



gva4HR ANNUAL NARRATIVE REPORT 2022

INTRODUCTION

By Adrien-Claude ZOLLER

OUR TRAINING ORGANISATION HAS TWENTY YEARS !

Due to the reluctance of many states, the creation of a human rights system in the United Nations (UN) has been an arduous enterprise. And many still ignore that the role of the civil society has been critical in this long journey.

NGOs and the UN human rights system

Emerging from the second global calamity, delegates in San Francisco were eager to prevent the recurrence of another world war. They established a collective security system. During these talks, despite a minimal presence, a few NGOs delegates succeeded in being heard and obtained the mention in the UN Charter of *human rights* as one of its objective, the creation of a *commission on human rights* and the promise for a *status* in the new organization, specifically at the level of the *Economic and Social Council* (ECOSOC) ¹.

Having a *consultative status*, was one thing. More essential was **to use this status** by submitting solid information and concrete proposals. The recent study project of *Geneva for Human Rights* (gva4HR) recalls that the first international NGOs *in status* largely contributed from the outset to the building-up of a global system with standards, treaties and procedures, together with independent experts (of the former Sub-Commission) and, at the end of the 70s, the UN human rights Secretariat. This is still the case today: without the active involvement of human rights groups, victims, witnesses and defenders, the current system of human rights mechanisms and procedures would hardly exist.

By the early 1980s, apart from the support provided by a few international NGOs, there was no mechanism in Geneva for '*non status*' victims and their advocates coming from all parts of the world, who needed financial support, accommodation, information and orientation on the UN system, and hospitality from '*status*' NGOs to participate in the meetings of the UN Commission and Sub-Commission. Non-governmental actors created the *International Service for Human Rights* (ISHR, 1984) and, a year later, *SOS-Torture*, which became a global network, the *World Organisation Against Torture* (OMCT), supporting local defenders in their urgent appeals and in submissions to the UN.

Geneva for Human Rights

At the beginning of 2003, a dozen of Geneva-based NGOs members and experts, most of them involved in the two previous initiatives, launched a *third service*, that of a **training organisation**. The UN, ILO, UNESCO and regional (governmental) organisations had adopted an array of general principles, declarations and conventions on specific rights and a variety of violations, providing for rights to be respected and for the most vulnerable groups to be protected. Multiple treaty bodies, mechanisms and special procedures had been set-up to monitor States' compliance with their obligations. But, using this system was becoming a complex matter for those in the regions. Training them was crucial.

Concrete objectives were defined in the first Assemblies of gva4HR. Indeed, the international system had to be reinforced. However, the main problem was the **growing gap** between international decisions and the realities. **Domestic implementation** had to be *the main objective* of gva4HR training.

¹ Article 71 of the UN Charter.

And, as human rights have to be realized ultimately *by the country itself*, strengthening ***national protection mechanisms and capacities*** had to be gva4HR *priority*.

Twenty years later, the 23rd gva4HR Assembly of June 2023 offers an excellent opportunity to assess what has been achieved since then.

2022 and perspectives

After two years of confinement due to the Covid-19 pandemic, a large part of the world reopened in 2022. Main human rights concerns last year focused on the consequences of this pandemic, the global economic downturn and extreme poverty, the pressure on democracy and rule of law, the regression of women's rights, the real effects of climate change (catastrophic weather events) and climate inequality (floods in Pakistan!).

2022 opened with a bloody January in Kazakhstan and Russia's aggression against Ukraine (24 February), which is the greatest challenge to the fundamentals of the UN since the US invasion of Iraq in 2003. Its global ramifications dominated diplomacy at the UN: a brutal regression of humanitarian law; a food crisis exacerbating famine in many countries; a fuel and energy crisis; and the use of nuclear threat. A permanent member of the Security Council, Russia breached the basic principles of the UN Charter prohibiting the use of force, securing state sovereignty and guaranteeing territorial integrity.

The UN system did not collapse, however. Rapidly, facing Russia's veto silencing the Security Council, Council members referred the case to the General Assembly using the '*uniting for peace*' mechanism². The Assembly condemned the aggression by a vote of 141 states to 5, with 35 abstentions, adopted another resolution on the humanitarian impacts of the war, suspended Russia from its seat in the Human Rights Council, and, in April, adopted the proposal long promoted by Liechtenstein to automatically convene a session to debate Security Council vetoes. The Secretary General brokered a deal on the evacuation of civilians from the besieged Mariupol, and obtained the July agreement to allow Ukraine to export grain via the Black Sea. Despite toxic debates about Ukraine, with Russia continuing to lie about its offensive, the Security Council continued to work, passing resolutions on countries such as Afghanistan and Haiti.

Under the excellent chair of *Ambassador Federico Villegas* (Argentina), the Human Rights Council achieved a lot in 2022. It held *special sessions* on Ukraine (12 May) and on Iran (24 November) and *urgent debates* on Ukraine (3 March) and on women and girls in Afghanistan (1 July). During its 49th session (March), the Council established a *Commission of Inquiry on the Russian Federation's Aggression against Ukraine*, and a *Group of Human Rights Experts on Nicaragua*. It also created the mandates of *Special Rapporteur for the situation in Russia* (7 October), and a *Fact-Finding Mission for the situation in Iran* (24 November). Throughout the year, the Council also renewed dozens of Special procedures mandates, such as those on *South-Sudan*, *Eritrea*, *Belarus*, *Venezuela*, as well as the mandate of OHCHR on *Sri Lanka* (accountability project). A draft decision entitled *debate on the situation of human rights in the Xinjiang Uyghur Autonomous Region, China*, was rejected by a small majority (17 votes in favour, 19 against and 11 abstentions), causing a major disappointment, but illustrating China's growing influence in the Council (6 October).

Diplomats from Southern countries, while not condoning Russia's assault, appeared increasingly uncomfortable taking strong positions on this war. This is another sign of a decline in Western dominance. Multilateralism was already eroding under the pressure from China and Russia, who, for quite some time have had different views about the existing multilateral system and gradually build-up an anti-Western front in human rights fora.

And other human disasters should be dealt with, as illustrated by the 26 December 2022 statement of the *UN High Commissioner for Refugees, Filippo Grandi*, that a hundred million people were forced to leave their homes in 2022, totaling about 100 million, including those fleeing conflict, violence, human rights violations and persecution, '*a record that should never have been set*'.

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Adrien-Claude Zoller, President

² *This mechanism authorises the Assembly to recommend solutions to crises when the Council is blocked.*