Elaboration of complementary standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects*

102. Pursuant to its decision 3/103 and its resolutions 10/30, 34/36, 36/24 and 42/29, the Human Rights Council will have before it a note by the Secretariat on the report of the Ad Hoc Committee on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination on its eleventh session (A/HRC/45/46).

*From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance*

103. In its resolution 42/29, the Human Rights Council requested the High Commissioner, in her capacity as coordinator of the International Decade for People of African Descent, to submit a midterm report on her activities in follow-up to the implementation of the programme of activities within the framework of the Decade to the Council at its forty-fifth session. The Council will consider the report of the High Commissioner (A/HRC/45/47) (see para. 39 above).

104. In its resolution 42/29, the Human Rights Council also requested the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action to commence preparations for the commemoration, in 2021, of the twentieth anniversary of the adoption of the Durban Declaration and Programme of Action, and to submit a comprehensive report on its implementation to the Council at its forty-fifth session. The Council will consider the report of the Intergovernmental Working Group on the preparations for the commemoration, which were discussed during the seventeenth session of the Intergovernmental Working Group, held from 16 to 20 December 2019 (A/HRC/45/48).

**10. Technical assistance and capacity-building**

*Cooperation with and assistance to Ukraine in the field of human rights*

105. In its resolution 41/25, the Human Rights Council invited the High Commissioner to continue to present orally to the States Members of the Council and observers the findings of each of the reports of OHCHR on the situation of human rights in Ukraine as part of the interactive dialogues, until the forty-seventh session of the Council. The Council will hear the oral presentation by the High Commissioner (see para. 40 above).

*Technical assistance and capacity-building to improve human rights in Libya*

106. In its resolution 43/39, the Human Rights Council requested the High Commissioner to establish and dispatch a fact-finding mission to Libya, with the mandate to establish the facts and circumstances of the situation of human rights throughout Libya, and to collect and review relevant information, to document alleged violations and abuses of international human rights law and international humanitarian law by all parties in Libya since the beginning of 2016, including any gendered dimensions of such violations and abuses, and to preserve evidence with a view to ensuring that perpetrators of violations or abuses of international human rights law and international humanitarian law are held accountable. In the same resolution, the Council requested the fact-finding mission to present an oral update on its work and findings to the Council at its forty-fifth session during an interactive dialogue, with the participation of the Special Representative of the Secretary-General for Libya. The Council will hold an interactive dialogue on the oral update by the fact-finding mission.

*Technical assistance and capacity-building in the field of human rights in the Democratic Republic of the Congo*

107. In its resolution 42/34, the Human Rights Council requested the High Commissioner to prepare a comprehensive report on the situation of human rights in the Democratic Republic of the Congo and to submit it to the Council, within the framework of an enhanced interactive dialogue, at its forty-fifth session. In its resolution 41/26, the Council decided to renew the mandate of the team of international experts on the situation in Kasai, and requested the team to present a final report to the Council at its forty-fifth session, during an interactive dialogue. The Council will hold an enhanced interactive dialogue on the reports of the team (A/HRC/45/50) and the High Commissioner (A/HRC/45/49) (see para. 41 above).

*Advisory services and technical assistance for Cambodia*

108. In its resolution 42/37, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in Cambodia for two years, and requested the Special Rapporteur to report on the implementation of the mandate to the Council at its forty-fifth session. The Council will consider the report of the mandate holder, Rhona Smith (A/HRC/45/51).

109. In its resolution 42/37, the Human Rights Council also requested the Secretary-General to report to the Council at its forty-fifth session on the role and achievements of OHCHR in assisting the Government and the people of Cambodia in the promotion and protection of human rights. The Council will consider the report of the Secretary-General (A/HRC/45/56) (see para. 43 above).

*Assistance to Somalia in the field of human rights*

110. In its resolution 42/33, the Human Rights Council decided to renew the mandate of the Independent Expert on the situation of human rights in Somalia for a period of one year to assess, monitor and report on the situation of human rights in Somalia with a view to making recommendations on technical assistance and capacity-building in the field of human rights, and requested the Independent Expert to report to the Council at its forty-fifth session. The Council will consider the report of the new mandate holder, Isha Dyfan (A/HRC/45/52).

*Technical assistance and capacity-building to further improve human rights in the Sudan*

111. In its resolution 42/35, the Human Rights Council decided to renew the mandate of the Independent Expert on the situation of human rights in the Sudan for a period of one year, and requested the Independent Expert to present a report on the implementation of the mandate, including recommendations on technical assistance and capacity-building, to the Council for consideration during an enhanced interactive dialogue at its forty-fifth session. The Council will consider the report of the mandate holder, Aristide Nononsi (A/HRC/45/53).

*Cooperation with Georgia*

112. In its resolution 43/37, the Human Rights Council requested the High Commissioner to continue to provide technical assistance through her office in Tbilisi and to present a written report on developments relating to and the implementation of that resolution at the forty-fifth session of the Council. The Council will consider the report of the High Commissioner (A/HRC/45/54) (see para. 42 above).

*Technical assistance and capacity-building in the field of human rights in the Central African Republic*

113. In its resolution 42/36, the Human Rights Council decided to renew, for one year, the mandate of the Independent Expert on the situation of human rights in the Central African Republic, and requested the Independent Expert to submit a written report to the Council at its forty-fifth session. The Council will consider the report of the mandate holder, Yao Agbetse (A/HRC/45/55).

*Technical assistance and capacity-building for Yemen in the field of human rights*

114. In its resolution 42/31, the Human Rights Council requested the High Commissioner to present to the Council, at its forty-fifth session, a written report on the implementation of technical assistance to Yemen. The Council will consider the report of the High Commissioner (A/HRC/45/57) (see para. 25 above).



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**Annex****Panel discussions and other discussions to be held at the forty-fifth session of the Human Rights Council**

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<i>Resolution/decision</i>	<i>Panel/discussion</i>
Human Rights Council resolution 42/23	Biennial panel discussion on the right to development (accessible to persons with disabilities)
Human Rights Council resolutions 18/8, 39/13 and 42/19	Annual half-day panel discussion on the rights of indigenous peoples, on the theme “Protection of indigenous human rights defenders” (accessible to persons with disabilities)
Human Rights Council resolution 6/30	Annual discussion on the integration of a gender perspective throughout the work of the Human Rights Council and that of its mechanisms

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